United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE *110th* CONGRESS, FIRST SESSION

Vol. 153 WASHINGTON, MONDAY, MARCH 19, 2007 *No. 47*

Senate

The Senate met at 2 p.m. and was called to order by the Honorable MARK L. PRYOR, a Senator from the State of Arkansas.

PRAYER

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

Let us pray:

Lord, You have promised to work for the good of those who love You. Work in the lives of our lawmakers, strengthening them for every problem, trial, and temptation they face. Open their eyes to see Your hand at work even in adversity and keep them faithful to You.

Lord, may their lives become models of godly living as You empower them to live worthy of Your Name. Help them to be quick to hear, slow to speak, and slow to become angry. Be their refuge and strength, an ever present help in trouble. Empower them to maintain justice and to constantly do what is right. Teach them Your ways and give them Your peace.

We pray in Your holy Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable MARK L. PRYOR 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.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore [Mr. BYRD].

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, March 19, 2007.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable MARK L. PRYOR, a Senator from the State of Arkansas, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. PRYOR thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

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

FIRING OF U.S. ATTORNEYS

Mr. REID. Mr. President, in today's Congressional Weekly, a respected publication we get back there, there is a column on the last page by Craig Crawford which I think is quite illuminating. It is entitled ''The Firing Squad Backfires.''

The fingerprints of the President's top advisers are all over the prosecutors' firing scandal, which means trouble for Bush.

Here is the first sentence:

Of all the scandals that increasingly bedevil George W. Bush's Presidency, none has more direct ties to the President than the flap over firing Federal prosecutors.

I rise today to express my strong support of S. 214, Senator FEINSTEIN's legislation to strengthen the independence of U.S. attorneys. There is growing evidence that the Bush administration fired Federal prosecutors for improper partisan reasons. This legislation is needed to protect the integrity of the Federal criminal justice system and the autonomy of the chief Federal prosecutors across the country.

The U.S. attorney scandal is another example of the arrogance of power. As Lord Acton said, power tends to corrupt, and absolute power tends to corrupt absolutely. For too long, the Bush administration—shielded from oversight by a Republican-dominated Congress—enjoyed absolute power, and they abused it.

After all, this was a President who won two elections by the barest of margins, first by the Supreme Court. Yet after 9/11, instead of uniting the country, he has chosen to push the envelope of his authority. On everything from the runup to the war in Iraq, to the plan to destroy Social Security, to the use of warrantless wiretapping, this administration has governed without compromise.

The political purge of U.S. attorneys is only the latest example of this President's unhealthy disregard for checks and balances. Speedy passage of this bill is only the first step the Senate must take to deal with the administration's dangerous power grab.

We need to get to the bottom of this scandal to find out why these U.S. attorneys were fired. We need to find out whether the Attorney General and his deputies testified truthfully when they first explained the firings to Congress and the American people.

Federal prosecutors are enormously powerful individuals. They are the embodiment of Federal criminal law. They make life-and-death decisions about who to prosecute and who should receive leniency. Their discretion is largely unreviewable. They must be permitted to carry out their solemn duties without any political interference.

No one disputes the authority of the President to name U.S. attorneys at the beginning of his term, subject to the advice and consent of the Senate. But it is unprecedented that U.S. attorneys be terminated in the middle of a Presidential term without proper cause. It is unacceptable for U.S. attorneys to be replaced because they were perceived by the White House to be insufficiently partisan or too aggressive in prosecuting public corruption.

It appears that administration officials took advantage of a provision that they insisted be included in the

Printed on recycled paper.

PATRIOT Act reauthorization conference report last year. Now it is becoming clear why they stuck that provision in there. This was a plan they had for some time. That law reversed a longstanding procedure that allowed the chief Federal judge in the Federal district court to appoint a temporary replacement while the permanent nominee undergoes Senate confirmation. The Feinstein bill simply restores the pre-PATRIOT Act procedure.

Conflicting testimony and recently released e-mails strongly suggest the American people are not getting from the Bush administration the full story about this scandal.

In the State of Nevada, as an example, Daniel Bogden, a highly respected career prosecutor, was forced to step down. His chosen vocation in life was to be a Federal prosecutor. He worked as an assistant U.S. attorney for a significant period of time before chosen to be the U.S. attorney by a Republican, JOHN ENSIGN, and by the President, who sent his name to us. We were initially told that Bogden and others were fired for ''performance-related reasons.'' But that explanation proved to be totally bogus. In fact, Dan Bogden's personnel review was glowing. We still don't know why Dan Bogden was fired. What we do know is under the new PATRIOT Act provision, Mr. Bogden could be replaced by someone with no ties to Nevada, and with no input from the Senate. The damage done to Bogden personally is irreparable. He can't work now as assistant U.S. attorney. That is part of the process. That is too bad. He is a fine man whose reputation has been besmirched.

Meanwhile, we learned of a scheme hatched in the White House to replace all U.S. attorneys. At least one U.S. attorney has stated he was forced to resign because he refused to bend to political pressure regarding ongoing investigations. Others were fired under circumstances that raise the same question. In the State of Arkansas, the U.S. attorney was fired and replaced by one of Karl Rove's underlings.

The Attorney General and his deputies told Congress these firings were not politically motivated. But according to newly released e-mails, White House political operatives such as Mr. Rove were involved in the decisionmaking. Kyl Sampson, who eventually became Chief of Staff to Attorney General Gonzales, wrote an e-mail that distinguished between those U.S. attorneys who were ''loyal Bushies'' and those who were not. Dan Bogden and other U.S. attorneys who were fired last December were not ''loyal Bushies.''

What I am worried about—and it hasn't come out yet—is what about those who were loyal Bushies? Were these people prosecuting people because of the political involvement of the White House? Perhaps so.

The real question is whether being a ''loyal Bushie'' meant letting partisan consideration poison law enforcement decisions. Do prosecutors who are ''loyal Bushies'' go easy on Republican corruption? Do they bring cases against Democrats without legal justification? The actions of the Bush administration call into question every decision by Federal prosecutors in corruption cases across the country.

I applaud the efforts of Senator FEINSTEIN, who wrote this legislation and spoke about it early on. I also applaud the efforts of Senators SCHUMER and LEAHY, as well as colleagues on the other side of the aisle who are committed to getting the truth in this matter. I strongly urge the Senate to pass this piece of legislation. Simply put, we need to begin to keep politics out of the Federal criminal justice system, which is the way it has always been.

SCHEDULE

Mr. REID. Mr. President, today, following the remarks of the leaders, the Senate will immediately proceed to S. 214, the U.S. attorneys legislation. Last week, we were able to agree to a unanimous consent that will govern consideration of this bill.

There will be no rollcall votes today. We will, however, have three votes beginning at 11:30 a.m. tomorrow morning. These votes will be with respect to amendments to the U.S. attorneys bill and then passage of the bill.

Following the recess for the party conferences on Tuesday, the Senate will begin to consider the concurrent budget resolution, which was reported by the Budget Committee to the Senate floor last Thursday.

RESERVATION OF LEADER TIME

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

PRESERVING UNITED STATES ATTORNEY INDEPENDENCE ACT OF 2007

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to the consideration of S. 214.

The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 214) to amend chapter 35 of title 28, United States Code, to preserve the independence of the United States Attorneys.

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on the Judiciary, with an amendment, as follows:

(The part of the bill intended to be stricken is shown in boldface brackets and the part of the bill intended to be inserted is shown in italic.)

S. 214

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 ''Preserving United States Attorney Independence Act of 2007''.

SEC. 2. VACANCIES.

[Section 546 of title 28, United States Code, is amended to read as follows:

''§ 546. Vacancies

''The United States district court for a district in which the office of the United States attorney is vacant may appoint a United States attorney to serve until that vacancy is filled. The order of appointment by the court shall be filed with the clerk of the court.''.**]**

Section 546 of title 28, United States Code, is amended by striking subsection (c) and inserting the following:

''(c) A person appointed as United States attorney under this section may serve until the earlier of—

''(1) the qualification of a United States attorney for such district appointed by the President under section 541 of this title; or

''(2) the expiration of 120 days after appointment by the Attorney General under this section.

''(d) If an appointment expires under subsection (c)(2), the district court for such district may appoint a United States attorney to serve until the vacancy is filled. The order of appointment by the court shall be filed with the clerk of the court.''.

SEC. 3. APPLICABILITY.

(a) IN GENERAL.—The amendments made by this Act shall take effect on the date of enactment of this Act.

(b) APPLICATION.—

(1) IN GENERAL.—Any person serving as a United States attorney on the day before the date of enactment of this Act who was appointed under section 546 of title 28, United States Code, may serve until the earlier of—

(A) the qualification of a United States attorney for such district appointed by the President under section 541 of that title; or

(B) 120 days after the date of enactment of this Act.

(2) EXPIRED APPOINTMENTS.—If an appointment expires under paragraph (1), the district court for that district may appoint a United States attorney for that district under section 546(d) of title 28, United States Code, as added by this Act.

The ACTING PRESIDENT pro tempore. Under the previous order, the committee-reported amendment is agreed to and the motion to reconsider is laid upon the table.

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

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

The assistant legislative clerk proceeded to call the roll.

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

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

Mrs. FEINSTEIN. Mr. President, I rise today to speak in support of S. 214, the bill the leader just referred to. This is a bill that simply reinstates the Senate's role in the confirmation process of U.S. attorneys. It is a bill I introduced with Senator LEAHY on January 9, 2007, days after I first learned in early December that officials from main Justice called a handful of U.S. attorneys from around the country and forced them to resign their positions without cause.

At that time, I had very little information and was unaware of exactly what had occurred and why. As I looked into it, I learned that in March of 2006, the PATRIOT Act was reauthorized and a change was made in the law. It was made in conference without Democratic Senators present. To the best of my knowledge, it was made without the knowledge of any Senator, Republican or Democrat. It is my understanding this was a request from the Justice Department that was presented by Will Moschella to the staff of the Judiciary Committee and, without the knowledge of Senators, was put into the bill. It then gave the President the authority essentially to appoint a U.S. attorney without confirmation for the remainder of his term.

The bill, S. 214, that is before the Senate today simply returns the law the way it was before this action took place in March of 2006.

Today, just a little more than 2 months after I first learned about this situation, additional information has come to light. But rather than alleviating the concerns and answering questions, we are now faced with new and more serious allegations. In fact, the big question looming over this debate is whether the Attorney General and others in the Bush administration have misled the Congress and the public. If true, this is very serious.

There are also allegations that the firings were done because the Department of Justice and the White House were both unhappy with some of the U.S. attorneys' handling of public corruption cases. If true this, too, is very serious.

We now know that at least eight U.S. attorneys were forced from office, and that despite shifting rationales for why, it has become clear that politics has, in fact, played some role.

Last week, we learned that the White House was involved in this process and that discussions took place with such prominent figures as Presidential adviser Karl Rove and former White House Counsel Harriet Miers. We also learned last week that these discussions began well over 2 years ago, almost immediately following the 2004 election, and it appears from recently released e-mails that Attorney General Gonzales was personally consulted, even while he was still serving as White House Counsel.

This information also shed new light on who was being targeted for firing and why. It is this last point—why some were targeted—that has served to raise more questions and more significant concerns. We have learned that as many as six of the eight U.S. attorneys who were involved with public corruption cases. While we don't know what role this played in their selection, it is an unavoidable fact that raises serious questions.

Today, as the Senate begins the debate on the Preserving United States Attorney Independence Act, I would like to discuss some of what we have learned in greater detail and some of the reasons this bill is so necessary.

I believe it is important to look at how interim U.S. attorneys have been appointed over the years. There appears to be an assumption by the Bush administration that the Attorney General should have an exclusive authority to appoint interim U.S. attorneys. But, in fact, history paints a much different picture.

When first looking into this issue, I found that the statutes had given the courts the authority to appoint an interim U.S. attorney and that this dated back as far as the Civil War. Specifically, the authority was first vested with the circuit courts in March of 1863. Then, in 1898, a House of Representatives report explained that while Congress believed it was important to have the courts appoint an interim U.S. attorney, there was a problem relying on circuit courts ''since the circuit justice is not always to be found in the circuit and time is wasted in ascertaining his whereabouts.'' Therefore, at that time, the interim appointment authority was switched to the district courts; that is, in 1898 it was switched to the district courts. Thus, for almost 100 years, the district courts were in charge of appointing interim U.S. attorneys, and they did so with virtually no problems.

This structure was left undisturbed until 1986 when the statute was changed during the Reagan administration. In a bill that was introduced by Senator Strom Thurmond, the statute was changed to give the appointment authority to the Attorney General, but even then it was restricted and the Attorney General had a 120-day time limit. After that time, if a nominee was not confirmed, the district courts would appoint an interim U.S. attorney. The adoption of this language was part of a larger package that was billed as technical amendments to criminal law, and thus there was no recorded debate in either the House or the Senate and both Chambers passed the bill by voice vote.

Then, 20 years later, in March 2006—again without much debate and again as a part of a larger package—a statutory change was inserted into the PATRIOT Act reauthorization. This time, the Executive's power was expanded even further, giving the Attorney General the authority to appoint an interim replacement indefinitely and without Senate confirmation.

Unfortunately, not 1 year after securing this new authority, abuses have come to light. Almost immediately after I first spoke about what I had learned in January, the Attorney General called me to tell me that I had my facts wrong. However, he also sent up his staff to confirm that ''less than 10'' U.S. attorneys had been asked to resign on December 7, 2006.

Despite this, the Attorney General adamantly denied politics had any role in the process. In fact, in an interview with an Associated Press reporter on January 16, 2007, the Attorney General was asked about the charges of political motivation, and he responded:

> Nothing could be further from the truth.

He further stated in response to your comment, Mr. President, that the Department tried to avoid Senate confirmation to reward political allies:

> We in no way politicized these decisions.

Two days later, the Attorney General reiterated this position when he came before the Senate Judiciary Committee on January 18 of this year and said:

> I would never, ever make a change in the United States attorney position for political reasons.

That is a categorical and definitive monosyllabic statement. However, the Department had to backtrack when it became evident that the former U.S. attorney from your State, Mr. President, Arkansas, Bud Cummins, was simply replaced in order to make room for Tim Griffin, who had served as Karl Rove's special assistant and had been in charge of opposition research against Democratic candidates for the Republican National Committee.

Less than a month later, the Deputy Attorney General confirmed this fact when he testified before the Senate Judiciary Committee on February 7, 2007. At that time, he said:

> The fact is there was a change made [in Arkansas] that was not connected, as we said, to the performance of the incumbent, but more related to the opportunity to provide a fresh start with a new person in that position.

Deputy Attorney General McNulty, however, went on to say that all the others who were fired were fired for ''performance-related reasons.'' But this, too, was not the final explanation. The Department next tried to justify the firings by arguing that the U.S. attorneys were let go because there were ''policy disagreements.'' Then the Attorney General said that these U.S. attorneys had ''lost [his] confidence.'' So there are three different reasons so far. Now, most recently, the explanation has been that the Department thought it ''could do better''—the fourth explanation.

These explanations are as slippery as they are misleading. Rather, what documents and e-mails demonstrate is that none of these reasons was the deciding factor that led some U.S. attorneys to be targeted for firing. Instead, it appears these individuals lost their jobs because a number of Department of Justice officials and possibly—we don't know but possibly—White House officials did not judge them to be sufficiently loyal or did not like the cases they were prosecuting or simply wanted to put in new, politically connected, young lawyers. It appears this way because contained in the documents that were released last week is an outline of the Department of Justice's plan for how to determine who should be let go and who should stay.

The first step of that plan was to create a new rating system to evaluate all

93 U.S. attorneys. This was to be separate from the independent performance reports, called EARS reports. Those reports routinely occurred and objectively examined each U.S. Attorney's Office by evaluating their prosecution caseloads, their management, their willingness to follow Department priorities, and their ability to work cooperatively with the FBI, with the DEA, and with other client agencies.

This rating system was developed back in February of 2005, and one of the primary factors to be considered was loyalty to the administration.

One e-mail describing the ratings stated:

Recommended retaining strong U.S. attorneys who have produced, managed well, and exhibited loyalty to the President and Attorney General. Recommended removing weak U.S. attorneys who have been ineffectual managers and prosecutors, chafe against administration initiatives.

Under this system, two of the eight fired U.S. attorneys received strong evaluations and recommended retaining while three received recommended removing.

One of the U.S. attorneys who received a recommended removing rating was Carol Lam from the Southern District of California. She received this low rating despite her many accomplishments and despite her positive performance evaluations. I am familiar with Carol Lam's career because she served in San Diego. In that position, she has taken on some of the biggest cases and really made a positive impact on the community she has served. But that is not just my opinion. Leaders throughout San Diego have sung her praises. Let me give a few examples.

Dan Dzwilewski, head of the FBI office in San Diego:

Carol has an excellent reputation and has done an excellent job given her limited resources.

Then, when asked whether she had given proper attention to gun cases, he said:

What do you expect her to do? Let corruption exist?

Adele Fasano, the San Diego Director of Field Operations, U.S. Customs and Border Protection, said:

[We have] enjoyed a strong, collaborative relationship with the U.S. Attorney's Office to combat smuggling activity through the ports of entry.

City attorney for San Diego, Michael Aguirre, said:

[Carol Lam] has been by far the most outstanding U.S. Attorney we've ever had . . . she's won a national reputation as one of the top prosecutors in the country.

This is the city attorney.

Michael Unzueta, Special Agent in Charge, Immigration and Customs Enforcement:

Carol Lam is truly an example of a dedicated public servant and a law enforcement professional. We will miss her leadership.

John Cooper, Special Agent in Charge, Naval Criminal Investigative Service:

The departure of Ms. Lam will be a great loss . . . Ms. Lam is the consummate law enforcement executive who leads by example.

And Alan Poleszak, Acting Special Agent in Charge, Drug Enforcement Agency:

The on-going prosecution of [the] Javier Arellano Felix drug trafficking organization is both historic and noteworthy . . . [Ms. Lam's] commitment to Federal law enforcement in this judicial district, county, and city, will be missed.

We should take note of the fact that the Arellano Felix organization is one of the largest and most dangerous Mexican drug cartels known. They operate out of Tijuana. They have killed hundreds of people. They have murdered Mexican DAs, they have murdered Mexican judges, and they are a blight. This U.S. attorney took them on. I will tell my colleagues more about that in a moment. The reason Carol Lam was well respected is because she worked hard and she took on the tough fights. She has had success after success. Let me give some examples.

In September of 2005, the president of the San Diego chapter of Hell's Angels pled guilty to conspiracy to commit racketeering. Guy Russell Castiglione admitted he conspired to kill members of a rival motorcycle gang, the Mongols, to sell methamphetamine. In December 2005, Daymond Buchanan, member of Hell's Angels, was sentenced to 92 months in Federal prison for participating in a pattern of racketeering as well as inflicting serious bodily injury upon one victim. At that time, Ms. Lam announced:

With the president, sergeant at arms, secretary, treasurer, and six other members of the Hell's Angels convicted of racketeering charges and facing long prison sentences, the San Diego chapter of the Hell's Angels has been effectively shut down for the foreseeable future.

If that isn't enough, in September of 2006, Jose Ernesto Beltran-Quinonez, a Mexican national, pled guilty to making false statements about weapons of mass destruction. Mr. Quinonez was sentenced to 3 years in Federal prison for making up a story about Chinese terrorists sneaking into the United States with a nuclear warhead. The hoax prompted a massive investigation, Federal warnings, discussions at one of President Bush's security briefings, and a nationwide hunt for the group of Chinese supposedly plotting the attack.

In December 2006 Mel Kay, of Golden State Fence Company, and Michael McLaughlin pled guilty to felony charges of hiring illegal immigrants and agreed to pay fines of $200,000 and $100,000 respectively. The company, which built much of the fence near Otay Mesa, agreed separately to pay $5 million on a misdemeanor count, one of the largest fines ever imposed on a company for an immigration violation.

Was Carol Lam praised for this work? No, she was sent packing without an explanation. Those were not her only cases.

She gained a national reputation for her work on public corruption cases. I think it is important to note that public corruption is the FBI's second highest priority after terrorism-related investigations. Now, I didn't know this, but the Judiciary Committee had an oversight hearing of the FBI on December 6, 2006, where the Director, Bob Mueller, came before us and he mentioned what their priorities were, and he said: Terrorism first, and then public corruption second, and crime was way down on the list.

As a matter of fact, I found it rather startling, and I questioned him about that. He said, with some emphasis, those are our priorities, and we believe if we don't do public corruption, nobody else will. So the FBI has as its second highest priority public corruption. The FBI is going to be out there putting together cases. Who prosecutes these cases? U.S. attorneys. The FBI's second highest priority, and Carol Lam rose to this challenge.

In March of 2004, her office convicted Steven Mark Lash, the former chief financial officer of FPA Medical Management, for his role in defrauding shareholders and lenders of FPA. The collapse of the company left more than 1,600 doctors being owed more than $60 million and patients reporting they were unable to obtain medical care because this company had ceased paying providers.

In January of 2005, Mark Anthony Kolowich, owner of World Express Rx, pled guilty to conspiracy to sell counterfeit pharmaceuticals, conspiracy to commit mail fraud and smuggle pharmaceuticals, and conspiracy to launder money. Mr. Kolowich had run an Internet pharmacy Web site where customers could order prescription drugs without a valid prescription. The judge called him the kingpin and architect of an illicit pharmaceutical ring that recruited many others to smuggle drugs across the United States-Mexico border at San Ysidro.

Another case. In July 2005, Mrs. Lam brought a case against San Diego councilman Ralph Inzunza and Las Vegas lobbyist Lance Malone. They were convicted on multiple counts of extortion, wire fraud conspiracy and wire fraud and were accused of trading money for efforts to repeal a law.

Then, in her most well-known case, in November of 2005, Ms. Lam secured a guilty plea from former Representative Randy ''Duke'' Cunningham for taking more than $2 million in bribes in a criminal conspiracy case involving at least three defense contractors after he accepted cash and gifts and then tried to influence the Defense Department on behalf of donors. He also pled guilty to a separate tax evasion violation for failing to disclose income in 2004.

Now, here is where it gets interesting. Finally, 2 days before she left office, that would be around February 13, Carol Lam announced indictments of Kyle ''Dusty'' Foggo, a former top officer of the Central Intelligence

Agency, and Brent Wilkes, a defense contractor accused of bribing Duke Cunningham and the prime benefactor of secret CIA contracts. It is this latest incident, involving the ongoing investigations stemming from the Cunningham case, that has raised the most significant concerns about Carol Lam's removal.

When I first came to the floor in January, I mentioned rumors were circulating around California that Carol Lam was pushed out because of her efforts in the Duke Cunningham case and subsequent investigations. I have tried to be very careful about talking about these allegations because they are so serious and because, at the time, they were based on mere speculation.

Despite recent materials coming to light, I want to continue to be very careful in talking about these allegations. At the same time, I must say that today there are even more questions to be answered regarding what role public corruption cases played in the administration's decisions about which U.S. attorneys to fire. We have now learned that six of the eight fired U.S. attorneys were involved in public corruption cases.

The Washington Post noted this, I think, very well, as I will point out here on this chart.

David Iglesias, New Mexico—oversaw probes of State Democrats and alleges two Republican lawmakers pressured him about the case. He was respected by the Judiciary agencies and staff, complied with Department priorities.

Daniel Bogden, Nevada—overall evaluation was very positive. Notable cases, opened a probe related to Nevada Governor Jim Gibbons, former Member of Congress.

Paul Charlton, Arizona—opened preliminary probes of Representatives Jim Kolbe and Rick Renzi before November election. Well respected, established goals that were appropriate to meet the priorities of the Department.

These are quotes from the official performance reports. I am not making them up, and I am not taking them from any individual. These are 27 people who go into an office and evaluate the performance of a U.S. attorney. What did they say about notable cases?

Bud Cummins, Eastern Arkansas—Cummins was very competent, highly regarded.

That was his performance review. He conducted a probe related to Missouri Governor Roy Blunt, which he later closed without charges.

There is Carol Lam, Southern California, whom I have already mentioned.

John McKay, Western Washington—here is the job performance: effective, well regarded, capable leader, established strategic goals that were appropriate. Here is the case: Declined to intervene in disputed gubernatorial election, angry GOP.

Those are the six. In Carol Lam's case, these allegations have become even more troubling.

Following the conviction of Duke Cunningham, in April 2006, Federal prosecutors in Carol Lam's office began investigating whether Brent Wilkes, a defense contractor, and Kyle ''Dusty'' Foggo, the third highest ranking official at the CIA, and others were involved in bribery and corruption. Throughout the first week of May 2006, information began to surface in the press regarding this ongoing investigation. Then, on May 10, 2006, Carol Lam quietly sent an urgent notice to officials at Main Justice to inform the Deputy Attorney General and the Attorney General she was about to execute search warrants on May 12—that is 2 days later—to search the home and CIA office of Dusty Foggo. The very next day, after she sent this internal notice, Department of Justice staff sent an e-mail to the White House that said this:

> Please call me to discuss the following: . . . The real problem we have right now with Carol Lam that leads me to conclude that we should have somebody ready to be nominated on 11/18, the day her 4-year term expires.

The real problem we have right now with Carol Lam. And that is the day after she notified Main Justice that she was executing two search warrants.

Mr. President, I ask unanimous consent that the complete e-mail be printed in the RECORD.

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

From: Sampson, Kyle.
Sent: Thursday, May 11, 2006 11:36 AM.
To: 'William_K._Kelley@who.eop.gov'.
Subject: FW: Removal and Replacement of U.S. Attorneys Whose 4-year Terms Have Expired.
Sensitivity: Confidential.

Per-your inquiry yesterday after JSC, this is the e-mail I sent to Dabney last month at Harriet's request. Please call me at your convenience to discuss the following:

———

Tim Griffin for E.D. Ark.; and

The real problem we have right now with Carol Lam that leads me to conclude that we should have someone ready to be nominated on 11/18, the day her 4-year term expires.

———

From: Sampson, Kyle.
Sent: Friday, April 14, 2006 9:31 AM.
To: 'Dabney_Friedrich@who.eop.gov'.
Subject: RE: Removal and Replacement of U.S. Attorneys Whose 4-year Terms Have Expired.
Sensitivity: Confidential.

Also, I would note that two others on my original list already have left office. They are:

———and———

———

From: Sampson, Kyle.
Sent: Friday, April 14, 2006 9:30 AM.
To: 'Dabney_Friedrich@who.eop.gov'.
Subject: Removal and Replacement of U.S. Attorneys Whose 4-year Terms Have Expired.
Sensitivity: Confidential.

Dabney, DOJ recommends that the White House consider removing and replacing the following U.S. Attorneys upon the expiration of their 4-year terms:

Margaret M. Chiara, W.D. Mich., term expired 11/2/2005;

Harry E. ''Bud'' Cummins III, E.D. Ark., term expired 1/9/2006; and

Carol C. Lam, S.D. Cal., term expires 11/18/2006.

We also should similarly seek to remove and replace:

———

Call me if you have any questions. If you pushed me, I'd have 3–5 additional names that the White House might want to consider.

Mrs. FEINSTEIN. Mr. President, there could be a straightforward explanation for this e-mail that has nothing to do with public corruption cases Carol Lam was pursuing. However, the timing looks really suspicious and it raises serious questions, questions that need to be answered. Because if any U.S. attorney were removed because of a public corruption investigation or prosecution, this could very well comprise obstruction of justice.

I believe that irrespective of the intent behind the decision to fire Carol Lam and the other U.S. attorneys working on public corruption cases, such a removal sends a message to all other Federal prosecutors, whether intended or not, that creates a chilling effect. Because of this, there should have been very careful consideration given to what steps should have been taken to ensure it was clear there was good reason to remove the prosecutor, that the office itself had a comprehensive plan in place to ensure no cases or investigations would be harmed or slowed in any way and that ongoing public corruption cases had absolutely nothing to do with the removal of the U.S. attorney.

However, in the case of Carol Lam and in the case of five other U.S. attorneys, the administration failed to meet even these bare minimum standards. I strongly believe that removal of a United States attorney who is involved in an ongoing public corruption case should occur only—only if there is a very good reason, and not simply ''we could do better.''

Because of the public corruption cases and allegations that individuals were removed to put in politically connected young lawyers, another issue that must be examined is the appearance of politics impacting how U.S. attorneys are treated and what that means for the prosecution of justice.

As was reported in the McClatchy newspapers, former Federal prosecutors and defense lawyers have said:

> Allegations of political interference could undermine the reputation of U.S. attorneys as impartial enforcers of the law.

And, yes, I really agree with that.

One former Federal prosecutor said:

> One of the things the Department has stood for was being apolitical. Sure, politics does get involved in the appointment process, but this is just nuts.

He is right. Yes, appointees are selected and nominated by the party in power. But once an individual U.S. attorney takes that oath of office, he or she must be independent, objective, and must be free to pursue justice wherever the facts lead.

Bruce Fein, the former Associate Deputy Attorney General for the

Reagan administration, said in an interview last week:

[W]e expect the rule of law to be administered evenhandedly. That's what ties our country together and gives legitimacy to decisions by the court and to the government itself. When it's obvious that the prosecution function is being manipulated for political purposes, that undermines the entire rule of law.

In defending its actions, administration officials and others have tried to argue that both Presidents Reagan and Clinton fired all 93 U.S. attorneys when they came into office, and that is no different than what occurred in December. Right?

Wrong. The implication of this argument has been that it is not unheard of to fire U.S. attorneys in this manner, and that, at some level, it is commonplace. Right?

Wrong, it is not commonplace. In fact, the Department of Justice and the White House knew that this was not commonplace and that comparing its actions to Reagan and Clinton was an inaccurate analogy. A memo, written by Kyl Sampson on January 1, 2006, to the Counsel to the President, clearly stated:

During the Reagan and Clinton Administrations, President Reagan and Clinton did not seek to remove and replace U.S. Attorneys they had appointed, whose four-year terms had expired, but instead permitted such U.S. Attorneys to serve indefinitely under the holdover provision.

That is a memo from the Attorney General's Chief of Staff, Kyle Sampson, again, on January 1, 2006.

So they knew. They knew that just to say President Reagan and President Clinton each formed a new team when they became President couldn't be used as precedent because it was not an accurate precedent.

Despite this, the administration and its defenders have continued to argue that firing U.S. attorneys was ''entirely appropriate'' and that it was justified because executive branch appointees ''serve at the pleasure of the President.'' In fact, this had never been done before. In fact, as far as we have been able to find out so far, and they are still researching it—but the Congressional Research Service has told us that in the past 25 years, only two U.S. attorneys who served less than a full term have been fired.

Interestingly, this talking point about ''serving at the pleasure of the President'' is repeated throughout the documents that have been released as to what the administration should say when asked about the firing of U.S. attorneys. Specifically, it was listed in several versions of a memo that outlined the steps to be taken to execute the plan. This, again, is a memo from the Chief of Staff to the Attorney General:

''Step 3: Prepare to withstand political upheaval.'' We should expect that there will be ''direct and indirect appeals of the Administration's determination to seek these resignations. . . . Recipients of such 'appeals' must respond identically . . . U.S. attorneys serve at the pleasure of the President.''

So those to whom somebody appeals must reinforce this argument: U.S. attorneys serve at the pleasure of the President. That little statement is meant to cover, I am sorry to say, a multitude of sins.

Of course, in the most literal sense, it is true: executive branch employees serve at the pleasure of the President. However, blind adherence and single-minded pursuit of this principle ignores that it is equally true that our Nation's prosecutors must be independent, they must be objective, and they must pursue justice wherever the facts lead.

And it ignores that our country is based on the principle of checks and balances. Of course, in this instance this means that we must return Senate confirmation as a certainty to the law, and this is exactly what we do in S. 214—we simply return the law to what it was before that unknown addition was added to the PATRIOT Act reauthorization without the knowledge of Senators.

Since January when this issue was first raised, the Department of Justice has repeatedly stated publicly that it did not intend to avoid Senate confirmation. For example, before the Judiciary Committee on January 18, 2007, the Attorney General testified that DOJ was ''fully committed to try and find presidentially appointed, Senate confirmed U.S. Attorneys for every position.''

However, in e-mails and memos written by his staff, a strategy was outlined that does not show a commitment to Senate confirmation. For example, on September 13, 2006, 3 months before the firing call on December 7, the Attorney General's Chief of Staff sent an e-mail to Monica Goodling, liaison between the Department of Justice and the White House, suggesting that the Department use the new authority slipped into the PATRIOT Act reauthorization to facilitate firing U.S. attorneys and replacing them with new ones. The e-mail said:

I strongly recommend that as a matter of administration, we utilize the new statutory provisions that authorize the AG to make [U.S. attorney] appointments.

Then, the inference is, by avoiding Senate confirmation, the e-mail goes on:

[W]e can give far less deference to home State Senators and thereby get (1) our preferred person appointed and (2) do it far faster and more efficiently at less political costs to the White House.

This is only one example of discussions among White House and DOJ officials about the benefits of avoiding the Senate, especially when the home State Senators are Democrats.

In another example there is an e-mail chain from December 2006 between the Department of Justice and the White House which discusses how to deal with the opposition of Arkansas' Democratic Senators to the interim appointment of Tim Griffin. I quote:

''I think we should gum this to death.'' . . . The longer we can forestall [the Senators saying they will never support Griffin] the better. We should run out the clock . . . ''all of this should be done in 'good faith,' of course.''

The e-mail went on to say:

Our guy is in there so the status quo is good for us . . . pledge to desire a Senate-confirmed U.S. Attorney; and otherwise hunker down.

That is an e-mail that deserves a lot of questions. In addition, in a November 15, 2006, memo regarding the plan to replace U.S. attorneys, ''Step 2: Senator calls,'' outlines that for my State of California and for Michigan and Washington, the strategy was to have Bill Kelly from the White House call ''the home State 'Bush political lead,' '' since there was no Republican home State Senators.

So while the Justice Department has said: We consulted with home State Senators—that is true only if they were Republican. If they were Democratic home State Senators they were not, in fact, called.

I believe all of this adds up to a very complex and very serious situation that now has even more questions that need to be asked and answered under oath. For example, we need to know who from the White House was involved in these decisions? Was the plan orchestrated by the White House? Who made these determinations about who to fire and who was involved in the loyalty evaluation? What other U.S. attorneys were targeted for dismissal?

We know there were several but their names have been redacted from the documents we have received. We need to know who are they, why were they on the list, and why did they come off the list?

What were the real reasons used to determine who would be fired, since the evaluations don't line up with the EARS reports? What role, if any, did open public corruption cases play in determining who would be fired? What was the Attorney General's role in the process? What did he know and when did he know it? How can he say he didn't know what was going on with the firing of the U.S. attorneys, even though the White House did, and even though there are e-mails showing that he was consulted?

Was the change to the law in March of 2006 done in order to facilitate the wholesale replacement of all or a large number of U.S. attorneys without Senate confirmation? We know that somebody suggested all 93 U.S. attorneys should be replaced, at one point. My question is, was this done to facilitate that?

These are just some of the questions I hope our committee will delve into as the investigation continues.

Finally, in an e-mail that discussed avoiding the Senate confirmation process, the Attorney General's Chief of Staff wrote:

There is some risk that we'll lose the authority [to appoint interim U.S. attorneys indefinitely], but if we don't ever exercise it then what's the point of having it?

Think about that: There is some risk that we will lose the authority to appoint U.S. attorneys indefinitely, but if we don't ever exercise it, then what is the point of having it?

I believe the time has come for the administration to lose that authority. All these unanswered questions and allegations have demonstrated at the very least one real thing: the law must be returned to what it was prior to the reauthorization of the PATRIOT Act, and the bipartisan bill before the Senate would do just that. Through negotiations with Senator SPECTER we are now considering legislation that would give the Attorney General authority to appoint an interim U.S. attorney but only for 120 days. If after that time the President has not sent up a nominee to the Senate and had that nominee confirmed, then the authority to appoint an interim U.S. attorney will fall to the district court.

Given all we have learned in the past few months, I believe this is the least we can do to restore the public's faith in an independent system of justice. This bill will also help prevent any future abuse or appearance of politicization of U.S. attorney positions.

The legislation also makes it clear that the 120-day limitation applies to all the interim U.S. attorneys who are currently in place, including those who are the result of the Department's actions in December. These changes are in line with the way the law used to be and would simply be restoring the proper checks and balances that are needed in our system of government.

I urge my colleagues to oppose all amendments and pass a clean bill.

I have noted the distinguished ranking member of the committee is on the Senate floor. Before I yield, I ask unanimous consent that the committee amendments be considered as original text for the purpose of further amendments.

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

Mrs. FEINSTEIN. I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SPECTER. Mr. President, I join with the Senator from California in urging the adoption of the present legislation.

I am a cosponsor of the legislation. I immediately agreed to join Senator FEINSTEIN on this matter when she called to my attention the situation in the Southern District of California in San Diego, which had resulted from the provision which was added in the PATRIOT Act re-authorization. That provision had been added in the PATRIOT Act conference report and had been available for inspection from December 8, 2005, when the conference report was filed in the House, and March 2, 2006, when the report was adopted in the Senate. Though that conference report was available for some 85 days, it was not noted until we saw its application. Then, when the Senator from California called it to my attention, I immediately said there is a problem here and we ought to correct it, and she introduced the bill. I immediately cosponsored it.

There is no doubt there are major problems which we have to confront on the requested resignations of eight U.S. attorneys.

The President has traditionally had the authority to replace U.S. attorneys. That has generally been interpreted, to me, that the President may replace U.S. attorneys without giving any reason. But I think implicit in the application of replacement of attorneys is you cannot replace them for a bad reason, you cannot replace because they are seeking to ferret out corrupt politicians, or if they are refusing to yield, or not bringing a case the administration thinks ought to be brought. So those are the parameters. When President Clinton took office in 1993, the President replaced some 93 U.S. attorneys, as a matter of fact—of course, without giving any specific reason—and no one drew any objection to that.

We have a situation with respect to the eight U.S. attorneys who have been asked to resign and caused the current issues as to whether they are being replaced for bad reasons.

The situation with the U.S. attorney for the Southern District of California, Ms. Carol Lam, raised some issues as to whether she was being asked to resign because she was pursuing corruption charges which resulted in the conviction of former Congressman Duke Cunningham and an 8-year jail sentence.

It has been reported, for example, that U.S. Attorney Lam sent a notice to the Department of Justice saying that there would be two search warrants and a criminal investigation of a defense contractor who was linked to former Congressman Duke Cunningham.

It was further reported that on the very next day, D. Kyle Sampson, the Chief of Staff to Attorney General Gonzales, sent an e-mail message to William Kelley in the White House Counsel's Office saying Ms. Lam should be removed as quickly as possible. Now the communique from Mr. Sampson further reportedly asked Mr. Kelley to call Mr. Sampson to discuss:

> The real problem we have right now with [U.S. attorney] Carol Lam, that leads me to conclude we should have someone ready to be nominated on 11/18, the day her 4-year term expires.

Well, the sequence of events raises a question as to whether Ms. Lam was asked to resign because she was hot on the trail of criminal conduct relating to the Cunningham case. We do not know. But that is a question which ought to be inquired into.

It is my view, as I review all of these matters, that there are disputed questions as to whether the eight U.S. attorneys who were asked to resign were doing their job or whether they were not.

There was a very lengthy article in the New York Times yesterday—starts on the first page and continues in the interior of the paper for a substantial part of another page—where there are issues raised as to whether New Mexico's U.S. Attorney, David C. Iglesias was doing his job properly. There were reports that he was not pursuing prosecutions as he should. Those were relayed to officials in Washington. Those officials, in turn, then relayed them to the Department of Justice. I think it appropriate that if there are complaints, they be relayed to the Department of Justice so an evaluation can be made as to whether they are justified or are not justified. But the person who relays those complaints is acting in the normal course of business and I suggest is doing what ought to be done.

The Judiciary Committee is capable of ferreting out all of the conflicting factors, is capable of getting at the facts and making an evaluation. We have a number of members of the Judiciary Committee who are experienced attorneys, and enough have specific experience as former prosecutors to be able to make an expert evaluation, so to speak, as to whether the U.S. attorneys were doing their job properly. That is what we ought to undertake at the present time.

That, of course, can proceed in due course without affecting the legislation which is pending here today.

I think there is no doubt we ought to change the provision of the PATRIOT Act which gave the Attorney General the authority to appoint an interim U.S. attorney until the President had submitted another nominee and they are confirmed by the Senate, to go back to the old system where the Attorney General could appoint for 120 days, on an interim basis, and then after that period of time the replacement U.S. attorney would be appointed by the district court.

What has occurred here raises broader questions as to whether there ought to be some standards set by Congress on circumstances which would warrant terminating a U.S. attorney either by firing or by asking the U.S. attorney to resign. I certainly think there would be general agreement that you should not be able to remove a U.S. attorney either by way of firing or asking to resign if that U.S. attorney is pursuing corruption cases or if the U.S. attorney was appropriately not initiating a prosecution. That is a discretionary judgment.

A prosecuting attorney vested with broad discretion can abuse that discretion, and there is case law to that effect. A prosecuting attorney's discretion is not unlimited. There is comment published in Volume 64 of the Yale Law Journal which goes into that issue in some detail.

The question on my mind is whether we ought to use the occasion of this

legislation and the attendant controversy about the replacement or asking for the resignation of U.S. attorneys to legislate. Congress has the authority to circumscribe, to some extent, the President's authority to remove prosecuting attorneys. The independent counsel statute, for example, provides that the Congress has provided that the independent counsel may be removed by the Attorney General for cause. That is a legitimate exercise of Congress's constitutional authority under article I and does not impinge upon the President's constitutional authority under article II.

With respect to independent commissions, such as the Federal Trade Commission, the Commissioners may be removed, but it has to have a higher level of showing of impropriety—something in the nature of malfeasance or its equivalent. In taking a look at what might be done, there could be a provision that U.S. attorneys may be removed or asked to resign only for cause. But that would impinge upon the President's traditional authority to remove for no reason at all. I have doubts as to whether we ought to go that far, but I believe there is a strong case to be made for limiting the authority of the President to remove for a reason which is a bad reason, such as the ones I have mentioned.

That kind of legislation would call for a listing of a variety of situations which would justify removal: for example, the U.S. attorney could not be removed for pursuing a corruption investigation; the U.S. attorney could not be removed for declining to prosecute in a situation where that was within the justifiable discretion of the U.S. attorney.

This issue has percolated now for some time, and the deeper we get into this issue, the more we think about various aspects which so far have not been examined. My staff and I are looking at the present time at such an amendment. I was informed today that a unanimous consent agreement was entered into on Thursday which will preclude further amendments. On this state of the record, any such amendment would be out of order. But we intend to pursue it to see if we can structure an amendment which would make sense. If we do, there is always the option of asking for unanimous consent that an additional amendment be permitted on this bill under a limited time agreement.

I know the majority leader is anxious to move through this legislation and move ahead to other items on the docket. I mention that possibility because it is a work in process, and we may find it structurally possible to provide such an amendment which would address some of the underlying problems confronting us in the present situation.

Mr. President, I ask unanimous consent that a sequence of events relating to the interim appointment of U.S. attorneys in the PATRIOT Act reauthorization be printed in the RECORD.

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

SEQUENCE OF EVENTS RELATING TO THE INTERIM APPOINTMENT OF U.S. ATTORNEYS IN THE PATRIOT ACT REAUTHORIZATION

The interim US Attorney provision was first raised with staff on November 9, 2005. The provision was discussed at a staff level and was included in the draft PATRIOT Conference report as a separate section and under the title of ''Interim Appointment of US Attorneys'' and was in each of the draft Conference reports circulated by the House Judiciary Committee, which chaired the PATRIOT Conference.

The House filed the Conference Report, H. Rept. 109–333 on December 8, 2005. The Conference Report was agreed to on December 14, 2005 in the House (House Roll no. 627). The Conference Report contained Sec. 502, which was clearly visible in the table of contents of the Report and titled as ''Interim Appointment of US Attorneys''; it was not hidden, but was in plain view for all Members to consider.

Floor Statements on the Conference Report began in the Senate on November 17, 2005 and ran through the Cloture Motion's initial defeat on December 16, 2005 (Senate vote 358) until December 20, 2005. No mention was made of the Interim U.S. Attorney provision in any floor statement during the 24 days the Senate debated the Conference Report in the First Session of the 109th.

The Conference Report was raised in floor speeches in the Senate again starting on January 31, 2006. Debate ran until March 2, 2006 when the Senate adopted the Conference Report (Senate vote 29). No mention was made of the Interim U.S. Attorney provision in any floor statement during the 21 days the Senate debated the Conference Report in the Second Session of the 109th.

In all, the Senate discussed the PATRIOT Conference Report in some form on the Floor for a total of 45 days. No mention was made of the Interim U.S. Attorney provision even though it was not snuck into a managers' package or included as a technical fix, but was instead clearly labeled and provided its own separate section.

Between December 8, 2005, when the Conference Report was filed in the House, and March 2, 2006 when the Report was adopted in the Senate, the Conference Report was open to review for 85 days. During that entire time, the provision was available for all to see.

My staff searched the CONGRESSIONAL RECORD for the 85 day period in which the Conference Report was under consideration. There was no objection made to Section 502 or the Interim U.S. Attorney provision in either the House or the Senate during that period. The provision was in no way ''slipped'' into the PATRIOT Act Reauthorization.

Indeed, subsequent to the adoption of the PATRIOT Conference Report, the Congress adopted a legislative package to make additional modifications to the PATRIOT Act. No one requested any modification or elimination of the interim US Attorney provision from the Conference Report in that legislation.

Mr. SPECTER. Mr. President, I note the presence of my distinguished colleague, Senator LEAHY, and yield the floor.

The PRESIDING OFFICER. The Senator from Vermont is recognized.

Mr. LEAHY. Mr. President, I thank my friend from Pennsylvania.

First, I thank the Senators who began this debate. I have been told a number of family matters changed the ability of some to be here.

Over the last several months, the Judiciary Committee has used hearings, investigation, and oversight to uncover an abuse of power that threatens the independence of U.S. Attorney's Offices around the country and the trust of all Americans in the independence of our Federal law enforcement officials. We have probed the mass firings of U.S. attorneys. We are trying to get to the truth in order to prevent these kinds of abuses from happening again.

So today, the Senate finally begins debate on S. 214; that is, the Preserving United States Attorney Independence Act of 2007. The bill was initially introduced by Senator FEINSTEIN and me on January 9. On January 18 during a hearing on oversight of the Department of Justice, we asked the Attorney General about these firings. We then followed up with two hearings devoted to the matter on February 6 and March 6. I placed the bill on the agenda for the Judiciary Committee's first business meeting on January 25 but action on the measure was delayed until our meeting on February 8. At the time we debated the bill, considered and rejected amendments, and the committee on a bipartisan basis voted 13 to 6 to report favorably the Feinstein-Specter-Leahy substitute.

We have sought Senate consideration of this bill for more than a month now, but Republican objections have prevented that debate and vote. But through the majority leader's persistence, he was ultimately able to obtain consent to proceed to this measure today. I thank all Senators for finally allowing it to go forward.

My friend from California, Senator FEINSTEIN, gave our bill a straightforward title: ''The Preserving United States Attorney Independence Act of 2007.'' We need to close the loophole exploited by the Department of Justice and the White House that facilitated this abuse.

The bill we have before us was initially fought by the Department of Justice when it was in committee. It appears that even after these scandals, there are people there who want to continue to have this loophole that has been so badly misused. But likely because of the public outcry against the administration's attempt to maintain that loophole and the ability to do what no one intended them to do, we

had a meeting in my office on March 8 in which the Attorney General finally said the administration would no longer oppose this bill. So I trust that tomorrow when the Senate votes on this legislation, we will pass it and take a step toward restoring the independence of Federal law enforcement in this country.

Even if we pass the bill, the Judiciary Committee will continue to investigate the firings. We will summon whoever is needed to learn the truth. What we have already learned from the few documents we have seen from the Department of Justice appear to confirm the Attorney General, officials at the Department of Justice, and officials at the White House had previously misled Congress and the American people about the mass firings and the reasons behind them.

The most fundamental problem is that this administration has apparently insisted on corrupting Federal law enforcement by injecting crassly partisan objectives into the selection and evaluation and firing and replacement of top Federal law enforcement officers around our country—our U.S. attorneys.

When you corrupt it at that level, at the prosecutor level, you affect everybody—all the police, all the investigators, all the agents who report to the U.S. Attorney's Office—because if they think the investigations they carry out have to reflect certain partisan politics, then they cannot do their job. Ultimately, it hurts not just the people in law enforcement, it hurts every man and woman in the United States of America.

We have heard the Attorney General and even the President use what William Schneider has called the ''past exonerative'' tense in conceding ''mistakes were made.'' The ''past exonerative'' tense. I remember conjugating my verbs in grade school. We learned about verbs, adjectives, adverbs, everything else. I guess it took this administration to bring up the ''past exonerative'' tense. Sister Mary Gonzaga probably would have wondered what I was saying had I come up with that when I was in school.

Now let's take a look at their use of this ''past exonerative'' tense. Attorney General Gonzales has yet to specify what mistakes he made. So what mistakes were made? Was it a mistake to allow the White House, through the President's top political operative and his White House counsel, to force the firing of a number of high-performing, Bush-appointed U.S. attorneys? Or when he says ''mistakes were made,'' did he mean it was a mistake for the President and his top political operatives to tell the Attorney General and others in the Department about concerns that U.S. attorneys are not pushing fast enough or hard enough to indict Democrats but were pushing too hard and too fast in indicting corrupt Republicans? Was that the past mistake the President and the Attorney General meant? Or when the Attorney General and the President say ''past mistakes were made,'' did they mean it was a mistake to generate, with White House political operatives, a hit list for firing hard-working U.S. attorneys and to ensure that what they call—and these were their words—''loyal Bushies'' are retained? Or when they say ''mistakes were made,'' did they mean it was a mistake to name more ''loyal Bushies'' to replace those U.S. attorneys who have shown the kind of independence they are supposed to show in exercising their law enforcement authority and who have acted without fear or favor based on political party?

Because when a crime is committed, you do not ask whether the victim was a Republican or a Democrat. You ask if a crime was committed. If a crime was committed, you expect the prosecutor to prosecute. You do not expect them to be fired if they step on the toes of either political party.

This is an administration that seeks to justify its unilateralism by an expansive application of what it calls a ''unitary executive theory''—everything comes from the President on down. But do you know what. With all that authority and all that control, when they get caught with their hand in the cookie jar all of a sudden no one knows anything, no one can remember anything, no one did anything, and no one told the President. ''Oh, my goodness gracious, we didn't know this happened until we picked up the papers.'' Obviously, they did not know it happened when they were testifying up here under oath the first time around to tell us what happened.

Instead, ''mistakes were made.'' Is the only ''mistake'' they are now willing to concede their failure to cover up the White House influence over the Justice Department? Is the only ''mistake'' they will admit that they got caught in a series of misleading statements to Congress, the media, and the American people? I still wonder if those in the administration or the Attorney General understand the seriousness of this problem.

Of course, mistakes were made. That is why we are here. It is our oversight duty to discover who made those mistakes and how and why they made them. I have said many times, the Members of the Senate and the Members of the other body should never be rubberstamps. We are elected independently. We respond to the American people. We are supposed to ask questions when something happens.

What we have seen so far corrupts the Federal law enforcement function. It has cast a cloud over all U.S. attorneys. Now every U.S. attorney is under that cloud. People are asking: If they were not fired, if they were kept on, is that because they are ''loyal Bushies''? Does that mean they will only go after crime if it hurts Democrats but not if it hurts Republicans? What an awful signal to send to law enforcement. This is a crippling signal to send to law enforcement.

Those fired have had their reputations rehabilitated to some degree by coming forward as we have publicly examined the facts of their firings. But those circumstances raise questions with respect to those retained and what they had to do to please the White House political operatives in order to keep their jobs. The mass firings have thus served to undermine the confidence of the American people in the Department of Justice and their local U.S. attorneys.

A recent study of Federal investigations of elected officials and candidates shows a political slant in the Bush Justice Department in public corruption cases. The study found that between 2001 and 2006, 79 percent of the elected officials and candidates who have faced a Federal investigation were Democrats and only 18 percent Republicans. It seems their track record is wanting, and they have been caught again with their hand in the cookie jar.

Of course the President has the power to appoint U.S. attorneys. Nobody questions that. What is raising concerns is the apparent abuse of that authority by removing U.S. attorneys for improper reasons. In the same way any employer has the power to hire, we know people cannot be fired because they are Catholic or because of their race or because they are whistleblowers.

The power of employment is not without limit. It can be abused. When it is abused in connection with political influence over Federal law enforcement, the American people and those of us who are entrusted with the power to represent them have a right to be concerned. We need the facts. We do not need more spin. We do not need another cover story. We do not need another ''We will come up to the Hill. We will brief you on this. Let's have a quiet little briefing. We will tell you what is going on.'' And then we pick up the paper 2 days later and find out what they left out.

Oh, I want a briefing, all right. I want a briefing where they stand before us and raise their right hand and swear to tell the truth, the whole truth, and nothing but the truth, so help them God. Then we will ask them questions; both Democrats and Republicans will. And the American people will be able to determine who is telling the truth.

I made no secret during our confirmation proceedings of my concern whether Mr. Gonzales could serve as an independent Attorney General on behalf of the American people and leave behind his role as counselor to President Bush.

As the Nation's chief Federal law enforcement officer, he must carry out his responsibilities and exercise his awesome authority on behalf of the American people. He has to enforce the law. He has to honor the rule of law. He

must act with the independence necessary to investigate and prosecute wrongdoing without fear or favor.

The political interests of the President cannot be his guiding light. When he said as recently as January 18 at our hearing that the President is his ''principal,'' when he says in an interview he wears two hats—as a member of the President's staff and as head of the Justice Department—then he has forgotten what the Attorney General is.

The President has a lawyer. The President has counsel. It is not the Attorney General. This is not the Attorney General of the President. This is the Attorney General of the United States of America. His clients are the American people and his principles must be devoid of partisan politics. He is not there as the President's loyal counsel. He is there as the Attorney General of the United States of America, for every single one of us. His mission is not to provide legalistic excuses or defenses for unlawful actions of the administration, such as the warrantless wiretapping of Americans or the use of torture and the issuing of signing statements to excuse following the law. He is not the one who should be excusing this kind of outrageous conduct. He should enforce the law. He should ensure that Federal law enforcement is above politics. What kind of signal do we send to our Federal law enforcement agencies if we suggest to them they cannot do their job without checking the political credentials of the people they are investigating?

The President can pick anybody he wants to serve on his White House staff—and he does. But when it comes to the U.S. Department of Justice and to the U.S. attorneys in our home States, Senators have a say and a stake in ensuring fairness and independence to prevent the Federal law enforcement function from untoward political influence. That is why the law and the practice has always been these appointments require Senate confirmation. The advice and consent check on the appointment power is a critical function of the Senate. That is what this administration insisted be eliminated. They wanted to do away with that check and balance. They wanted to do away with the confirmation process. So they had inserted in the reauthorization of the PATRIOT Act a provision to remove limits on the ability of the Attorney General to name an interim U.S. attorney. That is what our bill intends to restore.

We have seen again the effects of letting politics infiltrate the Department and undermine its independence and the independence of its law enforcement function. As we have learned more about these events over the last few months, I was reminded of a dark time some 30 years ago when President Nixon forced the firing of the Watergate prosecutor Archibald Cox. Not since what came to be known as the ''Saturday Night Massacre'' have we witnessed anything of that magnitude. The calls to the U.S. attorneys across the country last December, by which they were forced to resign, were extraordinary.

Unlike during the Watergate scandal, there is no Elliott Richardson or William Ruckelshaus seeking to defend the independence of the Federal prosecutors. Instead, we have a cabal of the Attorney General, the Deputy Attorney General, the Executive Office of U.S. Attorneys in the White House, all apparently collaborating in efforts to sack a number of outstanding U.S. attorneys. Then when it becomes public and when the first time in 6 years the House and Senate actually dare ask questions about what is going on, the administration, amazed they have been questioned about their actions, starts a series of shifting explanations and excuses. Lack of accountability or acknowledgment of the seriousness of this matter makes it all the more troubling.

The Attorney General's initial response at our January 18 hearing when we asked about these matters was to brush aside any suggestion that politics and the appearance of ongoing corruption investigations were factors in the mass firings. But now we know that contrary to what he told us then, these factors did play a role in this troubling project.

Today and tomorrow we can take a step forward by fixing the statutory excess that opened the door to these untoward actions. I commend Senator FEINSTEIN for leading this effort. I commend Senator SPECTER for joining her. We have all cosponsored the substitute to restore the statutory checks that have existed for the last 20 years. It is time to take that first step toward restoring independence by rolling back a change in law that has contributed to this abuse.

There have been no good answers to our questions about why the administration removed U.S. attorneys without having anybody lined up to replace them or why home State Democratic Senators were not consulted in advance. There is no explanation for why there are now 22 out of the 93 districts with acting or interim U.S. attorneys instead of Senate-confirmed U.S. attorneys.

I look at this in light of my own experience. I am very proud of the fact I was a prosecutor. The only thing in my personal office that has my name on it is a plaque from my prosecutor's office presented to me by the police when I left office, and it also has my shield, my badge as a prosecutor. I used to instill in the police and those prosecutors who worked for me: You don't take sides. Nobody is a Democrat or a Republican when crimes are committed. We don't take sides. If you keep emphasizing this and proving it by the way you carry out your office, then police work better, investigators work better, courts work better, the grand juries work better, because they know you are not playing politics. The American public, whoever is within the area the prosecutor represents, feels safer because they know you are not playing favorites. I lived my life that way as a prosecutor and I know many Republicans and Democratic Senators in this Chamber who are former prosecutors did the same.

I am worried that even successfully restoring the law is not going to undo the damage done to the American people's confidence in Federal law enforcement. For that, we need to get to the truth and real accountability. But then I think all of us in both parties now, and no matter who holds the White House 2 years from now, must renew a commitment to insulate Federal law enforcement officers from the corrupting influence of partisan politics and the corrosive influence of White House intrusion into law enforcement activities.

Mr. President, I will have more to say on this later. I see my friend from Arizona who has been waiting patiently, and I yield the floor.

Mr. KYL. Mr. President, I ask unanimous consent that at the conclusion of my remarks a letter I wrote to all of my colleagues in the Senate, dated March 19, regarding interviewing U.S. attorneys be added to my statement as well.

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

(See exhibit 1.)

Mr. KYL. Mr. President, there has been a lot of discussion over the course of the last couple of hours about the firing of seven U.S. attorneys and a lot of speculation about why that occurred. I suggest it is important to find out the facts and then we can quit speculating and we will know what those facts were.

I wish to change the subject a little bit to what we are going to do about it. Actually, the Judiciary Committee passed a bill which is on the floor and will be amended tomorrow, I hope, and then we will vote on that bill tomorrow. It relates to what was conceived to be at least part of the problem here. The problem was that in the PATRIOT Act, a provision of law relating to appointment of U.S. attorneys was amended to allow the Attorney General to put into office what is called an interim U.S. attorney who would never have to come before the Senate for confirmation. Early on, there was speculation that the reason these seven U.S. attorneys were asked to resign was so the administration could put someone else in their place without going through the regular confirmation process of a nominee by the President. Except for the U.S. attorney in Arkansas, however, there appears to be no evidence that was the case.

In the case of Arizona, for example, it is clear it was not the case. There was no one ready to be appointed as interim U.S. attorney. In fact, Senator MCCAIN and I have recommended an individual to the President for his consideration to be nominated to fill the

vacancy that now exists. Nonetheless, there was concern this statute shouldn't remain on the books, that it shouldn't be that the Attorney General can appoint an interim U.S. attorney who never has to come to the Senate for confirmation.

I think there is a general consensus that that statute should be changed and that the President should nominate people and the Senate should have an opportunity to act on the nomination.

An interesting thing has occurred, however. The legislation which has been proposed doesn't achieve the objective. It doesn't even begin to achieve the objective. So I drafted an amendment which I will be offering tomorrow that actually achieves the objectives. It says: The President has to nominate to fill the vacancy and the Congress has to act on the nomination, and it provides a very strong incentive for the President to comply with the law because if he doesn't, then Congress's requirement to act on any of his U.S. attorney nominations for the entire remainder of his term is vitiated. So if he wants strong and quick action by Congress on his nominees, he has to do his part and actually nominate somebody within the 120 days required by my amendment.

Now, that achieves both objectives we are trying to achieve here: that the President will actually nominate and the Congress will have a chance to act on the nomination. The underlying bill, unfortunately, does not achieve that objective. It reverts to the old law which doesn't require the President to nominate, and if he doesn't, it has U.S. district court judges nominating U.S. attorneys, something they don't want to do and they haven't been very good at, and, in any event, confuses their article 3 responsibilities with the article 2 responsibilities of U.S. attorneys. It is not a good idea, and it doesn't solve the problem that people perceive existed.

My amendment also eliminates the current statute relating to interim nominees so the President could no longer appoint these interim nominees who would have to be confirmed by the Senate, or at least acted upon by the Senate. So I believe my amendment goes directly to the concern that our Democratic colleagues have had regarding this issue. I would hope politics wouldn't play a part in the consideration of my amendment. This issue generally has been so politicized—everybody has chosen up teams. I would hope that conversation would not be confused with the practical solution to the problem everybody has agreed exists, and that Members on both sides, in a very clear-eyed way, could consider which of the solutions represents the best option of solving the problem.

My colleague Senator SESSIONS has a proposed solution which, in the event my amendment were not adopted, I would support as well, because it at least improves somewhat on the underlying bill. But the reality is we shouldn't have Federal district judges making these nominations, and if our goal is to have the President make the nomination and enable the Senate to act on the nomination, the only amendment that does that is my amendment.

I ask my colleagues on both sides of the aisle to remember we are not always going to have a Republican President and a Democratic Senate. We are going to have a Democratic President some day and a Democratic Senate or a Republican Senate or a Republican President and a Republican Senate. All the permutations will exist and politics should play no role in it. We should want the President to nominate to fill the vacancy and we should want the Congress to have a chance to act on that nomination. That is what my amendment provides.

The committee-passed bill, the number is S. 214, restores the interim U.S. attorney appointment statute that existed between 1986 and 2006. As I said, that system, which delegates to Federal judges the authority to appoint interim attorneys, has several flaws. First, as I said, S. 214 does not ensure the President will nominate a U.S. attorney. Whoever serves in a district should be someone who is nominated by the President, not a district judge. It is the President, not the district court, who is charged by the Constitution with ensuring that the laws are faithfully executed. It is the President's job to enforce the law. To do that effectively, he needs to have in place U.S. attorneys who are accountable to him. If he is not bringing important prosecutions or enforcing particular statutes, he and his superiors need to be held accountable. But if that U.S. attorney were appointed by a district judge, there is no one to complain to. Judges, after all, have lifetime tenure. It is only by ensuring that U.S. attorneys are appointed by the President that we can ensure there is ultimate accountability in the system.

This is, after all, the way in which the Constitution envisioned that accountability for enforcing the laws would be charged—by charging the President with the duty to enforce the law.

The second flaw in the underlying bill is that the Senate has no say in the selection of U.S. attorneys appointed by a district judge. One of the major complaints about the administration's handling of the interim U.S. attorney appointment authority is that it did not consult with home State Senators; that, in fact, some individuals sought to use the authority to avoid consulting with Senators.

It is right that the Senate take action in an effort to protect its prerogatives, but letting judges pick U.S. attorneys does not protect the Senate's rights. Senators have absolutely no say in the selection of a U.S. attorney who is picked by a judge. There is no confirmation of the judge's selection as there is when the President nominates someone. This system, which S. 214 puts back in place, is a solution that doesn't solve the problem that we have set out to address.

There is a third problem with this underlying bill. The judges don't want the authority. In the past, when district judges have had the authority to appoint interim U.S. attorneys, some have simply refused to do so. Incidentally, the statutory language is ''may,'' not ''shall.'' If they don't appoint judges, then the very concern that the Democratic Senators have had that an interim U.S. attorney is appointed and serves is exactly what happens. So judges don't want the authority, and there have been at least three such occasions during the current Bush administration when a district judge has refused to appoint an interim U.S. attorney and, in fact, they have had good reason. It is at least a potential conflict of interest for the district judge, who presides over criminal cases, to also select a U.S. attorney who prosecutes those cases. It is for this reason that some judges have refused to intervene in this area and select U.S. attorneys.

Yet with the committee-reported bill, we once again foist this authority on the judges. Why are we doing this—restoring power to the district judges that those judges don't want and have refused to use in the first place? Why are we forcing them to take actions that judges themselves, for good reason, see as a potential conflict of interest?

There is a fourth reason why this is not a good idea. Unfortunately, some district judges have not acquitted themselves very well when they have exercised the power to appoint U.S. attorneys. A Federal district judge may have the measure of the legal abilities of the lawyers who practice in his district, but he has no way to gauge their managerial skills, which is an important quality in a successful U.S. attorney. A district judge doesn't even have access to a candidate's personnel file and would not know of potentially disqualifying information or conflicts of interest in that file.

Allow me to describe two cases under the old system where the appointment of a U.S. attorney by a district judge led to a situation that can only be described as a fiasco:

In the Southern District of West Virginia, in 1987, the U.S. attorney for the District of West Virginia was confirmed to be a Federal judge. When the term of the interim U.S. attorney expired, the chief district judge appointed another individual as U.S. attorney. This individual was not a Justice Department employee and had not undergone an FBI background investigation. The court's appointee came into office and started asking about ongoing public integrity investigations, including investigations involving the mayor of Charleston and the State's Governor. Not only were this mayor

and Governor under investigation by the U.S. Attorney's Office at the time, both were later indicted and convicted of various Federal crimes.

The first assistant U.S. attorney, who knew that the district court's U.S. attorney had not undergone a background investigation, believed that these inquiries about pending investigations of local politicians were inappropriate and reported them to the Executive Office for United States Attorneys in Washington, DC. The Justice Department eventually had to remove the investigative files involving the Governor from that U.S. Attorney's Office for safekeeping. The Justice Department also had to direct the court's appointee to recuse herself from some criminal matters until a background check could be completed. This situation wasn't resolved until another U.S. attorney was confirmed by the Senate.

Mr. President, at the very time that some Democrats are suggesting that it just might be—there is no evidence, but it just might be that one or more of these U.S. attorneys was removed because they were hot on the trail of some Republican officeholder, they were involved in a political investigation or an investigation of a political person, and that was the reason they were removed—again, there is no evidence, but that is the suggestion—why would you want to substitute for that situation a statute that goes back to the way it used to be, which allowed the same thing to occur as in the case in West Virginia that I just cited? Why not change the situation so that the President must nominate, and the Senate explicitly has a right to act on that nominee by either confirming or rejecting the nominee?

That is the check and balance we need, rather than going back to the way it used to be, where the judge can appoint and we end up with problems like this involving investigations of political corruption.

Another case occurred in the District of South Dakota. In 2005, when the term of an interim U.S. attorney was about to expire, the chief district judge told the Justice Department he wanted to appoint an individual who didn't have any Federal prosecutorial experience, had not undergone a background check, and did not have the necessary security clearances. The Justice Department strenuously objected. Once the Justice Department believed the matter had been resolved, the Attorney General appointed another candidate. A Federal judge executed the oath of office for this appointee and copies of the Attorney General's order were sent to the district court.

Ten days later, the Justice Department received a fax indicating that the chief district judge had changed his mind and ''appointed'' the earlier, unacceptable candidate as U.S. attorney.

This created a situation where two different people claimed to be the U.S. attorney for the District of South Dakota. Defense lawyers representing criminal defendants in the district indicated that they would challenge ongoing investigations and cases on the basis that they could not know who was in charge. The chief judge then refused to negotiate a resolution to the situation. Eventually, in order to protect ongoing criminal cases, the President was forced to resolve the situation by firing the district judge's U.S. attorney. The matter was not completely resolved until another U.S. attorney was confirmed by the Senate the next year.

Don't we want to avoid this situation in the future? We are going to be asking for this kind of problem if we pass S. 214, the bill pending before us now. Far better it would be to adopt the amendment that I will offer that precludes this from occurring.

Let me point out another very serious problem that I don't think the authors of the legislation have even thought of or they clearly would have tried to fix it. S. 214 does not prevent the Attorney General from making multiple consecutive appointments of the same interim U.S. attorney. In other words, the very thing they are afraid of—that the President got rid of these people so the Attorney General could put his own person in office—is precisely what would be permitted under the bill pending before the Senate because it reinstates the exact language that existed before the statute was amended in 2006: the Attorney General could make consecutive 120-day appointments of interim U.S. attorneys.

Has this ever been done? There is at least one case where the Attorney General appointed a U.S. attorney to four consecutive 120-day interim terms. Well, that is a year and a half, by my reckoning. This incident occurred in the Eastern District of Oklahoma during the years 2000 and 2001. As a result, that district had an interim U.S. attorney who had been appointed by the Attorney General for over a year. Similarly, in Florida, in 2005, an interim U.S. attorney was appointed by the Attorney General. After the 120-day term ran out, the Attorney General appointed that individual to another interim term. After that term ran out, the Attorney General appointed him to a third interim term.

This practice is what the language of the 1986 law allowed. It is the same language that is in the bill that is before us now. It is obvious that much of the impetus for the present legislation is a desire to rein in the Attorney General's authority to appoint interim U.S. attorneys without Senate confirmation. Yet I submit that such power hasn't exactly been ''reined in,'' and the Senate's prerogatives are not protected, by a system that allows the Attorney General to make consecutive appointments of non-Senate-confirmed U.S. attorneys, which is precisely what the bill before us would allow. That system clearly falls short of ensuring that U.S. attorneys are subject to U.S. Senate confirmation, which is one of our two goals.

Finally, I note that S. 214's system of judge-made interim appointments is duplicative of the designation of acting U.S. attorneys under the Vacancies Act. We are effectively creating two different and redundant systems for appointing ''temporary'' U.S. attorneys. That makes no sense and creates obvious potential problems. For example, this system would make it possible for an individual to be consecutively designated as an acting U.S. attorney and serve in that post for 210 days and then be appointed as interim U.S. attorney and serve another 120 days. So he can be reappointed and reappointed again, if the Attorney General wanted to do so. This is nearly a whole year that someone could serve as U.S. attorney without ever being confirmed or acted upon by the Senate, without the nomination ever being sent to us.

Mr. President, we can all agree there is a problem. The solution, which was very quickly devised, is not a solution at all, as I have demonstrated. We can do better. There is nothing partisan about what I suggest. It would work equally for Republican and Democratic Presidents and Republican and Democratic Senates. To that end, I will offer an amendment on Tuesday that will achieve these goals of ensuring that U.S. attorneys are promptly nominated by the President and that the Senate has an opportunity to act on the nomination.

My amendment, again, requires that the President nominate a U.S. attorney candidate within 120 days of vacancy. It then requires that the Senate consider the nomination within 120 days after it is submitted. In order to encourage the President to abide by these time limits, the amendment provides that if the President fails to nominate an attorney candidate in any district within the time limit, then the 120-day limit on Senate consideration is vitiated for all U.S. attorney nominations for the remainder of the President's term in office. In effect, in order to enjoy the substantial benefits of prompt Senate consideration of his nominees, the President would be required to, himself, nominate promptly.

My amendment makes one other important change. It completely repeals the interim U.S. attorney statute, as I said, which is what people have gotten all concerned about in the first instance but seem to have forgotten. The interim authority is unnecessary in light of the Vacancies Act and has caused a host of problems. By repealing this authority, my amendment would effectively bar the President or a judge from appointing any long-term U.S. attorney without Senate confirmation. Any temporary gap in the office of U.S. attorney would be addressed by the Vacancies Act, which applies to all Senate-confirmed executive appointments and allows another employee or officer—presumptively the first assistant—to carry out the function and duties of the office subject to various time limits and other requirements.

Mr. President, especially those who are upset about recent events should support a complete repeal of the interim authority. It is only a complete repeal that will ensure that U.S. attorneys are appointed by the President by and with the advice and consent of the Senate. It is only a complete repeal that will prevent consecutive appointments of U.S. attorneys by the Attorney General. It is only a complete repeal that will prevent the stacking of the interim and acting terms as U.S. attorney. Only a complete repeal ensures that Senators will always have a say in who serves for the long term as the U.S. attorney in their State.

The interim appointment authority has lately become a contentious and very politicized issue. It need not be. It is particularly in times such as these that the Senate must do what was designated by the Framers to do: cool the passions and look to the long term. I hope my colleagues will do this when I present my amendment tomorrow. I hope we will lay partisanship aside and that my amendment will be supported.

EXHIBIT 1

U.S. SENATE

Washington, DC, March 19, 2007.

Re Interim U.S. Attorneys.

Dear Colleague: There is a consensus that the changes made to the interim U.S. attorney statute, 28 U.S.C. §546, by the Patriot Improvement and Reauthorization Act, Pub. L. 109–177, were a mistake. It is my hope that we will not compound that mistake with another—namely, involving Federal district judges in the appointment of U.S. attorneys.

During Monday's debate and Tuesday's vote, I urge you to consider that in the future both Democrats and Republicans will control the Senate, and both a Democrat and a Republican will serve as President. The solution that we adopt should be one that we are ready to live with under all combinations of these circumstances. It should be a solution that ensures that the President timely nominates U.S. attorneys, and that those U.S. attorneys are subject to confirmation by the Senate.

S. 214, the committee-reported U.S. attorneys bill, does not meet these goals. My proposed amendment does. S. 214 restores the interim U.S. attorney appointment statute that existed between 1986 and 2006. That statute, which delegates to Federal judges the authority to appoint interim U.S. attorneys, has several flaws. First, it does not ensure that the President will nominate a U.S. attorney. Second, the Senate has no say in the selection of a U.S. attorney who is appointed by a district judge.

Moreover, judges do not want this authority. Some have simply refused to appoint interim U.S. attorneys, finding it a potential conflict of interest for the district judge who presides over criminal cases to also select the U.S. attorney who would prosecute those cases. And finally, some district judges have not acquitted themselves well when they have exercised the power to appoint U.S. attorneys. A Federal district judge may have the measure of the legal abilities of the lawyers who practice in his district, but he is in no position to gauge an individual's management skill—an important quality in a successful U.S. attorney. A district judge does not even have access to a candidate's personnel file and would not know of disqualifying information in that file or of potential conflicts of interest.

An additional problem, which may be of concern to those who are eager to respond to recent events, is that the permissive language of the pre-2006 statute—the same language that S. 214 restores—was understood to allow the Attorney General to make consecutive 120-day appointments of interim U.S. attorneys. In at least one case, the Attorney General appointed a U.S. attorney to four consecutive 120-day ''interim'' terms. Such a system falls short of ensuring that U.S. attorneys are subject to Senate confirmation. And finally, S. 214's approach is duplicative of the designation of Acting U.S. attorneys under the Vacancies Act, 5 U.S.C. §3345 et seq., and potentially allows an individual to be consecutively designated as an Acting U.S. attorney, and then as an interim U.S. attorney—again avoiding Senate confirmation for a substantial period of time.

I believe that we can do better. To that end, I will offer an amendment on Tuesday that will achieve our goals of ensuring that U.S. attorneys are promptly nominated by the President and that the Senate has an opportunity to act on those nominations. My amendment: (1) Would require the President to nominate a U.S. attorney candidate within 120 days of a vacancy. It then would require the Senate to consider the nomination within 120 days after it is submitted. In order to encourage the President to abide by these time limits, the amendment also would provide that if the President fails to nominate a U.S. attorney candidate in any district within the time limit, the 120-day limit on Senate consideration is vitiated for all U.S. attorney nominations for the remainder of that President's term in office. In effect, in order to enjoy the substantial benefits of prompt Senate consideration of his nominees, the President would be required to nominate promptly.

Finally, my amendment: (2) Would completely repeal the interim U.S. attorney statute, 28 U.S.C. §546. The interim authority is unnecessary in light of the Vacancies Act and has caused a host of problems. By repealing this authority, my amendment would effectively bar the President (or a judge) from appointing any long-term U.S. attorney without Senate confirmation. Any temporary gap in the office of U.S. attorney would be addressed by the Vacancies Act, which applies to all Senate-confirmed executive appointments and allows another employee or officer (presumptively the First Assistant) to carry out the functions and duties of the office subject to various time limits and other requirements.

The interim appointment authority has lately become a contentious and very politicized issue. It need not be. It is particularly in times like these that the Senate must do what it was designed by the Framers to do: To cool the passions and look to the long term. I hope that you will do so—and that you will support my amendment.

Sincerely,

JON KYL.

AMENDMENT NO. 459

Mr. KYL. Mr. President, I call up my amendment which, I understand, is at the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Arizona [Mr. KYL] proposes an amendment numbered 459.

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

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

The amendment is as follows:

(Purpose: To ensure that United States attorneys are promptly nominated by the President, and are appointed by and with the advice and consent of the Senate)

On page 2, strike line 10 and all that follows and insert the following:

SEC. 2. PROMPT NOMINATION AND CONFIRMATION OF UNITED STATES ATTORNEYS.

Section 541 of title 28, United States Code is amended—

(1) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively; and

(2) by inserting after subsection (a) the following:

''(b)(1) Not later than 120 days after the date on which a vacancy occurs in the office of United States attorney for a judicial district, the President shall submit an appointment for that office to the Senate.

''(2) Except as provided in paragraph (3), not later than 120 days after the date of the submission of an appointment under paragraph (1), the Senate shall vote on that appointment.

''(3) If the President fails to comply with paragraph (1) with regard to the submission of any appointment for the office of United States attorney, paragraph (2) of this subsection shall have no force or effect with regard to any appointment to the office of United States attorney during the remainder of the term of office of that President.''.

SEC. 3. REPEAL OF INTERIM APPOINTMENT AUTHORITY.

Section 546 of title 28, United States Code, is repealed.

The PRESIDING OFFICER. The Senator from Alabama is recognized.

Mr. SESSIONS. Mr. President, I thank Senator KYL for his work and thoughtfulness on this subject. A situation that has always caused enemies is when judges—the judicial branch—appoint officials of the executive branch. In particular, a judge is supposed to be a neutral arbiter for the contest going on before him. If he appoints the coach or the quarterback of one of the teams it seems as though he may not be facilitating a fair trial. It creates a perception that I believe is not healthy. Some judges have actually refused to appoint a U.S. attorney. They didn't think they should be taking sides in lawsuits that would come before them or stating to the world that they were, in effect, choosing and validating the integrity and their support for one of the advocates who appears before them.

That is pretty basic to our system. But we have had a different procedure for appointing interim attorneys for many years. It has been discussed over time as being unwise, but nothing ever happened until the PATRIOT Act reauthorization. Then, when we finally changed the procedure for interim appointments, I think we didn't do it well. We fixed the problem but left a big loophole that does need to be worked on. On balance, the Kyl amendment is preferable to going back to the old system, and I support it.

I also note there has been a lot of talk about politics and the Department of Justice. I served as a U.S. attorney for 12 years. I served as an assistant U.S. attorney for 2½ years. I came to know and love and respect that office. It is a very great and important office. To be able to go into a court of the United States of America and to stand before that jury and that judge and all the parties who are there and the court says: Is the United States ready? And you say: The United States is ready, Your Honor—to speak for the United States of America, to represent the United States of America in court is a high honor and a tremendous responsibility.

My impression, my entire experience was that when faced with difficult choices, if I called the people in Washington and sought their advice or help or insight into how to handle a difficult matter, they were very respectful of my decisionmaking process.

They would provide support and advice, and they usually deferred to the decision of the prosecutor.

They have strict regulations that require cases to be reviewed at various levels in the Department before an indictment can be returned because the U.S. attorney is not a free agent. They are not entitled to indict anyone they choose without any review within the Department of Justice, any oversight at all. A lot of us thought sometimes there was too much of that, but it was mainly a bureaucratic headache you had to go through with some cases.

The U.S. attorney is appointed by the President. Presidents who take office routinely replace U.S. attorneys who were there and appoint people they believe are able and who will execute their approaches, their policies of law enforcement and litigation. That is what a Presidential election entails.

When we elect a President, we understand they are going to appoint U.S. attorneys who will be responsible for their effort, and if they refuse to prosecute immigration cases, for whatever reason they might decide, and the United States public knows about this, what recourse do they have? They can vote against the President if he appoints somebody who won't enforce the law, gun prosecutions, or any other kind of prosecutions. That is an accountability of sorts. But to have a judge who has a lifetime appointment make these appointments and who has no accountability to the public is not healthy. I believe it undermines accountability.

I guess I had the occasion to be fired. They have been talking about a lot of people being fired. When President Bush took over from President Reagan—I had been appointed a U.S. attorney by President Reagan—even though I had been a Republican and was supported by a Republican President, he wanted everybody to resign so he could replace all the U.S. attorneys. This was a perfectly logical decision for him to have made.

As a matter of fact, I remember it being discussed, although not acted on, at the midterm of President Reagan's Administration whether U.S. attorneys should be asked to resign after 4 years and bring in new blood. They chose not to do that.

When President Bush took office, many U.S. attorneys did not stay on. Over a period of weeks and months, they submitted their resignations, and he appointed new U.S. attorneys, many excellent U.S. attorneys. I asked that I be allowed to stay on, and after some time, they said: You can stay on. So I stayed for 12 years. There were a handful of U.S. attorneys who stayed during that period—I mean literally half a dozen or fewer who stayed 12 years.

I say that to say these appointments are appointments of the President. The U.S. attorneys have to be responsible, if Presidential elections mean anything at all, in executing the policies the President sets forth with regard to criminal cases or civil cases, for that matter. That is what he does.

We have this sense in which an appointment of a U.S. attorney is both political and nonpolitical. Let me tell my colleagues how it works. This is very important. Most U.S. attorneys are recommended to the President or known to the President to have certain abilities. People make recommendations. If it is a Republican President, they tend to appoint Republican U.S. attorneys. If it is a Democratic President, they tend to appoint Democratic U.S. attorneys. Local Congressmen and Senators—particularly Senators, since we are in the confirmation process—make these recommendations to the President. He listens to them and gives great weight to the recommendations.

So most of the people who are appointed have some sort of political heritage or background, but when you take that oath, when a person becomes a U.S. attorney and they are asked to evaluate the merits of an existing case before them as to whether a person should be charged, as to what kind of plea bargain should be entered into in the course of a prosecution, they should follow the law, they should follow their personal integrity and do the right thing regardless of any politics, regardless of whether that defendant or the person involved in a civil lawsuit is a Republican, a Democrat, rich or poor, whatever. They have taken an oath to enforce the laws fairly against everyone. I took it seriously. It was an important oath to me. I don't think I have ever done anything of which I am more proud than serving as a U.S. attorney. I believe I fulfilled that oath as God gave me the ability to do so, and I made some tough calls. I handled cases against people I knew—friends. I felt it was my duty, and I did my duty as best I could. I am convinced that most U.S. attorneys do the same.

The appointment process has a political component, as everyone in this body knows, because I submit to my colleagues and to anyone who is listening, there has not been a U.S. attorney appointed who doesn't have some sort of Senate recommendation to it. In fact, they have to get our approval to move the nomination through the Senate. That is a political process. So some of these e-mails which are being talked about I think are not so unusual at that level, where they are talking about appointments. Are we appointing people who are loyal to President Clinton or are we appointing people who are loyal to the administration of President Bush, who wants his administration to succeed and wants his priorities to succeed? That is how appointments are made. But once you take that position, nobody in the Department of Justice, for corrupt or ill intent, should ever try to influence a legitimate, proper decision of a grand jury or a U.S. attorney with any improper motive because of politics. That is a tradition which most of the public may not know but is deeply understood throughout the Department of Justice.

Years ago, assistant U.S. attorneys would resign when Presidents were not reelected. The whole office would resign. As a matter of fact, when I came on in 1980, several offices still had that tradition, and in several offices, when the new U.S. attorney walked in, there was nobody there. They thought that was the right thing to do—to turn it over and let the new President and new U.S. attorney hire whom he or she wanted to run the office.

That has ended, I think correctly. Now in every U.S. Attorney's Office, there is a deep cadre of experienced career prosecutors. The U.S. Attorney's Office is much larger today. They have grown in size, and they have a deep cadre of professional assistants, many of whom are appointed by different political parties of different Presidents, different Attorneys General, and selected by different U.S. attorneys.

Everybody, if they are doing their job correctly—and I am convinced that most do, overwhelmingly they do—they make decisions on cases based on the merits. If someone in the office tries to upset that or if some U.S. attorney tries to squash or cover up a case that should be prosecuted or a U.S. attorney tries to prosecute someone and there is not a legitimate basis for it, there are Federal agents involved in these prosecutions, assistant U.S. attorneys, people talk about these things, and it comes to the surface. Really, it is very difficult for anybody to not do what is right. I am not saying it can't be done, but I am just emphasizing that U.S. attorneys have a responsibility to do what is right. Their assistants are raised in that concept, they are trained in that concept, and if some political shenanigans are attempted, those assistants will usually push back and can appeal to the Department of Justice in Washington or state their claims. That is just the way it is.

What about this deal of President Bush firing 8 of U.S. attorneys? Let me say it this way: The President was in midterm. He had been reelected. Apparently, there was a discussion as to whether U.S. attorneys should be kept or replaced. Somebody said: Why don't we replace them all? He said: No, that is not a good idea. We ought to evaluate them and see which ones we want to keep and which ones we want to replace. There is nothing wrong with that. In fact, in my view, Presidents and Attorneys General have a greater responsibility than they have exercised to ensure that U.S. attorneys are carrying out aggressively the policies they set forth. It is mainly a question of policy.

They made that decision. They battled it down and came out with eight U.S. attorneys whom they wanted to replace out of 93 U.S. attorneys. That is not a holocaust of U.S. attorneys.

When I was U.S. attorney and President Clinton was elected President, he sent out a notice that everybody would resign almost immediately. In the past,

President Carter, President Reagan, and President Bush gave people 6 months or more notice to get their affairs in order and trundle on off in a nice fashion, give you an opportunity to find another job. But President Clinton sent out a notice immediately: You are out of there. It caused an uproar, and then they backed off and said: OK, take your time; we respect you more than that. We will let you take some time before you are out of here, but you are out of here. I have seen that twice. I saw it when President Bush took over from President Reagan and when President Clinton took over from President Bush.

I wish to talk about this question of how you fill a vacancy in the U.S. Department of Justice, a U.S. attorney position. I always thought it odd that the court makes that appointment under certain circumstances. Deputy Attorney General Paul McNulty, in a Judiciary Committee hearing on February 6, said:

Allowing the district court to appoint U.S. attorneys would deprive the Attorney General of the authority to appoint his chief law enforcement officials in the field when a vacancy occurs, assigning it instead to another branch of Government. The President is elected to do this. He is the chief law enforcement officer. He sets the prosecutorial policy, not the courts.

McNulty further testified:

Some district courts recognize the conflicts inherent in the appointment of an interim United States attorney who would then have matters before that court—not to mention the oddity of one branch of government appointing the officers of another branch of government—and they have simply refused to exercise the appointment authority.

Some judges felt so strongly that this is an unhealthy way of doing business, that they should appoint the prosecutor who is going to be appearing before them trying to convict somebody, yet they are supposed to be a neutral arbiter of the facts and the law, that they wouldn't make the appointment.

McNulty pointed out:

Other district courts ignored the inherent conflict and sought to appoint as interim United States attorneys wholly unacceptable candidates who lacked the required clearances or appropriate qualifications.

You have to have a secret clearance to be a U.S. attorney. This is very serious business, who gets appointed U.S. attorney in these matters. Let's say there was a U.S. attorney who had a meeting with the judge—and I have had these judges who like to tell you what the policy should be. They like to tell you, you are prosecuting too many drug cases; you are prosecuting too many gun cases. We are the judges; we think you, prosecutor, you work for us, basically you are prosecuting too many immigration cases. You need to do other kinds of things more fitting for the Federal Court, Mr. Prosecutor.

Well, who is the prosecutor working for? Is he working for that judge or is he working, in effect, to set forth the policy of the person duly elected President of the United States and thereby empowered to appoint him and thereby to set those policies? So you have to tell the judge, you know, I like you, Judge, and I appreciate all that. I know you, but that is not our policy. We believe we should prosecute gun cases. We think there is too much violence in America, and drugs and gangs are out there killing people and doing all these things, and our policy is to prosecute drug cases.

What about immigration cases? Nobody else will prosecute an immigration case. One U.S. attorney had a lax record because she did not prosecute those cases to the level of other similar districts and was criticized for it by a lot of people. Let's say there was a vacancy, and under S. 214 the Senate majority now refused to confirm a Bush appointment to that district and the judge appoints somebody who agrees with him who wouldn't prosecute immigration cases or gun cases or drug cases, and they could be in there permanently.

This idea that the Executive Branch, or President, can abuse the system is as true and possible as the idea that a judge can abuse the system. If the President does it, at least we in this Congress have a vote, and the American people have a right to vote on a President. So there is accountability at least in this system that is not in the Judicial branch of government.

Paul McNulty, the Deputy Attorney General, said this:

The Department of Justice is aware of no other agency where Federal judges, members of a separate branch of government, appoint the interim staff of an agency.

I would ask my colleagues here to name one where the Federal judges fill a vacancy somewhere in the Government. In addition to the constitutional separation of powers that is of concern with this approach, McNulty says:

At a minimum, it gives rise to an appearance of potential conflict that undermines the performance or perceived performance of both the executive and judicial branches.

Tough cases come up before courts and they are litigated before judges with great intensity. There is a lawyer for the defendant and there is a lawyer for the Government, the prosecutor, and imagine now that the judge has appointed the prosecutor. It creates some unease, I submit, and it is not a little bitty matter.

I am talking about a matter that will linger for 100 years. I am not talking about the immediate media flack we are having now, that we are digging into and seeing whether everybody can figure out exactly what happened, and get a complete story of how the eight U.S. attorneys were asked to move on. We will get into that. That will all happen. I don't know exactly what happened there, but I am saying that, as a matter of policy, the appointments of executive branch officers should be maintained, so far as possible, by the executive branch.

I will say one more thing. I do support the Kyl amendment. I think that is a principled approach. I think the PATRIOT Act language we passed was not carefully thought through and did leave a loophole that could allow the President to avoid confirmation process, and I think that is not healthy. I believe the Kyl amendment, consistent with the separation of powers, will confront and deal with that problem. I will say this, regardless of how my colleagues might vote on that, I do believe we ought to consider an amendment I have offered.

AMENDMENT NO. 460

Mr. SESSIONS. Mr. President, I call up my amendment at this time.

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

The assistant legislative clerk read as follows:

The Senator from Alabama [Mr. SESSIONS] proposes an amendment numbered 460.

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

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

The amendment is as follows:

(Purpose: to require appropriate qualifications for interim United States attorneys)

On page 2, line 23, strike the quotation marks and the second period and insert the following:

''(e)(1) A district court appointing a United States attorney under subsection (d) shall not appoint a candidate—

''(A) unless that candidate is an employee of the Department of Justice or is a Federal law enforcement officer (as that term is defined in section 115 of title 18); or

''(B) if the court learns that candidate is under investigation or has been sanctioned by the Department of Justice or another Federal agency.

''(2) Not less than 7 days before making an appointment under subsection (d), a district court shall confidentially inform the Attorney General of identity of the candidate for that appointment.''.

Mr. SESSIONS. Mr. President, if the Kyl amendment is not approved, my amendment would require interim U.S. attorney appointments made by a district court have appropriate and proper background checks. That is, whoever the judge appoints would have background checks and security clearances in order to maintain efficient operation of the office during this transition period.

The Feinstein bill that reverts to the previous process does not allow for that to happen, and we do know that in the past judges have nominated candidates who have serious difficulties. In 1987, an interim U.S. attorney for the Southern District of West Virginia, who was not a Department of Justice employee, did not have a background investigation, and was appointed by a district judge, started demanding to find out everything that was going on in the files related to a prosecution of prominent public officials. The First Assistant U.S. attorney there, a career

person, was taken aback by this. The judge appointed interim U.S. Attorney didn't have security clearance to see the files, yet he had been appointed by the judge. So they had to remove the files from the office. Not everybody can go in and see an investigatory file or see grand jury transcripts. Those are, by law, available only to law enforcement officers who meet certain security clearances.

There was another example where the chief district judge in South Dakota told the Department of Justice he wanted to appoint an individual who did not have any Federal prosecutorial experience, had not undergone a background check, and did not have the necessary security clearances. The Department of Justice strongly objected. It goes against the policy of the Department of Justice and the efficiency and effectiveness of the nominee. The Department of Justice appointed a different candidate, under an existing law, and the Federal judge executed the oath of office for this appointee and copies of the Attorney General's order were sent out to the district court. Ten days later, the Department of Justice received a fax indicating that the chief district judge had decided to appoint the earlier unacceptable candidate as U.S. attorney. They had two of them appointed. So I think we can fix that problem. That turned out to be an unpleasant mess, if you want to know the truth, and we can do better about that.

I see Senator KENNEDY is here, so I won't go on at length about this, except to say if we go back to the previous system that had been in effect for many years, it has been effective but we will face the same serious problems I just mentioned. Also, as a matter of principle, it is inconsistent with the responsibilities we give to the President of the United States to appoint these officers and to give it to a separate branch of Government that is not given the constitutional authority to make those appointments. But I think we can fix it. We can do better. We can fix this.

I think the Kyl amendment represents the appropriate principled approach to it. However, if the Kyl amendment does not succeed, I would suggest my amendment, which makes for a limited modification to Senator FEINSTEIN's amendment by ensuring that only qualified people be named, people who meet the requirements, people who have a security clearance as part of the executive branch of the Government, who may be picked by a judge, whoever they choose, but they at least would be qualified through security clearances and professional background to be a U.S. attorney. Maybe that would be a compromise that would help eliminate some of the practical difficulties, even if it does not eliminate the philosophical difficulties of having appointments made by a different branch of Government.

Mr. President, I yield the floor.

Mr. KENNEDY. Mr. President, I strongly support S. 214 as an urgently needed step in our effort to restore our constitutional system of checks and balances and to protect the rule of law.

In recent weeks, Congress has finally begun to investigate the damaging politicization of the administration of justice by the White House and the Department of Justice. The problem did not begin with the recently disclosed firings of eight U.S. attorneys. It was well underway in 2002 when Attorney General Ashcroft abolished the process for hiring new career attorneys for the Department of Justice.

That process had been established by the Eisenhower administration half a century ago to eliminate partisanship and cronyism in the Department's hiring. Under Attorney General Ashcroft, however, the process was placed entirely in the hands of political appointees who set out to remake the ranks of career attorneys by hiring new attorneys based on partisan and ideological qualifications. Predictably, the result has been partisan and ideological law enforcement.

The civil rights division virtually stopped enforcing the Voting Rights Act on behalf of African Americans. It even sued African-American officials in Mississippi for discriminating against White voters. Contrary to the recommendations of career attorneys, the new regime also approved the Texas redistricting law that was later struck down by the Supreme Court. It also approved a Georgia photo identification law for voting that was subsequently struck down by a Federal Court as a poll tax. Approval of the Georgia photo identification law was driven by the same partisan motivation that produced the current U.S. attorney scandal.

Georgia's Republican-dominated State legislature said it was enacting the law to respond to allegations of voter fraud. But evidence of fraud to justify the law did not exist. The ID law was passed anyway, with full awareness that it would disproportionately prevent minorities from voting.

When the law was submitted to the Civil Rights Division for approval under the Voting Rights Act, the career staff of attorneys and analysts recommended an objection by the Department, which would have prevented the law from going into effect, but the recommendation was rejected by the political appointees.

The Federal Court struck down the law as the equivalent of a poll tax, because the State offered to sell ID's for $20 to prospective voters who did not have them. Tellingly, the State did not establish offices selling ID's in many of the State's most heavily minority districts.

After the law was blocked, the State reenacted it without the $20 fee, in a blatant effort to gain partisan advantage by manipulating the law. Once again, the political appointees in the Civil Rights Division approved it. Fortunately, a court struck down the new law, finding that it placed an undue burden on the voting rights of minority and elderly voters.

The story does not end there. Shortly after political officials rejected the career attorneys' recommendation to block the law, they transferred Robert Berman—the leader of the career team that reviewed the Georgia law and a 28-year veteran of the Civil Rights Division—out of his job as a Deputy Chief of the Voting Section and into a dead-end training job.

When the Attorney General testified before the Judiciary Committee last July, I asked whether this transfer was retaliation for the career attorney's role in recommending that the Department object to the Georgia photo ID law. I still haven't received an answer. When Wan Kim, the head of the Civil Rights Division, testified before the Committee in November, I asked him if Mr. Berman was transferred in retaliation for the Georgia matter. I still haven't received an answer.

As the problems in the Civil Rights Division make clear, the real danger with this administration's politicization of Justice Department's hiring is the corruption of the rule of law. U.S. Attorneys and other Department of Justice officials are selected by the President, but they are the people's lawyers. Their first duty is to enforce the rule of law—not to push a partisan agenda. This administration has forgotten that basic truth, and the rule of law has suffered.

The conclusion is inescapable that the Department of Justice ended Mr. Berman's long and distinguished career as a voting section attorney because he applied the law faithfully and well, and refused to serve the partisan interests of his political superiors. His plight is one of many examples of loyal career public servants who have been pushed aside for their failure to toe the partisan line in the Department of Justice.

Incredibly, Bradley Schlozman, the inexperienced political appointee who oversaw approval of the Georgia ID law and the retaliation against the career staff, was rewarded with an appointment as interim U.S. attorney for the Western District of Missouri. He has served in that capacity for a year without Senate confirmation. Mr. Schlozman's appointment is symptomatic of the problem that the bill before us will solve—the appointment as U.S. attorneys of unqualified partisan operatives who would be unlikely to win Senate confirmation, but who can serve for extended periods of time anyway.

The continuing revelations about the 8 fired U.S. attorneys show how thoroughly partisanship has infected the administration of justice in the Bush administration. As explanation after explanation has unraveled, it has become increasingly clear that the purge of U.S. attorneys had its genesis in the White House and its roots in a desire to remove U.S. attorneys who were not sufficiently committed to the political agenda of the administration.

The initial explanation that 7 of the 8 were fired for poor performance was a smokescreen manufactured out of thin air. Their performance assessments were largely outstanding. Evidence is mounting that the administration was concerned that Carol Lam was too successful in her investigation and prosecution of Republicans in the Duke Cunningham scandal. John McKay was on the list because of his refusal to open an unwarranted investigation into voter fraud after a close 2004 election victory by a Democrat. David Iglesias was the subject of Republican complaints about his unwillingness to pursue voter fraud investigations of Democrats, and he was pressured by Republicans in Congress to indict Democrats before last November's election to help the Republican candidate in a tight congressional race.

Recently released e-mails show that part of this scheme was to use the little-noticed change in the law inserted in the reauthorization of the Patriot Act last year which permitted the Attorney General to appoint interim U.S. attorneys to serve indefinitely without Senate confirmation. The bill before us eliminates that provision and reinstates the 120-day limit on service by interim U.S. attorneys appointed by the Attorney General. This change will force the administration to send nominees to the Senate to fill vacant slots, or have them filled by a court instead.

This change in the law is an important first step we can take to remedy the problem, as we continue to investigate the political purge of U.S. attorneys. That investigation must continue. A full investigation is essential if we hope to restore confidence in Federal law enforcement. U.S. attorneys protect the Nation from violent crime, terrorism, violations of civil rights, organized crime and public corruption. They must be above partisan or ethical reproach, if the rule of law is to have any meaning in our modern society.

There are few greater threats to our democracy than such efforts to turn our system of Federal law enforcement into a partisan political tool. As Justice Robert Jackson said:

> The prosecutor has more control over life, liberty and reputation than any other person in America.

That awesome power must not be used in the service of partisan goals. U.S. attorneys are political appointees, but once they are appointed, they can no longer be part of the political process. Politics can shape policies and priorities but the decision whether or not to investigate or prosecute cannot be influenced by the slightest hint of partisanship. No U.S. attorneys should be subjected to partisan political pressure to make a particular decision in a prosecution, and no U.S. attorney should be retaliated against for making decisions that are politically unpopular in the eyes of his superiors.

The bill before us will help guard against such partisanship, by restoring the requirement for the administration to submit nominees for U.S. attorneys promptly to the Senate for confirmation, and I urge my colleagues to pass this bill without amendment.

IRAQ

Mr. President, as our Nation begins its fifth year of the war in Iraq it is abundantly clear to the American people that our current policy has failed, and that we need a new policy that will better serve both our national security and our service men and women.

President Bush continues to look for good news with a microscope. Despite his repeated claims that success is just around the corner, Iraq is falling deeper and deeper into the chaos of civil war. Our troops are in the untenable position of policing a nation at war with itself.

More than 3,200 American soldiers have made the ultimate sacrifice, and more than 24,000 have been wounded during the 4 years of his failed policy.

Tens of thousands of Iraqi civilians have been killed, and nearly 4 million have been displaced inside Iraq and across the region.

The insurgency is growing in strength, and its lethal explosives are growing in sophistication.

Attacks on American soldiers continue to increase.

Militias are increasing their power, and their ability to brutalize the Iraqi people is increasing as well.

No amount of American military might can end Iraq's civil war. Only a political settlement by Iraqi leaders and the Iraqi people can end the bloodshed and suffering.

Rather than fanning the flames of chaos by sending more U.S. troops into Iraq's civil war, it is time for the President to begin to redeploy our troops out of harm's way.

The war in Iraq has been a disastrous and deeply dangerous debacle in American foreign policy. It has made America more hated in the world than at any other time in our history. It has emboldened terrorists across the globe. It has stretched our military to the breaking point. As a result, our national security is increasingly at risk.

The President's policy of escalating the war will not make success any more likely. It will only result in more death and more tragedy for American soldiers, and it will undermine our national security even further.

The American people have been patient. But America has now been in Iraq longer than it took us to win World War II. Instead of progress, we continue to see unacceptably high levels of violence, death, and destruction.

The American military and the American people deserve far better. The President seeks more funding for the war without strings and without delay.

Because the President stubbornly insists on escalating the same failed strategy, Congress must stand up to the President and stand up for our troops by requiring him to redeploy our combat forces out of Iraq as soon as possible. We have an opportunity to do so on the supplemental appropriations bill that will soon be before us, and it is an opportunity we cannot afford to miss.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. DURBIN. Mr. President, I am going to speak on two timely issues. I would like to first speak on the issue of S. 214, the bill pending before the Senate.

I would like to ask my colleagues in the Senate who followed this debate over the firing of eight U.S. attorneys to reflect a little bit about history. It was over a century ago that the U.S. Department of Justice undertook plans to fire certain Federal prosecutors in the U.S. Attorney's Office in Alabama for political reasons. It was August 9, 1904, when Republican President Theodore Roosevelt wrote a letter to his Attorney General, William H. Moody. In this letter, President Theodore Roosevelt opposed the political firing of Federal prosecutors. This is what he said:

> Of all of the officers of the Government, those of the Department of Justice should be kept most free from any suspicion of improper action on partisan or factional grounds . . . so that there will be gradually a growth, even though a slow growth, in the knowledge that the Federal courts and the representatives of the Federal Department of Justice insist on meting out even-handed justice to all.

Those words were spoken over 100 years ago. They ring true today. Our democracy is based on the rule of law. It is based on meting out evenhanded justice, as President Theodore Roosevelt said.

The forced firing of eight U.S. attorneys, nearly all of whom had been judged qualified and favorably reviewed, calls into question the credibility and integrity of Federal prosecutors. It calls into question our Nation's commitment to even-handed justice.

I have heard my colleagues on the floor today and in committee say: This is much ado about nothing because whenever a new President comes along, they replace all of the U.S. attorneys; that is clearly political. They are replacing those serving as U.S. attorneys with people of their own choosing after they have replaced the Attorney General. There is truth to that.

The fact is, with the new Attorney General, a new team is in place. We have 93 U.S. attorneys. As President George W. Bush took office a little over 6 years ago, he replaced all of those U.S. attorneys appointed by President Clinton with his own. No one called for an investigation. No one screamed

''scandal.'' It is a tradition. It is one we accept. A new President has that chance. But we know those U.S. attorneys serve at the President's discretion and can be removed at any time for any reason.

We have an unusual circumstance we face right now. Never before in history has a President and an Attorney General fired a group of U.S. attorneys en masse, in a group, other than the expected turnover, as I mentioned, with the change of administration.

We asked the Congressional Research Service if they could undertake an analysis of U.S. attorney firings that occurred other than the changeover of a Presidency. This is what they found: Only 2 U.S. attorneys out of 486 confirmed by the Senate over the past 25 years have been fired in the middle of a Presidential term for reasons unrelated to misconduct—2 out of 486. So for some to argue that this is routine, to fire those attorneys, the facts say otherwise. Only 2 out of 486 have been fired in the midst of their term.

Why is that the case? Why have U.S. attorneys been insulated from Presidential politics? Because Federal prosecutors are supposed to be independent. They are nominated by the President and confirmed by the Senate, but, unlike other Federal public servants, they have a measure of independence.

Former Supreme Court Justice and Attorney General Robert Jackson once said: The prosecutor has more control over life, liberty, and reputation than any other person in America.

Discussing Justice Jackson's words, a scholar of the Justice Department named Lincoln Caplan has written:

> The power of law enforcement to tarnish reputations, end people's liberty and ruin lives, in other words, is so great that it has to be exercised judiciously and, above all, nonpolitically. That's one basic element of the rule of law.

That is what is at stake here. Eight U.S. attorneys who did not play ball with the political agenda of this White House were dropped from the team. Members of Congress have a responsibility to ask: What was that political agenda? Why were they dismissed? Does this scandal rest at the feet of the Attorney General, Mr. Gonzales; Harriet Miers, the former counsel to the President; Karl Rove, the President's political adviser; or does it reach the President's office itself?

Over the next several weeks, we are going to look into this. Passage of S. 214, the bill we will vote on at the end of this debate, will not end the inquiry. We have a lot more work to do. We need to learn whether Attorney General Gonzales and his deputies told Congress the truth when they testified just a few weeks ago. We need to have Karl Rove, Harriet Miers, and other top administration officials testify under oath about their role in these firings. I hope they will come voluntarily. If they do not, the Senate Judiciary Committee should subpoena each and every one of them. I am a member of that committee. We plan to vote on these subpoenas this Thursday.

The White House is reluctant to have senior officials testify. That is understandable. But when the shoe was on the other foot—a Democratic President and a Republican Congress—administration officials testified all the time. Under President Clinton, 47 White House officials testified before congressional committees during their service. We need to hear the truth—all of it and nothing but the truth—about the firing of the eight U.S. attorneys.

There is a second question we have to ask which is equally important: How many other U.S. attorneys were approached by the White House and asked to play ball and did play ball? Of the Nation's 93 U.S. attorneys, how many of them kept their jobs as a result of political cooperation?

We gained some insight into this question from a new study by two professors, John Cragan of Illinois State University and Donald Shields at the University of Missouri. They compiled a database of Federal indictments and investigations undertaken by U.S. attorneys against elected officials and political candidates since President Bush took office in 2001. Here is what their study found: U.S. attorneys across the Nation have investigated 298 Democrats and just 67 Republicans—nearly 5 times as many Democratic officials as Republicans. These statistics are troubling, and we have to look into them. The firings of the U.S. attorneys and documents that have been turned over to Congress really call into question the legitimacy of all prosecutions brought by the U.S. attorney in cases involving partisan interests.

This is regrettable. There is no place for politics when it comes to prosecution, especially when it comes to public corruption and voting rights cases. If there is belief that people in the White House in either party are pushing for prosecutions to seek a political advantage, we have seriously undermined the integrity and credibility of our system of justice.

As President Teddy Roosevelt warned: Even the appearance of political interference in the process of justice is damaging to public faith in Government. Last night, as I left a Chicago restaurant, a young man and his wife were sitting at a table. He asked me to come over. He introduced himself and said he was an assistant U.S. attorney in Chicago. That is a hard job to get. It is not a political job at all. In fact, you have to be really talented to be qualified to serve in the U.S. Attorney's Office for the Northern District of Illinois.

He said to me: Senator, I would like to ask you to do your best to get to the bottom of this. We think we are doing a professional job. This suggestion that some U.S. attorneys were fired for political reasons really casts a shadow over all of us who are trying to represent the people of the United States effectively through our Department of Justice.

We owe it to him. We owe it to the U.S. attorneys across this country who have been independent in their judgment and all of the assistants who work with them to get to the bottom of this and ask the important questions. I hope the Senate Judiciary Committee will be able to move this week, perhaps next week, to get to the bottom of this and call these witnesses before us.

Mr. President, today marks a somber milestone. It was 4 years ago today that President Bush ordered our military to launch a preemptive invasion of Iraq. I can recall the vote on the Senate floor—I have spoken of it many times—which led to that decision by the President. We cast thousands of votes as Members of the Senate, the House, and most of them are hard to remember. One can never forget a vote cast about war. You know people will die as a result of that decision. We focus on eliminating the enemy—as we do in our war in Afghanistan—but we know good American soldiers will give their lives as well, and innocent people will die.

I can remember well that decision. It was a tough one, a very difficult one. But now we face 4 years of this war having been completed. As of today, we start the fifth year of this war, a war that has lasted longer than World War II.

Yesterday, on the ABC News program ''This Week,'' Stephen Hadley, the President's National Security Adviser, was asked: If the President had known 5 years ago how much this war would cost—in dollars and in lives—would he have still ordered this invasion of Iraq?

Mr. Hadley replied:

> I think he would. The point is, this war has made the U.S. safer.

Those were the words of Stephen Hadley. Unfortunately, they are wrong.

A National Intelligence Estimate released last spring warns that the war in Iraq has helped create a whole new generation of terrorists around this world.

The latest report from the Defense Department confirms our troops are now trapped in a civil war. For the longest time, we danced around using the words ''civil war.'' But even that term does not adequately express the complexity of the deadly situation we find ourselves in today.

Before our military was diverted to fight this war of choice in Iraq, they had driven the Taliban from power in Afghanistan and splintered the leadership of al-Qaida. We were in the hunt for Osama bin Laden. We knew who was responsible for 9/11, and we were determined to get him and those who worked for him. We were on track to demolish the terrorists who brought such grief to our Nation on 9/11.

What is the story today? According to Mr. Hadley in his comments yesterday on television, the war has made us ''safer.'' The fact is, today al-Qaida is regrouping and the Taliban is still fiercely fighting for control of Afghanistan.

Our military—especially the Army—is stretched to the breaking point.

There is not one Active or Reserve Army combat unit outside of Iraq and Afghanistan today that is rated ''combat ready''—not one. If we were called on to respond to another military emergency in the world with our great military, they would be hard pressed to respond because they have been depleted in terms of personnel and resources and training and equipment by this war in Iraq.

National Guard units in Illinois and across the Nation have about one-third of the equipment they need to respond to a domestic crisis or to train for an overseas mission. A recent audit by the Department of Defense inspector general found the Pentagon has failed to properly equip the soldiers it already has in Iraq and Afghanistan. Many soldiers have found themselves short on guns and ammunition, body armor, communications equipment, armored vehicles, and electronic jammers to disable IEDs.

Two hours ago, I was at Walter Reed Hospital. I make visits there and try to meet with soldiers and talk to them about how they are doing. I go to the rehab unit where amputees are trying to learn to walk. Some have lost one leg, some two. Some have lost an arm. They are struggling to get their lives back together. These are real heroes for America, and they are profiles in courage, as they struggle every single day to try to put their lives back together again.

I sat down with a group of these soldiers, all of whom had lost a leg, in this rehab room. I went around, and I said: What happened to you? Each one of them said the same thing: Well, it was an IED that hit my humvee. It was an IED that hit my humvee. It was an IED that hit my humvee.

I thought to myself: When this war started, in my first visit to Walter Reed, I met a member of the Ohio National Guard who lost his left leg. He could not wait to get back to his unit. I doubted if he ever would. I asked him what happened? He said: Well, this homemade bomb, this IED, hit my humvee. That was 4 years ago, and we still have soldiers coming into our hospitals with similar injuries without the protection they need.

The President's response to this terrible situation is to order 30,000 more troops into battle.

We will pay for this war for the rest of our lives. But the people who have paid the highest price, by far, are the men and women of the military and their families. Many soldiers and marines, sailors and airmen in Iraq are on their second, even their third or fourth tour of duty. We are pushing them to the absolute limit. They have endured great danger. Their families have endured great hardships.

As of this morning, it is sad but must be reported that 3,210 American soldiers, including 123 from my home State of Illinois, have given everything. They have given their lives in Iraq.

This is a hallowed rollcall. These are the names of every Illinois servicemember killed in Iraq since the start of this war. As we begin the fifth year of this war, I ask unanimous consent to honor these great men and women by having printed immediately after my remarks in the CONGRESSIONAL RECORD this list of those Illinois brave soldiers and marines, airmen and sailors who have given their lives in Iraq.

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

(See exhibit 1.)

Mr. DURBIN. In addition to these fallen heroes, thousands of our troops have come home with serious injuries, disabilities—blindness, amputations, and the signature injury of this war, traumatic brain injury. We have been outraged in recent weeks to read about the shabby way some of these wounded veterans have been treated.

I went out today and I asked to finally see this infamous Building 18, which is about a block away from Walter Reed Hospital. It is a rundown, old motel that our military took over. Under Secretary Rumsfeld, they had this passion to privatize—taking the men and women who were responsible for maintaining this building and removing them and bringing in a private contractor. That is when the worst happened. The men and women who were involved in the private contract clearly did not do the job.

As a result, the Washington Post ran this well-publicized series about mold and mice droppings and evidence of bugs and the general rundown condition of Building 18—an outpatient facility for our soldiers at Walter Reed Hospital.

Every day, we learn—as I have learned back in Illinois—of wounded soldiers who have been denied proper medical care, housed in substandard and even deplorable living conditions, and forced to fight a massive bureaucracy and endure long waits for decisions about disability compensation. Meanwhile, their families suffer and many of the wounded soldiers go without medical care.

Sadly, these problems are not unique to Walter Reed, nor are they new to many of the top Pentagon officials.

Mark Benjamin is a reporter who has written some of the groundbreaking stories on the veterans health care crisis. He wrote an article in 2003, 4 years ago, about wounded National Guard soldiers being housed in sweltering cinder-block buildings at Fort Stewart in Georgia.

The Pentagon pledged then, in 2003, that no wounded soldier would be subjected to that shabby treatment again. That was 4 years ago. Yet 2 years later, in 2005, Jeff Romig, a physician's assistant from Danville, IL, and a captain in the Army National Guard, found himself living in similar conditions at a military base in Indiana after he ruptured his Achilles tendon during training.

Captain Romig had a cast on up to his hip following surgery, but he had to walk a half a mile on crutches every day to eat lunch. When it rained, mud washed into the cinder-block barracks and coated the cement floors where he was asked to live. His foot became infected. He has had five surgeries on it. He still has a hole in the back of his foot and his foot drops. He needs a brace to walk properly.

When he was released from active duty, the Army told Captain Romig the VA would pay for the brace. But then the Veterans' Administration refused. They told Captain Romig he was not entitled to VA health care until he received a disability rating, which takes 2 years. In the meantime, he would have to pay the bills himself or go without the brace and any other VA health care.

Now, who is Captain Romig? He happens to be a soldier who has served 23 years in the military—12 in the regular Army and 11 in the National Guard. He was one of the lucky ones, though. Through his employer he had private health coverage. They paid for the brace and his medical care when the VA and our Government failed him.

He worries about other wounded veterans. In an e-mail he sent me recently, he said:

> Who is going to help pay the bills for a soldier's family if he or she is disabled? The mortgage companies won't wait two years to receive their payment and the VA made it perfectly clear to me that if I didn't pay my bill, they would send me to [a collection agency]; they don't want to wait two years for payment, either. So why should a soldier be expected to wait two years for care and financial assistance?

There is another story I would like to share. It is about SGT Garrett Anderson of Champaign, IL. He and his wife Sam share a similar worry. He is 30 years old. She is 29. They have a 6-month-old daughter. On Wednesday, they will celebrate their second wedding anniversary.

Three months after they were married, he went to Iraq with the Illinois National Guard. Four months after that, an IED exploded next to his armored humvee in Baghdad.

The blast tore off Sergeant Anderson's right arm below the elbow, shattered his jaw, severed part of his tongue, took away much of his hearing, and punctured his body with shrapnel.

He spent 7 months at Walter Reed, and he praises the care that was given him there recently in Ward 57. He said the amputee ward could not have treated him better. I have heard the same thing. There are many outstanding individuals at Walter Reed who should not be lumped into the critical articles about Building 18. These are men and women, medical professionals, who are literally working miracles every day on these soldiers. So criticizing the situation at Walter Reed should not bring them in as well. Many of them are extraordinary and receive the highest praise from men and women who are treated there.

But after the treatment at Walter Reed for Sergeant Anderson, the months of outpatient care that followed were filled with ''massive paperwork and red tape.'' After 3 years in the Army and 4 in the National Guard, Garrett Anderson finally retired from the military last June.

Last week, 9 months later, he received his disability rating from the VA. You will recall the injuries I told you he sustained. His disability rating, after waiting, 90 percent. His wife Sam said the VA ruled that some of her husbands's shrapnel wounds were not service related because Walter Reed had not taken the time to document each and every one of them.

The Andersons are appealing the rating. They are hoping for a 100-percent disability rating, which would make Sergeant Anderson eligible for better health coverage and other benefits. Do you know how long that appeal will take? Two years—2 more years for Sergeant Anderson to wait to determine whether the VA is going to rate him as 100 percent disabled.

In the meantime, he is looking for a civilian doctor with experience treating amputees, and doing without the speech therapy and PTSD counseling he needs.

He is also going to college. His wife is trying to finish law school. They are both speaking out to try to change the system. Here is what his wife Sam says:

> Each obstacle renews our desire to fix the system so that future soldiers can serve proudly and take comfort knowing that their country will take care of them just as they took care of their country.

I applaud Defense Secretary Gates for the decisive steps he has taken to fix the problems at Walter Reed and to determine how widespread they are. But firing a few people—even a few generals—is not enough. The stories about wounded soldiers being mistreated raise serious questions about our planning for this war, about the capacity of the Pentagon and the VA to deal with the long-term health needs of our soldiers—post-traumatic stress disorder, traumatic brain injury, amputations. Ten years ago, the VA could never have anticipated all these challenges. Today they face them.

Every year since the war in Iraq began, the President has failed to request adequate funding for the VA. The President's proposed budget for next year would enable the VA to serve 54,000 Iraq and Afghanistan veterans—54,000. It sounds like a large number. It is. But it is 50,000 patients short of the VA's expected demand.

The President's budget provides for half of what is needed. Unbelievably, it would cut funding for defense health facilities such as Walter Reed by 13 percent. I think about that $12 billion in cash—$12 billion in U.S. taxpayer dollars—that was flown into Iraq and cannot be accounted for, sent to Mr. Bremer and his Coalition Provisional Authority. How far would that money go to help the VA?

Here is another great statistic. In late January, the Army Times reported that in the last few years, the number of soldiers approved for permanent disability retirement decreased by more than two-thirds—from 642 in 2001, to 209 in 2005. Think about that: a two-thirds drop in permanent disability ratings in the midst of a war? It does not make sense.

With the horrific wounds our troops are suffering—and thanks to the outstanding care they receive in the field—surviving, how can permanent disability rates be declining? Declining disability rates are part of the pattern of failing to plan properly for this war.

I know Dr. David Chu, who is an economist and mathematician by training, and he holds one of the top positions at the Pentagon. He is the Under Secretary for Defense for Personnel and Readiness. He is one of the two top Pentagon officials responsible for making sure that returning vets receive prompt outpatient care and fair compensation.

In January 2005, Dr. Chu told the Wall Street Journal that America was spending too much on benefits for soldiers and veterans. He said:

> The amounts have gotten to the point where they are hurtful. They are taking away from the Nation's ability to defend itself.

The truth is, health care and disability benefits for wounded soldiers are not threats to our national security; they are an essential part of the cost of war and part of our national security. Somehow the Pentagon has to come to realize this.

I want to tell my colleagues one more story and then turn the floor over to my colleague from Arkansas. This is about an Illinois soldier, Army 1LT Terry Peterson of Warrenville, IL. I first met Lieutenant Peterson in January 2006 when he was recuperating at Walter Reed. I invited him to come to the President's State of the Union Address last year as my guest. He was 23 years old. He is a graduate of the Citadel. From the time he was a little boy, he wanted to be a soldier.

On December 8, 2005, 3 weeks after he arrived in Iraq, an IED ripped apart a humvee in which he was riding in Baghdad. The blast killed one soldier in the humvee and nearly killed Lieutenant Peterson. It shattered his right foot, ripped three knuckles off his right hand, and severed an artery in his left arm. He has had 20 surgeries so far. If he is lucky, he will only need two more surgeries. He has five screws in his foot, and he deals with pain all the time. He can't stand for more than 30 minutes, and it will take a miracle for him to ever be able to run again.

Lieutenant Peterson received outpatient care at Walter Reed for 9 months. Someone from home was always with him—usually his mother, his girlfriend, or his sister—trying to cut through the redtape, trying to make sure he received the very best care. His mom spent $8,000 flying back and forth between Illinois and Washington to be with her son. Lieutenant Peterson spent $10,000 out of pocket to rent hotel rooms near Walter Reed for 6 months because there was no room for him in the infamous Building 18. He has yet to be reimbursed for that expenditure. The Army says he still needs to turn in more paperwork.

Terry Peterson suffers from PTSD. He didn't see a psychiatrist until months after his injury, and then only because his father insisted. When he went back for a follow-up appointment a month later, they told him his records had been lost.

Today Lieutenant Peterson is back at Fort Stewart in Georgia waiting to finish his surgeries and get his disability rating to leave the Army. He says:

> It took me a long time to stop making excuses for the system.

Some days he says he feels like he was abandoned by the Army. But he is determined to try to fix this system so other soldiers won't go through the same thing.

Before the State of the Union Address, some 15 months ago, Terry and I met with some reporters. Terry said: I don't know if I ought to say this, but I am a conservative and a Republican. He said:

> What I'm really looking forward to is just hearing that the President is behind us.

He said he didn't want the sacrifices that he and other soldiers had made to be for nothing.

As we enter the fifth year of this war, America needs to demonstrate to all our troops and families that we are behind them, and that takes more than words. It requires that we stand with our soldiers on the battlefield and when they come home wounded, for as long as they need our help.

I yield the floor.

EXHIBIT 1

OPERATION IRAQI FREEDOM CASUALTIES LISTED IN CHRONOLOGICAL ORDER

Marine Corporal Brian Kennedy, 25, of Glenview, IL.

Marine Captain Ryan Anthony Beaupre, 30, of St. Anne, IL.

Marine Private Jonathan L. Gifford, 30, of Decatur, IL.

Marine Corporal Evan James, 20, La Harpe, IL.

Army Specialist Brandon Rowe, 20, of Roscoe, IL.

Army Reserve Specialist Rachael Lacy, 22, of Lynwood, IL.

Marine First Sergeant Edward Smith, 38, of Chicago, IL.

Army Staff Sergeant Lincoln Hollinsaid, 27, of Malden, IL.

Marine Lance Corporal Jakub Henryk Kowalik, 21, of Schaumburg, IL.

Marine Lance Corporal Nicholas Brian Kleiboeker, 19, of Iuka, IL.

Marine 1st Lieutenant Timothy Louis Ryan, 30, of North Aurora, IL.

Army Staff Sergeant Andrew R. Pokorny, 30, of Naperville, IL.

Army Private First Class Shawn Pahnke, 25, of Manhattan, IL.

Army Specialist Cory A. Hubbell, 20, of Urbana, IL.

Army Private Matthew Bush, 20, East Alton, IL.

Illinois Army National Guard Specialist Brandon Ramsey, 21, Calumet City, IL.
Army Pfc. Christopher A. Sisson, 20, of Oak Park, IL.
Army Spc. Ryan G. Carlock, 25, of Macomb, IL.
Illinois Army National Guard 1st Lt. Brian Silavenas, 30, of Genoa, IL.
Army Spc. John R. Sullivan, 26, of Countryside, IL.
Army Spc. William D. Dusenbery, 30, of Fairview Heights, IL.
Army Pvt. Scott M. Tyrrell, 21, of Sterling, IL.
Army Spc. Uday Singh, 21, of Lake Forest, IL.
Michigan Army National Guard Staff Sgt. Michael Sutter, 28, of Tinley Park, IL.
Marine Corps Captain Adam Miller, 29, of Midlothian, IL.
Army Sergeant First Class James Hoffman, 41, of Palatine, IL.
Illinois Army National Guard Sgt. Ivory L. Phipps, 44, of Chicago, IL.
Marine Pfc. Geoffrey S. Morris, 19, of Gurnee, IL.
Army Cpl. Forest J. Jostes, 22, of Albion, IL.
Marine Lance Cpl. Phillip E. Frank, 20, of Elk Grove, IL.
Army Reserve Spc. Gregory R. Goodrich, 37, of Bartonville, IL.
Marine Lance Cpl. Torrey L. Stoffel-Gray, 19, of Patoka, IL.
Army Pfc. Shawn C. Edwards, 20, of Bensenville, IL.
Army National Guard Sgt. Landis W. Garrison, 23, of Rapids City, IL.
Army Staff Sgt. Oscar D. Vargas-Medina, 32, of Chicago, IL.
Army Capt. John E. Tipton, 32, of Collinsville, IL.
Army National Guard Sgt. 1st Class William D. Chaney, 59, of Schaumberg, IL.
Army National Guard Spc. Jeremy L. Ridlen, 23, of Paris, IL.
Pfc. Jeffrey R. Wallace, 20, of Hoopeston, IL.
Army Maj. Paul R. Syverson III, 32, of Lake Zurich, IL.
Army 1st Sgt. Ernest E. Utt, 38, of Hammond, IL.
Army Sgt. Christopher A. Wagener, 24, of Fairview Heights, IL.
Army Pfc. Collier E. Barcus, 21, of McHenry, IL.
Army Pfc. Torry D. Harris, 21, of Chicago, IL.
Army Corporal Demetrius Rice, 24, of Chicago, IL.
Marine Lance Cpl. Jonathan W. Collins, 19, of Crystal Lake, IL.
Marine Cpl. Christopher Belchik, 30, of Jersey, IL.
Army Spc. Charles L. Neeley, 19, of Mattoon, IL.
Army National Guard Sgt. Shawna Morrison, 26, of Paris, IL.
Army National Guard Spc. Charles Lamb, 23, of Casey, IL.
Marine Lance Cpl. Drew M. Uhles, 20, of DuQuoin, IL.
Marine Sgt. Benjamin K. Smith, 24, of Carterville, IL.
Marine 2nd Lieutenant Ryan Leduc, 28, of Pana, IL.
Army Sgt. Jack T. Hennessy, 21, of Naperville, IL.
Army Spc. Jessica L. Cawvey, 21, of Mahomet, IL.
Army Spc. Jaime Moreno, 28, of Round Lake Beach, IL.
Marine Lance Cpl. Branden P. Ramey, 22, of Boone, IL.
Marine Cpl. Joshua D. Palmer, 24, of Blandinsville, IL.
Marine Sgt. David M. Caruso, 25, of Naperville, IL.
Marine Lance Cpl. Nicholas D. Larson, 19, of Wheaton, IL.
Marine Lance Cpl. Aaron C. Pickering, 20, of Marion, IL.
Marine Cpl. Peter J. Giannopoulos, 22, of Inverness, IL.
Marine Cpl. Matthew A. Wyatt, 21, of Millstadt, IL.
Army Sgt. Donald B. Farmer, 33, of Zion, IL.
Marine Lance Cpl. Neil D. Petsche, 21, of Lena, IL.
Marine Lance Cpl. Hector Ramos, 20, of Aurora, IL.
Marine Cpl. Nathaniel K. Moore, 22, of Champaign, IL.
Marine Cpl. Jonathan S. Beatty, 22, of Streator, IL.
Cpl. Christopher E. Zimny, 27, of Cook, IL.
Lance Cpl. Sean P. Maher, 19, of Grays Lake, IL.
Sgt. Jessica M. Housby, 23, of Rock Island, IL.
Marine Cpl. Kevin M. Clarke, 21, of Tinley Park, IL.
Marine Cpl. John T. Olson, 21, of Elk Grove Village, IL.
Army Staff Sgt. Daniel G. Gresham, 23, of Lincoln, IL.
Army Spc. Jacob C. Palmatier, 29, of Springfield, IL.
Army 2nd Lt. Richard B. Gienau, 29, of Peoria, IL.
Army Spc. Adriana N. Salem, 21, of Elk Grove Village, IL.
Army Sgt. Kenneth L. Ridgley, 30, of Olney, IL.
Army Pfc. Wyatt D. Eisenhauer, 26, of Pinckneyville, IL.
Army Spc. Brian M. Romines, 20, of Simpson, IL.
Navy Petty Officer 1st Class Thomas C. Hull, 41, of Princeton, IL.
Marine Gunnery Sgt. Terry W. Ball Jr., 36, of East Peoria, IL.
Army Spc. Miguel Carrasquillo, 25, of River Grove, IL.
Army 1st Lt. David L. Giaimo, 24, of Waukegan, IL.
Army Spc. Jeffrey A. Williams, 20, of Warrenville, IL.
Army Staff Sgt. Gary R. Harper Jr., 29, of Virden, IL.
Army Spc. James T. Grijalva, 26, of Burbank, IL.
Army 1st Lt. Debra A. Banaszak, 35, of Bloomington, IL.
Army Staff Sgt. Kyle B. Wehrly, 28, of Galesburg, IL.
Army Sgt. Joshua A. Terando, 27, of Morris, IL.
Pvt. Christopher M. Alcozer, 21, of DeKalb, IL.
Sgt. 1st Class Eric P. Pearrow, 40, of Peoria, IL.
Sgt. Grzegorz Jakoniuk, 25, of Schiller Park, IL.
Lance Cpl. Adam W. Kaiser, 19, of Naperville, IL.
Lance Cpl. Andrew G. Patten, 19, of Byron, IL.
Spc. Brian A. Wright, 19, of Keensburg, IL.
Sgt. 1st Class Shawn C. Dostie, 32, of Granite City, IL.
Lance Cpl. Jonathan K. Price, 19, of Woodlawn, IL.
Pfc. Sean T. Cardelli, 20, of Downers Grove, IL.
Lance Cpl. Philip J. Martini, 24, of Lansing, IL.
Sgt. Edward G. Davis III, 31, of Antioch, IL.
Spc. Ronald W. Gebur, 23, of Delavan, IL.
Pfc. Caleb A. Lufkin, 24, of Knoxville, IL.
Cpl. Ryan J. Cummings, 22, of Streamwood, IL.
Petty Officer 1st Class Gary T. Rovinski, 44, of Roseville, IL.
Sgt. Sirlou C. Cuaresma, 25, of Chicago, IL.
Staff Sgt. Mario J. Bievre, 34, of Constantinople, IL.
Cpl. Ryan J. Buckley, 21, of Nokomis, IL.
Sgt. Terry M. Lisk, 26, of Fox Lake, IL.
Sgt. Bradley H. Beste, 22, of Naperville, IL.
Sgt. Steven P. Mennemeyer, 26, of Granite City, IL.
Army Spc. Kristofer C. Walker, 20, of Creve Coeur, IL.
Spc. George R. Obourn Jr., 20, of Creve Coeur, IL.
Pvt. Edwardo J. Lopez, 21, of Aurora, IL.
Sgt. Thomas M. Gilbert, 24, of Downers Grove, IL.
Sgt. Kraig D. Foyteck, 26, of Skokie, IL.
Pfc. William R. Newgard, 20, of Arlington Heights, IL.
Senior Airman Daniel B. Miller Jr., 24, Galesburg, IL.
Petty Officer 1st Class Jennifer A. Valdivia, 27, of Cambridge, IL.
Capt. Kevin C. Landeck, 26, of Wheaton, IL.
Sgt. Pedro J. Colon, 25, of Cicero, IL.
SSG Paul M. Latourney, 28, of Roselle, IL.
Marine Lance Cpl. Raymond J. Holzhauer, of Dwight, IL.

Total OIF Casualties: 123 Soldiers

The PRESIDING OFFICER (Ms. STABENOW). The Senator from Arkansas is recognized.

Mr. PRYOR. Madam President, I come to the floor to voice my strong support of S. 214, Preserving U.S. Attorneys Independence Act.

We all know the story by now. In the dead of night, the Justice Department slipped into the PATRIOT Act, which was under consideration in the House—it was in the conference, apparently, when this happened. They slipped in a provision to allow itself carte blanche authority to strategically handpick judges and bypass Senate confirmation, which I believe was done to carry out a political scheme to fire and replace U.S. attorneys. I don't say this lightly. We have seen the e-mails now. Most of my colleagues in the Senate and, in fact, most people around the country have seen all or some or bits and pieces of these e-mails. They are damning.

The Department of Justice has taken deliberate steps to mislead Senators and abuse its misbegotten authority. Put quite simply, we can't trust this administration to use its authority in a fair and constructive manner. They have proven that to us. It is time we restore justice at the Justice Department. We can begin that process with two steps: First, we can move this legislation to which I referred a moment ago very swiftly and restore the confirmation process that our Founding Fathers envisioned. Allowing interim U.S. attorneys to serve for a limited 120 days is a reasonable solution and will put an end to the slippery tactics of this administration and, might I say, future administrations.

By the way, I think one of the reasons we all should support this legislation is not because this administration—I think they have abused the law they have—but there is always that tendency for the President to try to bully something through the Senate. The easiest way of all is to get around the Senate completely and circumvent the Senate's authority which, by the language of the PATRIOT Act, as I mentioned, was slipped in. I think most Senators inadvertently allowed that to happen.

The second of these two steps I refer to is—I said this on the Senate floor the other day, and I still believe it—the Attorney General should resign. In an e-mail dated August 18, 2006, to the Attorney General's Chief of Staff, it says that we have a ''Senator problem'' in Arkansas. Well, guess who the Senator problem is. You are looking at him.

I was by that time making calls, checking around. I had heard these rumors that the Justice Department was going to fire Bud Cummins and was going to replace him with Tim Griffin, and we will get to that specific case in a moment. But the bottom line is that—I know I was the problem, but the bottom line is that today the Attorney General, Attorney General Gonzales, has a bigger problem than the junior Senator from Arkansas. He has a credibility problem. He has a trust problem. He has a growing national scandal problem. I think it is best for the Justice Department, for the administration, probably for all the U.S. attorneys and all the things that Justice does all around the country and, quite frankly, it is probably best for him as a person to go ahead and step down and move on.

The Attorney General is different from any other Cabinet-level officer. He is mentioned in the Constitution. This is a role that our Founding Fathers envisioned, I believe, to be about the pursuit of justice. The Attorney General should always be held to a higher standard. We should look to him—and we understand that the Attorney General is by nature a political appointment. That is the way the Founding Fathers set it up. But we also look to him to have integrity for that department and to not play politics with the office. He is a political appointee but not to play politics with that office.

One of the things that concerns me the most is some of the things I have been reading in these e-mails that have come out in the last several days between the White House and the Justice Department. Again, many of us have read these e-mails or read parts of them. They talk about the ''Bushies.'' They actually use that term in an e-mail. They talk about loyalty to the Bush administration and how that criteria is paramount in deciding whether to keep or to let go these U.S. attorneys.

Well, I would say this: that is exactly the wrong standard. There is no question in my mind that is the wrong standard. Again, being a U.S. attorney should not be about being loyal to the administration or being political; it should be the exact opposite. It should be about being nonpolitical and about being loyal to the Constitution and the law of the land; to be loyal to the duty you were sworn to uphold. I think this administration has it backwards.

I think U.S. attorneys on the local level have demonstrated over the last couple of centuries that they have been very good at trying to stay above politics and stay out of the political fray. Let me tell my colleagues, I have seen U.S. attorneys all over the country during my lifetime who have taken on very dicey, very difficult cases, and more often than not they do an outstanding job and are very professional in their pursuit of justice.

Things have changed with this administration. From the very top, they want the U.S. attorneys out in the districts, out in the 93 districts around the country to play politics. This is not a hypothetical situation. One would think hypothetically we would want to change this law we are talking about today to make sure those U.S. attorneys would qualify, to make sure they wouldn't play politics with their office, and one would think hypothetically it could be that at some point in the future, maybe some of these U.S. attorneys might decide to go after and prosecute and investigate people who are in the other party but not prosecute and investigate and go after people in their own party. That would be absurd. Apparently, according to these e-mails, that is exactly what was happening in at least some cases.

Let me speak for a moment—I know there are other Senators waiting to speak and, certainly, I want to give them plenty of time. But let me talk about the situation in Arkansas just for a few moments because it was the first one that I became aware of. In fact, it was the first one that any Senator became aware of.

I mentioned to the Judiciary Committee and very briefly to PAT LEAHY in the summer and in the early fall about some of the things I was hearing in Arkansas and that I had concerns because, by all accounts, from everything I understood, Bud Cummins, the then-U.S. attorney in the Eastern District of Arkansas, in Little Rock, had done a good job. Everybody I talked to in the legal community—the judges, people who are familiar with what that office does—thought Bud Cummins had been very professional and thought he had done his job. They thought he had done exactly what he was supposed to do.

I began hearing rumors over the summer that they were going to replace Bud Cummins with Tim Griffin. At that moment in time, I didn't know Tim Griffin. I am not sure I had ever met him. I don't think I had ever met him. I barely even knew who he was. I probably heard some people from Congressman Bozeman's office mention him, but I really had almost no knowledge or no recollection of who he was at all. That is all beside the point. I had never met him. I had been the attorney general in my State. I had been a practicing lawyer in Little Rock for a decade or more before I was attorney general, and I had never run across this guy in the legal community. It turns out nobody else had either because he really hadn't been in Arkansas but maybe about 1 year for his whole professional life; 1 out of maybe 15 years or something like that.

So the bottom line is he didn't have any stature in the legal community. People didn't know who he was. They didn't know anything about him. So that was my concern. I didn't know who he was. I knew he had a very political background. The first question I would have had is, can he check that at the door? And that is something I would want to talk to him about and I think the Senate Judiciary Committee would want to talk to him about. But the bottom line is from the very beginning, what I wanted—the President can nominate whomever he wants to nominate. That is his business. I think it would be smart to check with Senators before he makes a nomination, but it is his business. He can nominate whomever he wants.

From the very beginning, what I was asking for is that they nominate Tim Griffin and send him through the normal confirmation process. I think the people of the Eastern District of Arkansas are owed that. I think we owe it to them to do our best and to have the very best U.S. attorney there. He may be very qualified, but again, because he was an unknown and because he had no real presence in the Arkansas legal community, I thought certainly he was the type of guy who should go through the confirmation process.

So that is really what I have been saying from the very beginning, and this bill, S. 214, does that. It restores the traditional balance. I think that is a healthy balance. I think that is a good balance. I think it is something we need to go back to immediately.

Now, I mentioned Bud Cummins and Tim Griffin. Listen. In my mind this issue is much larger than those two people, and it is much larger than Democrats and Republicans. This issue is really fundamental to the Constitution; that is, should the Senate have the ability to confirm, give the advice and consent, on U.S. attorneys. I say the answer to that is, yes. I think that is something we as Senators should fight for. I think we need to do this to the best of our ability. We need to be fair. We need to move them through the process.

By and large, when one looks at the history of U.S. attorneys being confirmed, we haven't had big knockdown, drag-outs over U.S. attorneys. But given the fact that U.S. attorneys go through Senate confirmation, it keeps the administration honest on whom they nominate. I think that is a very important point.

Here again, with S. 214, we are trying to restore that balance that had worked so well before.

One last thing. In the e-mails you see, in my view, a real abuse of power. Over and over you see e-mails between the Justice Department and the White House, and among themselves, where they say they need to do this, and they need to have this appointment power, and if they don't use it, why in the world should they have it. There again, I think that approach to Government

is dangerous. It is shortsighted, and it seems to me someone who would make that type of statement is more interested in the power of the office rather than doing what is right. If there is one agency in the Federal Government about doing what is right, it ought to be the Department of Justice.

With all that said, I urge my colleagues to please support S. 214. It is good legislation. It restores the natural balance of what has worked so well for a long time around here. Once we can restore that natural balance, I think the people all over this country will feel better about their local U.S. attorney.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arkansas, Mrs. LINCOLN, is recognized.

Mrs. LINCOLN. Madam President, I come to the floor this evening as a cosponsor of Senator FEINSTEIN's legislation, S. 214, regarding the interim appointment of U.S. attorneys. I am here this evening to vigorously restate my support for this bill and urge my colleagues to support its passage. I signed on to this legislation in January following the interim appointment of Tim Griffin as U.S. Attorney for the Eastern District of Arkansas, who replaced former U.S. Attorney Bud Cummins.

I take this opportunity to compliment Senator PRYOR, who has done a tremendous job in working with Senator FEINSTEIN and others on this legislation. His background as attorney general in our State, along with his real ability within the Senate to work through these issues to bring a calm and respectful response to the concerns that exist here has been a tremendous asset to this body in being able to bring the bill forward. I thank him and compliment him so much for his service. I am very proud to serve alongside him here in the Senate.

When the Congress reauthorized the PATRIOT Act last year, we granted the administration the authority to appoint U.S. attorney vacancies on an interim basis. Remember, this was for emergency circumstances. The administration asked for this authority based upon the idea that if a national security issue arose requiring a new U.S. attorney, the Attorney General could step up and provide a replacement in a time of crisis without the delay of the confirmation process. For those of us who come from places such as Arkansas, close to Oklahoma, the Oklahoma City bombing comes to mind where a Federal building may be destroyed, and all of a sudden you need to make sure the proper authorities in public service are in place to be able to continue to serve the public there. So we have certainly references of where emergencies might occur. But in these instances we have seen reviewed, I don't think anybody else could substantiate a real emergency circumstance.

One of the first questions I asked the Justice Department, when they asked to do an interim appointment so quickly, was: Was there an emergency in this situation? I had not heard about one.

In a January Senate Judiciary hearing, Attorney General Gonzales stated this emergency provision would not be used for political purposes or to circumvent the nomination process. Yet how else could it be explained?

Furthermore, the Attorney General pledged he would work with home State Senators to provide replacement U.S. attorneys. I listened to the Attorney General's comments, but we now know the actions of his Justice Department in recent months do not match the rhetoric he delivered.

Specific information revealed last week shows the Justice Department deliberately and deftly planned to circumvent the rules for appointing U.S. attorneys by politicizing the emergency provision we authorized.

In one e-mail exchange between White House staff and officials at the Department of Justice, the administration specifically plotted to ''gum this to death'' and otherwise to ''run out the clock'' in an effort to avoid the confirmation process to replace former U.S. Attorney Bud Cummins in Arkansas.

These actions are a disservice to the Justice Department, to this administration, and to all Americans. They demonstrate a willful lack of transparency and respect for the system of checks and balances our forefathers instituted. They foresaw the need to make sure the three coequal branches of Government would remain separate, that there would be a balance and a check to make sure these different branches of our Government were operating as they should.

I recognize the U.S. attorneys serve at the pleasure of the President and they are political appointees. Lord, we have heard that ad nauseam in this debate, that these U.S. attorneys serve at the pleasure of the President. But that does not mean they can politicize the law. It does not mean they serve the President and they serve in these positions for political purposes. They serve in these positions as stewards of the law of this land. They serve in these positions as public servants to defend the rule of law in this country. However, they have a duty and a responsibility, as well, to implement the laws of our Nation without political favor or bias.

That is why the confirmation process is so very important, to ensure that nominees are qualified and are committed to the rule of law. We know they are going to be nominees of the President and that perhaps they certainly are acquaintances or those whom the President or administration would know, but they still have to be qualified and they still have to be able to implement the rule of law. It is an important check and balance that has served our Nation well, and any attempt to undermine it represents a breakdown in our system.

The e-mails released last week show either a blatant attempt to deceive the Senate or, at the very least, serious mismanagement under the Attorney General. This controversy has caused a serious breach between the Justice Department, Congress and, most importantly, the American people—a breach I am not sure can be repaired if Mr. Gonzales remains Attorney General.

That is why I am here this evening to preserve the Senate's role in the confirmation process and to restore our system to the way our forefathers envisioned it.

I compliment Senators FEINSTEIN, LEAHY, and SPECTER for their leadership on this issue. This bill represents a compromise on this issue, and the bipartisan leadership they have shown should serve as an example to this entire body.

I also thank the numerous U.S. attorneys and their staffs all across this great Nation for the critical work they do to protect our communities by enforcing the laws of our Nation. Far too often, they do not receive the credit they deserve.

It is unfortunate the Senate is having to set aside time to debate this legislation because we have so many pressing priorities that must be addressed as this year progresses. Yet we have had to step aside and look at what has gone wrong and how we can prevent it from happening again.

How has this breach of trust affected our overall system? Most importantly, we have to look at what it has done to the sentiments of the American people—those who want desperately to trust us, to trust those of us in the legislative branch, to trust those in the executive branch, and to trust those in the judicial branch to do our jobs, to be there for them as part of the American democracy and what it is we stand for in this country, so they can trust that the laws we create will be implemented without political bias, and that we would work together as branches of Government.

When we look at, unfortunately, what has happened, the mismanagement that has occurred time and time again, from this administration particularly—whether it was the civilian mismanagement we saw early on in Iraq, or the mismanagement of FEMA in Katrina, and the response the Government has to the people of the gulf region, we look at these areas where the mismanagement that occurred has eroded the faith of the American people in this incredible democracy we are all so proud of.

Our democracy relies on independent and unbiased law enforcement. It is our duty to ensure that these problems are corrected. I encourage my colleagues to support Senator FEINSTEIN's bill, S. 214.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island is recognized.

Mr. WHITEHOUSE. Madam President, first, I thank the Senator from

Iowa for his courtesy in allowing me to proceed.

I rise to commend Chairman LEAHY of our Judiciary Committee, and Senators CHUCK SCHUMER and DIANNE FEINSTEIN, my senior Senators on that committee, for their very deep concern about the politicization of the Department of Justice by the Bush administration.

As you know, I am new to this body, but having served as Rhode Island's U.S. attorney for 4 years, I want to share some thoughts based on that experience.

First, I want to point out that even if everything the administration has said about their firing of these U.S. attorneys were true—and we certainly have cause to doubt that—there is still a very real concern here that merits the attention of this body over the independence of the U.S. attorneys.

My experience convinces me—and it convinces me firmly—that Main Justice and the U.S. attorneys in the field check and balance each other in a way that is very healthy for the administration of justice in this country. Even if the mass firings—the purge of U.S. attorneys—had been done to punish policy differences with the Department of Justice, the firings would still defeat that healthy check and balance.

Bear in mind that nothing has been shown that suggests the exercise of graduated discipline one would expect in any kind of a well-managed setting. For instance, Carol Lam was ostensibly fired for not prosecuting enough low-level immigration cases. But when she was here testifying before us, she testified she was not told that when she was fired; nor, evidently, was she ever told beforehand this issue was a serious problem for her or that it might cost her job.

Even enemy ships usually get a warning shot. So the message of these firings to the U.S. attorneys from the Bush administration is this: You serve at our whim. You displease us at your peril. A sudden firing awaits you if you cross us.

That is a very bad message to send in the context of this traditional balance. Intimidation by purge is a tactic far better suited for a Soviet ministry of justice than for the U.S. Department of Justice—that is, if everything they have said is true, which brings us now to the question of the Department of Justice telling the truth.

Let me start by saying, as I have said to the Attorney General directly, unless you are first a department of truth, you will never be a Department of Justice. Without truth, there can be no justice. We know already—because they have admitted it—the Department of Justice came before the Senate days ago and told us things that were not true. We also know they have said things that are inconsistent. They have not yet told us which statement is true and which statement is not true, but they have said things that cannot both be true. At least one must inevitably be false. We also know they have said things that boggle the imagination. Perhaps they are true, but it seems mighty unlikely.

The big question within this shameful cloud of admitted falsehood, inevitable falsehood, and probable falsehood is this: What truth hides behind the bodyguard of lies? Is it this: U.S. attorneys who prosecuted public corruption cases against Republicans or those who did not bring public corruption cases against Democrats were terminated with extreme political prejudice? Is that what made them fail the Department of Justice test that they be ''loyal Bushies''? Is that what made Carol Lam a ''real problem'' for the Department of Justice on the day Republican corruption indictments were announced?

Like dead flesh that must be excised before a wound can heal, like rotten wood that must be scraped away before rebuilding can begin, the cloud of falsehood that now wraps around the Department of Justice must be dispelled. It must first, again, become a department of truth or else it can never again be our American Department of Justice. We cannot tolerate a Department of Justice or an Attorney General who will not give the complete truth and face the consequences.

I think at least three questions must be pursued by the Judiciary Committee or, if and when necessary, the entire Senate.

One, let's review authoritatively the historic relationship between U.S. attorneys and the Department of Justice, if necessary with expert assistance from historians and input from U.S. attorneys who served in past administrations.

The President of the United States has said this selective mass firing of U.S. attorneys is—this is his quote—''customary practice.'' As a former U.S. attorney myself, I believe that statement by the President of the United States to be false. His own Department of Justice officials seem to have conceded in their e-mail traffic that it is false. But let's take a thorough look because—I should not have to state the obvious—our President should not be saying things that are not true and also because that historic balance between independent U.S. attorneys serving in the field, in their districts, before their judges, and knowing their communities, against the group here in Washington that runs Main Justice, that historic balance has value which should not be destroyed.

Two, let's get the full, exact, unvarnished truth of what happened, and let's fix accountability for things that were said that were false. Falsehood has no place within the halls of the Department of Justice. Whatever needs to be done to dispel the clouds of falsehood, we must do.

Three, if, indeed, the worst is to be feared and this Department has infected its pursuit of political corruption with partisan bias, let's find that out. Let's start by looking at the cold, hard, numerical statistics on public corruption matters under this administration, again with expert help, if necessary, and certainly with full regard for the confidentiality of such investigations, and let's see what the factual record is and what it suggests. We can then proceed as necessary.

God forbid this should be so, but the air is thick with reasonable suspicion which must be laid to rest, and if the worst should prove true, God forbid the Senate fail in its duty to preserve, protect, and defend the integrity of our Government where its integrity should least be questioned—in the U.S. Department of Justice.

I look forward to working with my learned colleagues on the Judiciary Committee to do whatever is necessary to restore the honor and credibility of a once-proud department and the tradition of its able and independent U.S. attorney corps. In the meantime, I hope we will all support Senator FEINSTEIN's commendable legislation, S. 214, to close the PATRIOT Act loophole that may have invigorated the Bush administration in its unprecedented assault on the U.S. attorney corps.

I thank the Chair.

The PRESIDING OFFICER (Mr. SANDERS). The distinguished Senator from Iowa.

THE SMITHSONIAN INSTITUTION: CANCEL THE CHAMPAGNE

Mr. GRASSLEY. Mr. President, every year hundreds of thousands of Americans come to our Nation's Capital for what will be for many a once-in-a-lifetime vacation. A highlight of that visit for most families is seeing the Smithsonian museums.

The Smithsonian, as everybody knows, is home to many of our Nation's treasures, from Lincoln's top hat to the Hope Diamond. I have a picture of the Hope Diamond here. The Smithsonian receives over 70 percent of its support from the Federal taxpayers, over $700 million a year of taxpayers' money just in the last year. In addition, the Smithsonian receives over $200 million in donations each year. These donations are tax deductible, so the taxpayers also subsidize these charitable gifts as well. Thus, Federal taxpayers either pay for or subsidize almost the entire Smithsonian budget. Given that money is fungible, when taxpayers' dollars are paying for one thing at the Smithsonian, that frees up other money for the Smithsonian to spend elsewhere.

Despite the strong support the Smithsonian receives, the Government Accountability Office recently found in a record that there was significant damage to Smithsonian buildings and some exhibits because of water leakage. In fact, one of the Smithsonian buildings on the Mall, the Arts and Industry Building, has been closed to the public because of damage to the roof.

The Smithsonian seems, on one hand, to have recognized the need to tell their employees they need to pinch

pennies. The Washington Post, in a story in this morning's paper, cites a Smithsonian memo sent to employees urging them to save energy by turning off decorative and accent lighting.

Unfortunately, while the rank-and-file at the Smithsonian and the strength of this great institution were told to count the pennies and turn off the lights, the Secretary of the Smithsonian, Mr. Lawrence Small, was throwing hundreds of thousands of dollars out the window. Money was thrown at his house, his office, and first-class travel for Mr. Small and his wife.

One of the great treasures in the Smithsonian is Dorothy's ruby slippers from ''The Wizard of Oz,'' as shown in this picture. What Dorothy learned in that classic movie is that ''there is no place like home.''

Just like for Dorothy, for Mr. Small, there is no place like home. The Secretary of the Smithsonian has taken that sentiment to heart, spending hundreds of thousands of dollars on paintings, repairs, house cleaning, lawn service, even his cable, and presenting the bill to the Smithsonian for payment.

The Smithsonian Board of Regents wants to justify the million-dollar-plus in expenses paid for at Mr. Small's house, which he owns, because the Board of Regents claims he does official Smithsonian entertainment at his home.

What are some of the expenditures at Mr. Small's house? Perhaps most incredible is that the Smithsonian has paid for roof repairs for the Small's house at a time when the Smithsonian can't find the money to fix the roof at the Smithsonian museum. But along with the roof, let me list some other items we are paying for: a chandelier cleaning for $2,535; a pool heater for $4,225.77; three new French doors for $14,525.

Having the taxpayers and the Smithsonian donors pay for what I describe as a champagne lifestyle? Priceless.

Let me turn now to Mr. Small's office at the Smithsonian castle because he has turned that castle into a palace. Again, the Smithsonian tells its hard-working employees that they need to save every cent possible by turning down the lights but wasted every dollar possible on Mr. Small's office suite.

We have just one example here. These chairs reported in the Washington Post this morning are ''probably some of the best quality chairs you can buy.'' Those are the words of the Washington Post. These chairs are $2,000 each. There is a conference table for $13,000, thousands of dollars on carpeting and upholstery, and even finding the money to spend $1,502 on a wall sconce. I don't know if they turn that off, as he has told the employees to turn off lights.

In addition, Mr. Small has decorated his office suite with enough paintings and artifacts from the Smithsonian collection that it would be the envy of many museums. Making one's personal office a museum annex goes against the best practices of museum directors. The Smithsonian's collection is for the people's enjoyment, not for private enjoyment.

It is a sad statement of the Secretary and the board's priorities when one of the newest rooms at the Smithsonian is the Secretary's office—this at a time when the Smithsonian is struggling to keep the buildings open.

In addition to spending on his house and office, what hasn't been reported yet are the enormous amounts of funds spent on top-of-the-line travel by both Mr. and Mrs. Small. The accountant hired by the inspector general found example after example of Mr. Small and his wife traveling with expenses that far exceeded what Federal employees are allowed to spend. I will highlight just two trips for my colleagues, but I want you to know there are many more about which I could speak.

Mr. Small and his wife decided to take a trip to Las Vegas in 2002. The reason ostensibly was to attend the opening of a portrait and a press conference. That, of course, meant a $3,464.50 first-class airline ticket for each. They then stayed at one of the best hotels in Las Vegas, the Venetian, at nearly $500 a night, and enjoyed a $170.79 dinner for two at the Belaggio.

They say what happens in Vegas stays in Vegas, but I am going to make an exception. I posted on the Finance Committee Web site these travel vouchers.

While the Vegas getaway is bad enough, I think the trip to California in 2001 shows a real window into the problems at the Smithsonian. Mr. Small spent over $2,800 in chauffeured limousine service in 4 days, including a whopping $1,319 in 1 day. I want everybody to know I have a car I would be glad to sell to the Smithsonian for what they paid for that car service.

What is even worse, if that is possible, is the excuse given for this out-of-control spending.

In a memo justifying the car service in California, the claim is made that there would be ''a safety risk for [Small] to carry as much cash as would have been needed to pay for a taxi. . . .'' Even children who claim dogs ate the homework are embarrassed by that excuse. These are very serious problems, and I would say the more we look, the worse it gets in regard to the leadership at the Smithsonian.

I am pleased that the Smithsonian Board of Regents is announcing today the creation of two boards: one a group of outsiders to review the work of the board, and a second group, comprised I understand mostly of Board of Regents members to look at board governance at the Smithsonian.

I am pleased that the Board of Regents is taking these needed steps. I may not agree with the members of the board and how they have handled things, but let me say that I have looked at the governance setup, established over 100 years ago for the Board of Regents, and I feel that architecture is one of the biggest dinosaurs in the Smithsonian. We have to look at that architecture of that governance. The board structures and duties have clearly not kept up with the times in terms of the best governance practices in the nonprofit sector.

In addition, the board's actions of blessing, after the fact, of Mr. Small's expenditures and actions is extremely troubling. In my State of Iowa, we call this the legislature passing a ''legalization act,'' and it raises very real concerns in my mind of whether the board is running the Smithsonian and its secretary or whether the Secretary is running the board.

The actions of the Smithsonian Board of Regents calls to mind my work with some problems with the American Red Cross. This is another organization on which I have conducted oversight. I am pleased that the Senate recently passed legislation that I sponsored that reforms the governance of the American Red Cross. The Red Cross is a great American institution that also needed to modernize its governance, and I worked closely and successfully with the Red Cross leadership and was pleased that they recognized the need for fundamental change. I hope the Smithsonian Institution will look at the Red Cross's experience for guidance.

While the board has much to account for, that does not excuse where the responsibility lies—with the Secretary of the Smithsonian, Mr. Small. While the board should have been more vigilant in its work and overseeing its public trust, make no mistake, it is Mr. Small who ordered the champagne and handed the bill to the Smithsonian.

So let's put to rest this argument that I have heard from some that Mr. Small should not be held accountable for his actions because the board allowed it to happen. I think that excuse is way beyond the pale. We have a right to expect the Secretary of the Smithsonian to have the common sense to know if he wants Dom Perignon, he needs to pay for it out of his own pocket.

The other argument I hear is that Mr. Small should be excused of his taxpayer-supported lifestyle because he has raised money. First, let's remember that 70 percent of the dollars come from the Federal Government. Secondly, I think it is insulting that Mr. Small's supporters are trying to give him credit for every dollar raised at the Smithsonian. There are dozens of people being paid top dollar at the Smithsonian, including the museum directors, to help raise money as well. They are all helping to pull that very big weight.

Finally, Mr. Small's supporters act as if no one raised a dime before he showed up. The Smithsonian is our Nation's great museum. Many patriotic Americans want to show their support and give to this institution regardless

of who is in charge, if they have the confidence that the money is going to be spent wisely. For example, the Smithsonian received $123 million in donations in 1999, and that was more than double the amount the year before in 1998. This included, by the way, $60 million from Steven Udvar-Hazy to build the new Air and Space Museum near the Dulles Airport, as well as $10 million from Ralph Lauren to preserve the Star-Spangled Banner. All of this fundraising was done before Mr. Small's arrival.

Thanks to the growing economy and new tax laws that I have helped champion that encourage greater charitable giving, it should be expected that charitable giving will be up at the Smithsonian. In fact, charitable giving is up across the country.

The supporters of Mr. Small who want to point to fundraising to wash away the thousands of dollars spent painting Mr. Small's own house reminds me of the rooster who crows and thinks he caused the Sun to rise.

The Smithsonian is the people's museum, and it contains America's treasures. The American people have a right to have someone as a Secretary of the Smithsonian who enjoys their confidence. I believe the Secretary of the Smithsonian has lost the confidence of the American people with his actions, actions that have been contrary to the public trust that he has been given. It is proper and needed for the Board of Regents to take a hard look at itself and the actions from the board. More immediately, however, I would suggest the Board of Regents needs to consider whether the Secretary of the Smithsonian should continue in his position, a position that he should continue in only if he has the trust and confidence of the American people and their representatives.

I think the board itself has learned a lot recently, and if the Board of Regents looks closely at the facts and listens to what the people are saying, it will have to consider very hard whether the time has come to turn off the lights in the Office of the Secretary of the Smithsonian.

Mr. President, I yield the floor.

Mrs. MCCASKILL. Mr. President, first, I have had the opportunity to listen to my colleague from the great State of Iowa, and I want to tell Senator GRASSLEY that I couldn't agree with him more in the speech he just gave concerning the leadership of the Smithsonian museum. I find it is not dissimilar to some of the problems we found from time to time with college presidents of public universities, that somehow we get off the beaten path in terms of taxpayer funding. I certainly commend him for the work he is doing in that area.

I rise this afternoon, however, to talk a little bit about something that is so close to the heart of our democracy, and that is the rule of law. As a very young lawyer out of law school, I was very blessed to have the opportunity to begin my legal career as an assistant prosecuting attorney in the courtrooms of Jackson County, in Kansas City, MO. I learned so much in those first few years that I toiled as an assistant prosecutor. I had a felony docket, and I was learning from great prosecutors. It is inspiring when I think back on the quality of legal work that was going on in those courtrooms on behalf of the public by the prosecuting attorneys who worked there for very little money.

I was mentored on the rules of evidence and on courtroom strategy, but, most importantly, I was mentored on the rules as they relate to the ethics of a prosecutor. Where is that line and how do you draw it? How does a prosecutor make the decision as to whether this is justice in terms of a sentence or this is not justice, and it must be put in the hands of a jury when you are trying to decide plea bargains. Charging decisions: how do you decide when someone is charged with a felony or whether you let it go with a misdemeanor, or perhaps not charge at all?

Those lessons were so fundamental to the work that was done. It was from that experience that I began to revere—revere the rule of law in the United States of America. It is fundamental to our democracy. It is the engine that runs our democracy. It is the envy of the rest of the world.

As I have traveled from time to time in other countries, I have seen this firsthand. I will never forget a time when I was in a foreign country and we got pulled over by a police officer. We asked the native who was helping us around the country that day: What is this? He said we have to pay him. I remember thinking to myself how fortunate we are in America that there isn't an ingrained system of bribery on the streets of our cities because we have this rule of law.

What is the heart of the rule of law? At its very essence, if you strip away everything else, what is core and central to the rule of law? It is the independent prosecutor. It doesn't matter if you become a prosecutor by election or selection. Once you take that oath, once you raise your hand and swear to the job that you are about to take, you must become blindfolded to any political considerations. You must see all lawbreakers as equal whether the lawbreaker is a Congressman, a police officer, or a high school dropout who is unemployed.

What is so offensive about the e-mail traffic that has been discovered at the Department of Justice surrounding the firing of eight prosecutors in the Federal criminal justice system has been their reference to loyalty—''loyal Bushies''—loyalty to the President and, by implication, to his party.

Prosecutors I have known, and I am lucky that I have known hundreds, have loyalty to only one thing, and that is to the law. Good American prosecutors are slaves to the facts of the case and loyal only to the law of this great country. They have great power, prosecutors in our country. The decisions they make, as they apply those facts to our law, can achieve justice. Those same decisions can also ruin lives.

What is happening right now in the United States as it relates to these eight U.S. attorneys, frankly, isn't that important in the grand scheme of things to those eight U.S. attorneys, or those eight prosecutors. Am I sorry that they have been caught up in what appears to be a political scandal as it relates to their firing? Am I sorry that they have been maligned, and it was said that they were underperforming when, in reality, this was about being a ''loyal Bushie''?

By the way, I am quoting the e-mail when I say ''loyal Bushie.'' That is the only reason I would use that term on the floor of the Senate, quoting that document.

What really is happening is very important to all the other prosecutors across the United States of America, particularly those prosecutors in the Federal system because, frankly, what the Justice Department is implying is if you still have your job as U.S. attorney, you are loyal to the President of the United States and that is why you kept your job; not that you were loyal to the law. The Attorney General's action implies they kept their jobs because they were loyal to the President.

It is not OK to judge a prosecutor through a prism of political loyalty. The facts show that these decisions included discussions of the prosecutor's loyalty to the President, and because of that fact, and that fact alone, the Attorney General owes them and the rest of America much more than an apology. He owes them his resignation.

TRIBUTE TO FORMER SENATOR TOM EAGLETON

Also, as a young prosecutor, I was very fortunate to have a man who was a mentor to me and continued to be a mentor until, very sadly, the end of his life just a few days ago. He was a great politician, and there is no place he would prefer to be called that than on the floor of the Senate.

There is a hole in the heart of Missouri with the death of Senator Tom Eagleton. He was a giant among leaders and leaves a legacy that should guide public servants and Senators for generations to come.

Beginning in 1956, at the age of 27, he also became a prosecutor. He was elected the prosecutor of St. Louis city, a circuit attorney. In a brief 12-year span, he became elected prosecutor of St. Louis, went on to be elected to the attorney general's position and then on to Lieutenant Governor and on to U.S. Senate—a whirling dervish of energy, intellect, and ambition.

In 1968, when Missourians sent our ''boy wonder'' to Washington, we knew he would achieve greatness, and he certainly didn't disappoint us. Within his first term, he had already begun to turn the tide on the environmental damage that had ensued within the

half century after the industrial revolution by helping craft the Clean Air Act of 1970 and the Clean Water Act of 1972. He was a strong advocate for children with disabilities and created the National Institute on Aging.

While much of what Senator Eagleton did in the Senate made a true impact on America and the world, no action may have been as great as his handwritten amendment that stopped the bombing in Cambodia. This courageous act changed the course of history by subsequently ending the Vietnam war. His complete grasp of the complexities of foreign policy continued until his death.

As he talked to me in February of 2005 and tried to convince me to run for the Senate, he said to me: Claire, this war in Iraq is a disaster and, believe me, it is going to get much worse before it gets better.

Even in the later years of his life, he was a virtual fountain of information about foreign policy across the world. Despite the fact that Senator Eagleton was a scholar at Amherst College in Massachusetts and Oxford and a cum laude graduate from Harvard Law School and prominent attorney and politician, he could relate to anybody. ''Just call me Tom,'' he would always say, with a warm grin and a firm handshake. That was his style—plainspoken, genuine, and usually the funniest man in the room.

His ability to be the voice of everyday Americans was the reason he was elected to three terms in the U.S. Senate and the same reason it was so hard for him to leave public service in 1986. But, characteristically, he left office with very modest words. He said:

There is no sadness in leaving public life while you still have something worthwhile to do and the time and motivation to do it.

And that he certainly did. In the famous style and personality that was Tom Eagleton, he went from public office but not from public life. A university lecturer, political commentator, writer, philanthropic fundraiser, community advocate, sports enthusiast, Tom continued to pursue dreams of a different kind.

While Tom shied away from claiming due credit, his good friend and colleague from the other side of the aisle, Senator John Danforth, summed up his amazing political career by saying:

What has set Tom Eagleton apart from the rest of us is not his intellect and his energy, as impressive as they are. It is his moral passion, his capacity for outrage, his insistence that justice be done, that wrongs be made right.

More than what Americans gained from his victories, achievements, degrees, and accolades is the lessons we find in his words that we can take into the future:

Be civil and modest. Act with courage and integrity. Pursue your dreams and do right by your neighbors. And most of all, don't take yourself too seriously.

His memorial service was a wonderful tribute to Tom Eagleton. We all laughed and we cried. Some giants from the Senate were in attendance, and some Democratic ward workers from a nearby political ward who had been working the phones and putting up yard signs for 30, 40 years—all sat together and listened to great stories about a great man.

We all appreciated the fact that Senator Tom Eagleton wanted the last word. So, a year before his death, he wrote a letter—I would like to make it part of the RECORD today—that everyone who attended the memorial service was lucky enough to receive. It talks about his life, it talks about his service in the Senate, it talks about the things that were important to him, and about his family—which was most important to him. But you got the sense of the man even from his farewell address, and I will close today by using the last line he used in the letter he wrote that he wanted distributed at his memorial service:

So go forth in love and peace—be kind to dogs—and vote Democratic.

I ask unanimous consent the letter be printed in the RECORD.

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

[From STLtoday.com, Mar. 11, 2007]

THOMAS F. EAGLETON FAREWELL ADDRESS

Senator Tom Eagleton wrote the following words of farewell in May, 2006, with instructions that they be shared with his family and friends at Saturday's memorial service.

Barbara, Terence, Christy, Michael, grandchildren Barbara, James and Greg, and friends all:

This is my last audience and, thus, I think I am entitled to the last word.

Using Lou Gehrig's famous quote, ''I consider myself the luckiest man on the face of the earth.''

I have had a wonderful, understanding wife. She has endured all of my foibles and I love her for it. I have been an absentee father. Politics is an all-absorbing, all-consuming profession. It takes a total, exclusive grip on one's life. So I apologize to Terence and Christy and express how much I love them.

I most fondly remember my mother. I was her favorite. I am reluctant to use Nixon phraseology, but my mother was a saint. She was a gentle woman and had the strength to put up with such determined personalities as my father, my brother and me.

From early days, I wanted to be a senator. My father would have made a great one. He was a magnificent trial lawyer. He was, in my mind, as great a speaker as FDR. He did not do so well in politics because he insisted on making every campaign decision by himself. I think, in a subliminal sense, I oozed into politics because I knew I could not be as great a lawyer as him and maybe I could prove to be a good politician.

My father was one of my three idols along with FDR and Eugene Hecker, my English teacher at Country Day School. Mr. Hecker thought every American should be able to read, write and speak the English language—including his students.

My dad did not think in insular or parochial terms. He thought a youngster should be exposed to all sorts of views. Once he took me to the old Coronado Hotel to hear Norman Thomas, the frequent Socialist candidate for president. Another time he took me to see a Gerald L.K. Smith protest at Kiel Auditorium. Smith was a racist ''preacher'' in the style of Bob Jones of Bob Jones University.

Until 1944, dad was a Teddy Roosevelt Republican. He took me to the 1940 Republican convention in Philadelphia where Wendell Willkie was nominated. Dad thought Willkie was the ''second coming'' of Teddy Roosevelt.

In 1938, dad drove me by a German Bund (pro Nazi) meeting at Grand and Lafayette and explained the dangers of Hitler and anti-Semitism.

He did not take me, but he arranged to have someone else take me to Winston Churchill's ''Iron Curtain'' speech at Westminster College in Fulton, Missouri. I wrote up the speech for the Country Day News, but left out the ''Iron Curtain'' part as being lesser importance than other portions of his speech.

Let me make it clear that my father did not push me into politics. His advice to me was to first get established as a lawyer and then consider politics. When I ran for Circuit Attorney at age 26 he said, ''You are making a mistake. Wait a few years.''

In the Senate, I tried my best to express and vote my conscience. I confess to several ''hold your nose'' votes, like support for the dreadful price support program for cotton which, at one time, was the crop of choice in the Bootheel of Missouri. I think Senator Phil Hart, Senator Mike Mansfield, my wonderful friend Gaylord Nelson and Jack Danforth were amongst senators who voted their true conscience on every vote.

You may wonder why I mention Jack Danforth. There is a possibility that God is a Republican, and at this point I feel it best to cover all my bases.

I am most proud that the ''Eagleton Amendment'' was the legislative act that finally ended U.S. participation in the dreadful Vietnam War. I am proud of the original version of the War Powers Act which, had it been enacted as the bill left the Senate, would have re-established the shared powers of the President and the Congress when our nation went to war. This is what our Founding Father envisioned.

I am proud that, when Senator Muskie ran for President in 1972, he directed me to take over our Environmental Subcommittee and we passed the first major Clean Air and Clean Water Acts. By Muskie's anointment, I was the first Vice Chairman for a standing committee in the Senate.

After leaving the Senate, I never missed being there—except for the debate on the nomination of Bork and the horrible, disastrous Iraq War. That war will go down in American history as one of our greatest blunders. It will be remembered, in part, as a curse to our Constitution when Attorney General John Ashcroft attempted to put a democratic face on torture. Vice President Richard Cheney and Secretary of Defense Donald Rumsfeld also will go down in history for their total lack of planning for post-war Iraq.

I think, frankly, people stay too long in Congress. The world changes so rapidly that I think there should be a consistent and continuing infusion of new blood and fresh brain power into the legislative process. Eighteen years for me was enough.

I set forth my own critique of my Senate service. I could and should have done more. I had the energy. I had the desire. In analyzing myself, I blame it on my quickly moving attention span. Ted Kennedy has spent 30 plus years on National Health Insurance. I could not do that. I was too impatient. I wanted quick action and if I didn't get it in a few years, I would move on. That is a major fault for any legislator.

Finally, a word about the Catholic Church. This may seem to be a strange topic to be raised by me, but we are here in church and this is my final word. I do not pretend to be the world's greatest Catholic. Nevertheless, I think the Catholic Church is a vital part of American life, conscience and thought. Just as our Constitution is a remarkable, living code of governance and made relevant to the time in which we live, so too the doctrine of the Catholic Church is a living code of moral behavior and belief which must be relevant to the time in which we live. Its timeliness relies upon its capacity to adapt.

I am a Pope John XXIII and an Archbishop John L. May Catholic, believing in what they said and what I believe they would have said had they lived longer.

The outreach of the Catholic Church from Pope Pius IX to Pope Pius XII was not the outreach of Pope John XXIII. It is John XXIII who made the Catholic Church relevant to the 20th Century and future popes must make it relevant to the 21st Century. It was Archbishop May who made the Catholic Church relevant to the 20th Century in St. Louis. In the era of a Christian right, we seem to have merged God's power into political power.

I am an optimist about death and believe there is a there there. Somehow, in some manner, I will be meeting my parents, my brother and my friends. Somehow, Bob Koster will be waiting for me to tell me where I can buy everything 10% off.

So go forth in love and peace—be kind to dogs—and vote Democratic.

Tom E.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. AKAKA. Mr. President, I ask unanimous consent that I may speak as in morning business.

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

NISEI LINGUISTS

Mr. AKAKA. Mr. President, as we mark our fourth anniversary of our involvement in Iraq, I wish to highlight an important chapter in our military history. With foresight that proved to be a significant factor in America's victory in World War II, the U.S. Army established a Japanese language school a few months before the attack on Pearl Harbor, and recruited students, second-generation Americans of Japanese ancestry, or Nisei, who would become interpreters and translators in the Military Intelligence Service. Their ability to infiltrate the psyche of our enemy through their knowledge of Japanese culture and language is credited with bringing the war in the Pacific to a quicker conclusion and later, helping turn bitter foes into strong allies.

In 1994, I was among a number of Members of Congress, including my colleague and fellow World War II veteran, the senior Senator from Hawaii, DAN INOUYE, who asked the Secretary of the Army to publish an official history of the Military Intelligence Service. Today, I am honored to announce the publication of Nisei Linguists, Japanese Americans in the Military Intelligence Service During World War II, by Dr. James McNaughton, Command Historian, U.S. European Command. Nisei Linguists chronicles the history of the Japanese in America, the events leading to the War, the creation of the MIS, and the Nisei involvement in the War.

For the soldiers of the Military Intelligence Service, and their brethren in the 100th Infantry Battalion and the 442nd Regimental Combat Team, their service was much more than an obligation to the land of their birth; it was an opportunity to prove themselves as loyal American citizens. As many friends, neighbors, and relatives were transported to concentration camps in various locations around the United States, Nisei soldiers enlisted and served with great distinction.

According to Chief of Military History Dr. Jeffrey Clarke, Nisei Linguists also reminds us that:

> the entire experience provides valuable lessons to U.S. Army officers both present and future. In fact, the Global War on Terrorism underlines the need for similar capabilities and programs as the Army girds itself for the sustained struggle ahead.

As chairman of the Committee on Veterans' Affairs, I am privileged to co-host an event marking the publication of Nisei Linguists on Tuesday, March 20th. Among those in attendance will be Dr. McNaughton, Dr. Clarke, and a number of World War II Nisei veterans, including those who served in the MIS.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

MORNING BUSINESS

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

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

ADDITIONAL STATEMENTS

AGENTS RAMON NEVAREZ, JR., AND DAVID TOURSCHER

● Mr. DOMENICI. Mr. President, I rise today to remind the Senate that not only are brave men and women serving their countries overseas, but they are serving here at home, too. That service can end in tragedy, even on our own soil.

Such an incident occurred last Thursday, March 15, 2007, near Cotton City, NM. I am sad to report that on that day, two Border Patrol agents assigned to the Lordsburg, NM, border patrol station were killed in the line of duty in a vehicular accident. I extend my heartfelt condolences to the families of Agent Ramon Nevarez, Jr., and Agent David Tourscher for their loss.

Agent Nevarez is survived by his wife, Bonnie, his mother Juana, his sister Viridiana, and his brother Ryan. Agent Tourscher is survived by his father Gary and his mother Jeanne.

Border security is one of our first lines of defense in the United States. An important part of that security is the men and women who are willing to serve on the front lines of our borders as Border Patrol agents. Agent Nevarez and Agent Tourscher were two such brave men, and I know the Senate joins me in thanking their families for the service of those two men.●

BURLINGTON COMMUNITY HEALTH CENTER

● Mr. HARKIN. Mr. President, this spring, the new community health center in Burlington, IA, officially opened for business. Having secured funding for the center and attended the groundbreaking ceremony last June, I know how important this health care facility is to Burlington and the surrounding communities. At long last, Des Moines County has a permanent, unified medical and dental clinic something that has been sorely needed for many years.

This is a truly unique community health center. It is housed on the grounds of Southeastern Community College. And there is an agreement between the CHC board and the community college to allow nursing and health aide students to do some of their training in the center. This gives the center an edge in recruiting staff, and it gives students hands-on training opportunities right there on campus. Clearly, this is a win-win-win arrangement for the center, for the community college, and for the entire Burlington community.

I salute Ron Kemp and others who had the vision to create this new community health center, and the persistence to transform their vision into bricks and mortar. The facility is welcoming, modern, and well equipped. And the staff members are truly an inspiration. They have a special passion for their work, and take pride in the fact that they are providing first-rate health care to underserved communities.

Dr. Martin Luther King, Jr., used to say that ''Life's most persistent and urgent question is: What are you doing for others?'' The staff members at the community health centers of southeast Iowa have answered that question in powerful ways. They have committed themselves to providing high-quality health care to all comers, regardless of ability to pay. All are welcomed equally. All are served with professionalism and excellence.

As chair of the Health and Human Services Appropriations Subcommittee, I am 100 percent committed to securing appropriate funding

for community health centers all across America. One thing I know for certain: Every dollar Congress appropriates for centers like the one in Burlington is a dollar spent wisely and frugally. It never ceases to amaze me how their staff members are able to do so much—and to serve so many people—with such limited resources.

I dare say that nobody in the health care profession faces greater challenges than those who choose to work in community health centers challenges including chronic illness, cultural and linguistic differences, geographical barriers, homelessness, and on and on. Nothing stops these superb professionals.

And one more thing: Community health centers have a well-deserved reputation for caring and kindness. In some ways, their physicians and nurses are a throwback to another era. They offer a direct and personal style of health care. They follow up. They care about prevention and wellness.

So I am deeply grateful to executive director Ron Kemp, to Dr. Beverly Simone, the president of Southeastern Community College, to the center's dedicated board members, to Ted Boesen, executive director of the Iowa/Nebraska Primary Care Association, and to all the other people who made this new facility possible. They work their hearts out to provide the very best health care to some of our most needy citizens. I deeply appreciate their passion, their compassion, and their dedication to public service.●

RETIREMENT OF BOB ROTHENBERG

● Mr. HARKIN. Mr. President, today we recognize a distinguished executive at the Social Security Administration, Bob Rothenberg. Bob is an Associate Commissioner and Director of the Social Security Budget Office. He is a dedicated public servant who has served his country at the Social Security Administration for nearly 37 years.

A native of New York, Bob began his career in the local Social Security Office in Brooklyn. In 1973 he moved to the Budget Office at Social Security Headquarters in Baltimore. Bob's intellect and resolve were quickly recognized and he rose to the position of Budget Director—a position he has held for nearly 20 years. During Bob's long and distinguished career with the agency he has received many awards, of special note, the Presidential Rank and Meritorious Executive Awards.

For many years I have had the privilege of relying on Bob's outstanding work on the Social Security Administration's budget. He has always been resourceful, insightful, and forthcoming.

Bob will retire from the Social Security Administration on March 31, 2007. He will be sorely missed by his fellow colleagues and his congressional contacts on the Hill. He will leave behind the numerous individuals he has mentored and encouraged over the years and who, because of his guidance, are now prepared to carry on his work.

It is important that we in Congress recognize the many men and women who devote their working lives to improve the lives of others. Career civil servants often do their work in quiet anonymity behind the scenes providing vital service to the American people. They are rarely recognized for their important contribution. Bob Rothenberg is one of those people. His record of leadership at the Social Security Administration and his commitment to providing the American people with effective and compassionate service is a record of which he can be justly proud.

I wish Bob all the best in his retirement from Federal service and thank him for his many years of dedicated service.●

HONORING JESSE L. BROWN

● Mr. MCCAIN. Mr. President, today I pay tribute to the life and service of Ensign Jesse LeRoy Brown, U.S. Navy. Ensign Brown was born in Hattiesburg, MS, on October 13, 1926. He enlisted in the Naval Reserve in 1946 and was appointed a midshipman, U.S. Navy, the following year. After attending Navy preflight indoctrination and flight training, he was designated a naval aviator in October 1948, the first African American to achieve this status. Midshipman Brown was then assigned to Fighter Squadron 32. He received his commission as an Ensign in April 1949.

During the Korean war, he operated from USS *Leyte*, flying F4U–4 Corsair fighter aircraft in support of United Nations forces. On December 4, 1950, while on a close air support mission near the Chosin Reservoir, Ensign Brown's plane was hit by enemy fire and crashed. Despite heroic efforts by other aviators, he could not be rescued and died in his aircraft. Ensign Jesse L. Brown was awarded the Distinguished Flying Cross for his Korean war combat service.

In honor of his service, the Secretary of the Navy named the 38th ship in the Knox-class of frigates the USS *Jesse L. Brown*.

I know my colleagues will join me in honoring Jesse's memory and celebrating, along with his friends, family, and fellow naval aviators, the addition of a plaque in his memory to the Naval Aviation Monument Park in Virginia Beach to be presented May 5, 2007. Ensign Brown was both a pioneer and a model of service to country, who gave his life that we might enjoy our freedom. Mr. President.●

HONORING TIMOTHY WILLIAMS

● Mrs. MURRAY. Mr. President, today I wish to recognize Timothy Williams for his 35 years of service at the Department of Veterans Affairs. This month, he is retiring as director of the VA Puget Sound Healthcare System. I want to thank him for his many years of hard work and leadership.

Our country makes a solemn promise to our servicemembers and their families, and every day dedicated VA employees help keep that promise. Director Williams faced many challenges in providing care in the Puget Sound, from increasing caseloads to difficult budgets. Through it all, he approached those challenges with unparalleled respect, understanding, and compassion for our veterans.

Throughout the country, the VA is recognized as providing some of the best health care in the Nation. The VA has led the way in pioneering electronic medical records and critical health research, much of which has been done in Seattle and Tacoma under the direction of Director Williams. On behalf of the constituents I represent, I want to thank Director Williams and all of the dedicated VA employees who have worked so hard to reach those milestones.

Director Williams has been a tireless champion for veterans. Working closely with Veterans Service Organizations, individual veterans, and the congressional delegation, he was always willing to work with people, to listen to their needs, and to sit down and discuss what is possible.

From hosting the VA's Wheelchair Games in 1995, to establishing one of the Nation's best spinal cord injury centers, to renovating the cancer clinic and bringing a Fisher House to the Seattle campus of the VA Puget Sound, Director Williams leaves behind a great legacy of championing the needs of veterans.

Circumstances were never easy for the VA's Puget Sound health care system. Tight budgets forced Tim and his entire staff to do more and more with less and less. As demand for care increased, Director Williams expanded the ability for the VA to treat more veterans. In fact, he oversaw the doubling of the patient care area to meet the demands.

Tim and his staff worked to expand the VA's efforts to treat veterans from Iraq and Afghanistan through the Deployment Health Clinic. The clinic focuses on the care of veterans who are experiencing health concerns related to a specific deployment. At the clinic, veterans receive a comprehensive evaluation, benefits counseling, and assistance with compensation and pension claims. Deployment Health Clinic staff will continue to provide veterans with their primary medical care as well as their mental health follow-up.

Today, the VA is facing tremendous challenges. A whole new generation of veterans is entering the system, and many will need care and support for a lifetime. As the VA takes on these new challenges, I know Director Williams will be missed. I hope his legacy lives on throughout the VA's Puget Sound health care system and throughout the VA.

I have said many times that VA staff members are truly our unsung heroes. Director Williams is one of those heroes. Whether attending veterans' gatherings in Port Angeles about efforts to expand VA care on the Peninsula, or working with the difficult issues facing the Walla Walla VA Medical Center, Tim approached his job with integrity, honesty and a dedication to America's veterans.

Director Williams, I wish you all the best in the future, and thank you for your distinguished service.●

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 which were referred to the appropriate committees.

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

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 1003. An act to amend the Foreign Affairs Reform and Restructuring Act of 1998 to reauthorize the United States Advisory Commission on Public Diplomacy; to the Committee on Foreign Relations.

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–992. A communication from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Aviation Into-Plane Reimbursement Card'' (DFARS Case 2006–D017) received on March 15, 2007; to the Committee on Armed Services.

EC–993. A communication from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Security-Guard Services Contracts'' (DFARS Case 2006–D011) received on March 15, 2007; to the Committee on Armed Services.

EC–994. A communication from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Protests, Disputes, and Appeals'' (DFARS Case 2003–D010) received on March 15, 2007; to the Committee on Armed Services.

EC–995. A communication from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Berry Amendment Exceptions—Acquisition of Perishable Food, and Fish, Shellfish, or Seafood'' (DFARS Case 2006–D005) received on March 15, 2007; to the Committee on Armed Services.

EC–996. A communication from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Free Trade Agreement—El Salvador, Honduras, and Nicaragua'' (DFARS Case 2006–D019) received on March 15, 2007; to the Committee on Armed Services.

EC–997. A communication from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Radio Frequency Identification'' (DFARS Case 2006–D002) received on March 15, 2007; to the Committee on Armed Services.

EC–998. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to Iran that was declared in Executive Order 12957 of March 15, 1995; to the Committee on Banking, Housing, and Urban Affairs.

EC–999. A communication from the Attorney, Office of General Counsel for Legislation and Regulatory Law, Department of Energy, transmitting, pursuant to law, the report of a rule entitled ''Alternative Fuel Transportation Program; Replacement Fuel Goal Modification'' (RIN1094–AB67) received on March 15, 2007; to the Committee on Energy and Natural Resources.

EC–1000. A communication from the Assistant Secretary of Energy Efficiency and Renewable Energy, Department of Energy, transmitting, pursuant to law, a report relative to energy conservation standards; to the Committee on Energy and Natural Resources.

EC–1001. A communication from the Secretary of Energy, transmitting, pursuant to law, a report entitled ''Assessment of Potential Impact of Concentrating Solar Power for Electricity Generation''; to the Committee on Energy and Natural Resources.

EC–1002. A communication from the Under Secretary for Science, Department of Energy, transmitting, pursuant to law, a report relative to a study conducted to assess management practices in the Department; to the Committee on Energy and Natural Resources.

EC–1003. A communication from the Secretary of Agriculture, transmitting, pursuant to law, a report relative to the implementation of the Quincy Library Group's forest management proposal; to the Committee on Energy and Natural Resources.

EC–1004. A communication from the Assistant Secretary, Minerals Management Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Oil and Gas and Sulphur Operations in the Outer Continental Shelf—Update of New and Reaffirmed Documents Incorporated by Reference'' (RIN1010–AD24) received on March 14, 2007; to the Committee on Energy and Natural Resources.

EC–1005. 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; Wisconsin; Cook Composites and Polymers Company'' (FRL No. 8285–3) received on March 15, 2007; to the Committee on Environment and Public Works.

EC–1006. 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 ''Spinosad; Pesticide Tolerance'' (FRL No. 8114–4) received on March 15, 2007; to the Committee on Environment and Public Works.

EC–1007. 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 ''Thifensulfuron Methyl; Pesticide Tolerance'' (FRL No. 8117–1) received on March 15, 2007; to the Committee on Environment and Public Works.

EC–1008. 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 ''Tribenuron Methyl; Pesticide Tolerance'' (FRL No. 8117–2) received on March 15, 2007; to the Committee on Environment and Public Works.

EC–1009. 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 ''Vermont: Final Authorization of State Hazardous Waste Management Program Revisions'' (FRL No. 8287–8) received on March 15, 2007; to the Committee on Environment and Public Works.

EC–1010. A communication from the Director, Office of Congressional Affairs, U.S. Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''List of Approved Spent Fuel Storage Casks: Standardized NUHOMS System Revision 9'' (RIN3150–AI03) received on March 15, 2007; to the Committee on Environment and Public Works.

EC–1011. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, the report of several documents recently issued by the Agency that are related to its regulatory programs; to the Committee on Environment and Public Works.

EC–1012. A communication from the Regulations Officer, Federal Highway Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Surface Transportation Project Delivery Pilot Program'' (RIN2125–AF13) received on March 15, 2007; to the Committee on Environment and Public Works.

EC–1013. A communication from the Regulations Officer, Federal Highway Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Statewide Transportation Planning; Metropolitan Transportation Planning'' ((RIN2125–AF09) (RIN2132–AA82)) received on March 15, 2007; to the Committee on Environment and Public Works.

EC–1014. A communication from the Regulations Officer, Federal Highway Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Size and Weight Enforcement Regulations'' (RIN2125–AF17) received on March 15, 2007; to the Committee on Environment and Public Works.

EC–1015. A communication from the Regulations Officer, Federal Highway Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Construction and Maintenance'' (RIN2125–AF18) received on March 15, 2007; to the Committee on Environment and Public Works.

EC–1016. A communication from the Chairman, U.S. Nuclear Regulatory Commission, transmitting, pursuant to law, a report relative to the Commission's competitive sourcing efforts for fiscal year 2006; to the

Committee on Environment and Public Works.

EC–1017. A communication from the Chair, Good Neighbor Environmental Board, transmitting, pursuant to law, the Board's annual report relative to environmental protection activities and homeland security activities along the U.S. border with Mexico; to the Committee on Environment and Public Works.

EC–1018. A communication from the Chairman, Medicare Payment Advisory Commission, transmitting, pursuant to law, a report entitled ''Report to the Congress: Assessing Alternatives to the Sustainable Growth Rate System''; to the Committee on Finance.

EC–1019. A communication from the Chairman, Medicare Payment Advisory Commission, transmitting, pursuant to law, a report entitled ''Report to the Congress: Medicare Payment Policy''; to the Committee on Finance.

EC–1020. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law , the report of a rule entitled ''Deaths and Estates'' (RIN1400–AC24) received on March 15, 2007; to the Committee on Foreign Relations.

EC–1021. A communication from the Assistant Secretary, Office Of Legislative Affairs, Department of State, transmitting, pursuant to law, (5) reports relative to vacancy announcements within the Department, received on March 13, 2007; to the Committee on Foreign Relations.

EC–1022. A communication from the Human Resources Specialist, Office of the Assistant Secretary for Administration and Management, Department of Labor, transmitting, pursuant to law, the report of a vacancy and the designation of an acting officer for the position of Assistant Secretary for Public Affairs, received on March 15, 2007; to the Committee on Health, Education, Labor, and Pensions.

EC–1023. A communication from the Human Resources Specialist, Office of the Assistant Secretary for Administration and Management, Department of Labor, transmitting, pursuant to law, the report of a vacancy and the designation of an acting officer for the position of Deputy Secretary of Labor, received on March 15, 2007; to the Committee on Health, Education, Labor, and Pensions.

EC–1024. A communication from the Assistant General Counsel for Regulatory Services, Office of Innovation and Improvement, Department of Education, transmitting, pursuant to law, the report of a rule entitled ''Magnet Schools Assistance Program—Notice of Final Priority'' (FR Doc. E7–4272) received on March 14, 2007; to the Committee on Health, Education, Labor, and Pensions.

EC–1025. A communication from the Assistant General Counsel for Regulations, Office of Special Education and Rehabilitative Services, Department of Education, transmitting, pursuant to law, the report of a rule entitled ''National Institute on Disability Rehabilitation Research—Disability and Rehabilitation Research Projects and Centers Program—Disability Rehabilitation Research Projects and Rehabilitation Engineering Research Centers'' (FR Doc. E7–2349) received on March 14, 2007; to the Committee on Health, Education, Labor, and Pensions.

EC–1026. A communication from the Assistant General Counsel for Regulatory Services, Office of Innovation and Improvement, Department of Education, transmitting, pursuant to law, the report of a rule entitled ''Magnet Schools Assistance Program—Final Regulations'' (FR Doc. E7–4270) received on March 14, 2007; to the Committee on Health, Education, Labor, and Pensions.

EC–1027. A communication from the Director, Regulations and Policy Management Staff, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medical Devices; Hematology and Pathology Devices; Classification of Cord Blood Processing Systems and Storage Container'' (Docket No. 2007N–0024) received on March 15, 2007; to the Committee on Health, Education, Labor, and Pensions.

EC–1028. A communication from the Under Secretary for Management, Department of Homeland Security, transmitting, pursuant to law, a report relative to the Department's competitive sourcing efforts for fiscal year 2006; to the Committee on Homeland Security and Governmental Affairs.

EC–1029. A communication from the Chairman, U.S. Merit Systems Protection Board, transmitting, pursuant to law, the Board's Strategic Plan for fiscal years 2007–2012; to the Committee on Homeland Security and Governmental Affairs.

EC–1030. A communication from the Chairman, U.S. Merit Systems Protection Board, transmitting, pursuant to law, a report entitled ''The Practice of Merit: A Symposium''; to the Committee on Homeland Security and Governmental Affairs.

EC–1031. A communication from the Administrator, General Services Administration, transmitting, pursuant to law, a report relative to the approved mileage reimbursement rate per mile for Federal employees; to the Committee on Homeland Security and Governmental Affairs.

EC–1032. A communication from the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, a report relative to the progress made according to section 5 of the Federal Financial Assistance Management Improvement Act of 1999; to the Committee on Homeland Security and Governmental Affairs.

EC–1033. A communication from the Director, Strategic Human Resources Policy, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled ''5 CPF Part 211: Veteran Preference'' (RIN3206–AL00) received on March 14, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–1034. A communication from the Director, Strategic Human Resources Policy, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled ''Federal Long Term Care Insurance Program: Miscellaneous Changes, Corrections, and Clarifications'' (RIN3206–AK99) received on March 14, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–1035. 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 ''Employment in the Senior Executive Service, Restoration to Duty from Uniformed Service or Compensable Injury, Prevailing Rate Systems, Pay Administration (General), and Pay Administration Under the Fair Labor Standards Act; Miscellaneous Changes to Pay and Leave Rules'' (RIN3206–AL21) received on March 14, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–1036. A communication from the Associate General Counsel for General Law, Office of the General Counsel, Department of Homeland Security, transmitting, pursuant to law, the report of a vacancy and the designation of an acting officer for the position of General Counsel, received on March 15, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–1037. A communication from the Chief Justice of the Supreme Court of the United States, transmitting, pursuant to law, a report entitled ''Report of the Proceedings of the Judicial Conference of the United States''; to the Committee on the Judiciary.

EC–1038. A communication from the Assistant Secretary of the Navy (Installations and Environment), Department of Defense, transmitting, pursuant to law, the report of a planned streamlined competition of military personnel performing air and surface training support functions at the Fleet Composite Squadron Six in Norfolk, VA; to the Committee on Armed Services.

EC–1039. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting, pursuant to law, an annual report relative to the status of female members of the Armed Forces; to the Committee on Armed Services.

EC–1040. A communication from the Senior Vice President and Chief Financial Officer, Export-Import Bank of the United States, transmitting, pursuant to law, the Bank's annual report for fiscal year 2006; to the Committee on Banking, Housing, and Urban Affairs.

EC–1041. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Final Flood Elevation Determination'' (72 FR 5197) received on March 15, 2007; to the Committee on Banking, Housing, and Urban Affairs.

EC–1042. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Suspension of Community Eligibility'' ((72 FR 5630) (FEMA–7961)) received on March 15, 2007; to the Committee on Banking, Housing, and Urban Affairs.

EC–1043. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Addition of Entities to the Entity List'' (RIN0694–AD91) received on March 15, 2007; to the Committee on Banking, Housing, and Urban Affairs.

EC–1044. A communication from the Counsel for Legislation and Regulations, Office of the Secretary, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled ''Inflation Adjustment of Civil Money Penalty Amounts'' (RIN2501–AD30) received on March 15, 2007; to the Committee on Banking, Housing, and Urban Affairs.

EC–1045. A communication from the Comptroller General of the United States, transmitting, pursuant to law, a report relative to the financial statements of the Deposit Insurance Fund and the FSLIC Resolution Fund; to the Committee on Banking, Housing, and Urban Affairs.

EC–1046. A communication from the Director, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, a report relative to the apportionment of membership on the regional fishery management councils; to the Committee on Commerce, Science, and Transportation.

EC–1047. A communication from the Vice President, Government Affairs and Communications, National Railroad Passenger Corporation, transmitting, pursuant to law, a report relative to the financial performance of train routes; to the Committee on Commerce, Science, and Transportation.

EC–1048. A communication from the Assistant General Counsel for Aviation Enforcement and Proceedings, Office of the Secretary, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Domestic Baggage Liability'' (RIN2105–AD62) received on March 15, 2007; to

the Committee on Commerce, Science, and Transportation.

EC–1049. A communication from the Secretary, Maritime Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Maintenance Repair Reimbursement Pilot Program'' (RIN2133–AB68) received on March 15, 2007; to the Committee on Commerce, Science, and Transportation.

EC–1050. A communication from the Acting Chief Counsel, Saint Lawrence Seaway Development Corporation, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Seaway Regulations and Rules: Periodic Update, Various Categories'' (RIN2135–AA24) received on March 15, 2007; to the Committee on Commerce , Science, and Transportation.

EC–1051. A communication from the Acting Chief Counsel, Saint Lawrence Seaway Development Corporation, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Tariff of Tolls'' (RIN2135–AA25) received on March 15, 2007; to the Committee on Commerce, Science, and Transportation.

EC–1052. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Agusta S.p.A. Model AB139 Helicopters'' ((RIN2120–AA64)(Docket No. 2006–SW–20)) received on March 15, 2007; to the Committee on Commerce, Science, and Transportation.

EC–1053. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Model A300 Airplanes'' ((RIN2120–AA64)(Docket No. 2006–NM–029)) received on March 15, 2007; to the Committee on Commerce, Science, and Transportation.

EC–1054. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Columbia Aircraft Manufacturing Models LC41–550FG and LC42–550FG Airplanes'' ((RIN2120–AA64)(Docket No. 2006–CE–71)) received on March 15, 2007; to the Committee on Commerce, Science, and Transportation.

EC–1055. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Boeing Model 777 Airplanes'' ((RIN2120–AA64)(Docket No. 2005–NM–176)) received on March 15, 2007; to the Committee on Commerce, Science, and Transportation.

EC–1056. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bombardier Model CL–600–1A11, CL–600–2A12, and CL–600–2B16 Airplanes'' ((RIN2120–AA64)(Docket No. 2005–NM–201)) received on March 15, 2007; to the Committee on Commerce, Science, and Transportation.

EC–1057. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bombardier Model DHC–8–400 Series Airplanes'' ((RIN2120–AA64)(Docket No. 2006–NM–007)) received on March 15, 2007; to the Committee on Commerce, Science, and Transportation.

EC–1058. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Raytheon Aircraft Company Models C90A, B200, B200C, B300, and B300C Airplanes'' ((RIN2120–AA64)(Docket No. 2006–CE–34)) received on March 15, 2007; to the Committee on Commerce, Science, and Transportation.

EC–1059. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Boeing Model 737–200, –300, –400, and –500 Series Airplanes'' ((RIN2120–AA64)(Docket No. 2005–NM–089)) received on March 15, 2007; to the Committee on Commerce, Science, and Transportation.

EC–1060. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Turbomeca Model Arrius 2B1, 2B1A, and 2B2 Turboshaft Engines'' ((RIN2120–AA64)(Docket No. 2006–NE–38)) received on March 15, 2007; to the Committee on Commerce, Science, and Transportation.

EC–1061. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Model A330, A340–200, and A340–300 Series Airplanes'' ((RIN2120–AA64)(Docket No. 2006–NM–059)) received on March 15, 2007; to the Committee on Commerce, Science, and Transportation.

EC–1062. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Raytheon Aircraft Company Models 1900, 1900C, and 1900D Airplanes'' ((RIN2120–AA64)(Docket No. 2006–CE–67)) received on March 15, 2007; to the Committee on Commerce, Science, and Transportation.

EC–1063. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; International Aero Engines AG V2522–A5, V2524–A5, V2527–A5, V2526E–A5, V2527M–A5, V2530–A5, and V2533–A5 Turbofan Engines'' ((RIN2120–AA64)(Docket No. 2003–NE–21)) received on March 15, 2007; to the Committee on Commerce, Science, and Transportation.

EC–1064. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Air Tractor, Inc. Models AT–501, AT–502, AT–502A, AT–502B, and AT–503A Airplanes'' ((RIN2120–AA64)(Docket No. 2004–CE–48)) received on March 15 , 2007; to the Committee on Commerce, Science, and Transportation.

EC–1065. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; BAE Systems Limited Model BAe 146 and Avro 146–RJ Airplanes'' ((RIN2120–AA64)(Docket No. 2006–NM–133)) received on March 15, 2007; to the Committee on Commerce, Science, and Transportation.

EC–1066. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Raytheon Aircraft Company Model 390 Airplanes'' ((RIN2120–AA64)(Docket No. 2006–CE–47)) received on March 15, 2007; to the Committee on Commerce, Science, and Transportation.

EC–1067. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; PZL–Bielsko Model SZD–50–3 'Puchacz' Gliders'' ((RIN2120–AA64)(Docket No . 2006–CE–49)) received on March 15, 2007; to the Committee on Commerce, Science, and Transportation.

EC–1068. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Boeing Model 707–100 Long Body, –100B Long Body, –100B Short Body, –E3F, –300, –300B, and –300C Series Airplanes; Model 727–100 and –200 Series Airplanes; Model 737–200, –200C, –300, –400, and –500 Series Airplanes; Model 747–100B, 747–200B, 747–200C, 747–200F, 747–300, 747–400, 747–400D, 747SR, and 747SP Series Airplanes; Model 757–200 and 757–200 PF Series Airplanes; and Model 767–200 and –300 Series Airplanes; Equipped with Observer or Attendant Seats'' ((RIN2120–AA64)(Docket No. 2005–NM–030)) received on March 15, 2007; to the Committee on Commerce, Science, and Transportation.

EC–1069. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Sikorsky Aircraft Corporation Model S–61L, N, R, and NM Helicopters'' ((RIN2120–AA64)(Docket No. 2004–SW–23)) received on March 15, 2007; to the Committee on Commerce, Science, and Transportation.

EC–1070. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Stemme GmbH and Co. KG Model S10–VT Gliders'' ((RIN2120–AA64)(Docket No. 2006–CE–84)) received on March 15, 2007; to the Committee on Commerce, Science, and Transportation.

EC–1071. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Model A300 B2 and B4 Series Airplanes'' ((RIN2120–AA64)(Docket No. 2006–NM–027)) received on March 15, 2007; to the Committee on Commerce, Science, and Transportation.

EC–1072. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; McDonnell Douglas Model MD–11 and –11F Airplanes'' ((RIN2120–AA64)(Docket No. 2006–NM–0091)) received on March 15, 2007; to the Committee on Commerce, Science, and Transportation.

EC–1073. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Withdrawal; Establishment of Class E Airspace; Mineral Point, WI'' ((RIN2120–AA66)(Docket No. 06–AGL–02)) received on March 15, 2007; to the Committee on Commerce, Science, and Transportation.

EC–1074. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Modification of Class E Airspace; Creston, IA'' ((RIN2120–AA66)(Docket No. 06–ACE–11)) received on March 15, 2007; to the Committee on Commerce, Science, and Transportation.

EC–1075. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E Airspace; Williamsburg, KY'' ((RIN2120–AA66)(Docket

No. 06–ASO–13)) received on March 15, 2007; to the Committee on Commerce, Science, and Transportation.

EC–1076. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Part 95 Instrument Flight Rules (21); Amdt. No. 466'' ((RIN2120–AA63)(Docket No. 30538)) received on March 15, 2007; to the Committee on Commerce, Science, and Transportation.

EC–1077. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures (20); Amdt. No. 3200'' ((RIN2120–AA65)(Docket No. 30530)) received on March 15, 2007; to the Committee on Commerce, Science, and Transportation.

EC–1078. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures (8); Amdt. No. 3201'' ((RIN2120–AA65)(Docket No. 30531)) received on March 15, 2007; to the Committee on Commerce, Science, and Transportation.

EC–1079. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures (3); Amdt. No. 3203'' ((RIN2120–AA65)(Docket No. 30533)) received on March 15, 2007; to the Committee on Commerce, Science, and Transportation.

EC–1080. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures (17); Amdt. No. 3207'' ((RIN2120–AA65)(Docket No. 30537)) received on March 15, 2007; to the Committee on Commerce, Science, and Transportation.

EC–1081. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures (10); Amdt. No. 3205'' ((RIN2120–AA65)(Docket No. 30535)) received on March 15, 2007; to the Committee on Commerce, Science, and Transportation.

EC–1082. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; B–N Group Ltd. BN–2, BN–2A, BN–2B, BN–2T, and BN–2T–4R Series Airplanes'' ((RIN2120–AA64)(Docket No. 2006–CE–44)) received on March 15, 2007; to the Committee on Commerce, Science, and Transportation.

EC–1083. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Boeing Model 777–200 and –300 Series Airplanes Equipped with Rolls-Royce Engines'' ((RIN2120–AA64)(Docket No. 2006–NM–203)) received on March 15, 2007; to the Committee on Commerce, Science, and Transportation.

EC–1084. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Alpha Aviation Design Limited, Model R2160 Airplanes'' ((RIN2120–AA64)(Docket No. 2006–CE–77)) received on March 15, 2007; to the Committee on Commerce, Science, and Transportation.

EC–1085. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Pratt and Whitney Canada PW535A Turbofan Engines'' ((RIN2120–AA64)(Docket No. 2006–NE–35)) received on March 15, 2007; to the Committee on Commerce, Science, and Transportation.

EC–1086. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. Model EMB–145XR Airplanes'' ((RIN2120–AA64)(Docket No. 2006–NM–058)) received on March 15, 2007; to the Committee on Commerce, Science, and Transportation.

EC–1087. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Stemme GmbH and Co. KG Model S10, S10–V, and S10–VT Gliders'' ((RIN2120–AA64)(Docket No. 2006–CE–85)) received on March 15, 2007; to the Committee on Commerce, Science, and Transportation.

EC–1088. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Fokker Model F27 Mark 100, 200, 300, 400, 500, 600, and 700 Airplanes'' ((RIN2120–AA64)(Docket No. 2005–NM–236)) received on March 15, 2007; to the Committee on Commerce, Science, and Transportation.

EC–1089. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Schempp-Hirth Flugzeugbau GmbH Model Duo Discus T Gliders'' ((RIN2120–AA64)(Docket No. 2006–CE–73)) received on March 15, 2007; to the Committee on Commerce, Science, and Transportation.

EC–1090. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Correction: Rolls-Royce plc RB211–524 Series Turbofan Engines'' ((RIN2120–AA64)(Docket No. 2004–NE–19)) received on March 15, 2007; to the Committee on Commerce, Science, and Transportation.

EC–1091. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; CFM International, S.A. CFM56 Series Turbofan Engines'' ((RIN2120–AA64)(Docket No. 2006–NE–37)) received on March 15, 2007; to the Committee on Commerce, Science, and Transportation.

EC–1092. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Sicma Aero Seat; Third Occupant Seat Assemblies, 133 Series ((RIN2120–AA64)(Docket No. 2005–NE–40)) received on March 15, 2007; to the Committee on Commerce, Science, and Transportation.

EC–1093. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Rolls-Royce Corporation AE 2100D3 Turboprop Engines'' ((RIN2120–AA64)(Docket No. 2006–NE–42)) received on March 15, 2007; to the Committee on Commerce, Science, and Transportation.

EC–1094. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. Model ERJ 170 and ERJ 190 Airplanes'' ((RIN2120–AA64)(Docket No. 2006–NM–135)) received on March 15, 2007; to the Committee on Commerce, Science, and Transportation.

EC–1095. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Dassault Model F2000EX Airplanes'' ((RIN2120–AA64)(Docket No. 2006–NM–264)) received on March 15, 2007; to the Committee on Commerce, Science, and Transportation.

EC–1096. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bell Helicopter Textron Canada Model 206A, B, L, L–1, L–3, and L–4 Helicopters'' ((RIN2120–AA64)(Docket No. 2005–SW–22)) received on March 15, 2007; to the Committee on Commerce, Science, and Transportation.

EC–1097. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. Model ERJ 170 and ERJ 190 Airplanes'' ((RIN2120–AA64)(Docket No. 2006–NM–195)) received on March 15, 2007; to the Committee on Commerce, Science, and Transportation.

EC–1098. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bombardier Model CL–600–2B19 Airplanes'' ((RIN2120–AA64)(Docket No. 2006–CE–44)) received on March 15, 2007; to the Committee on Commerce, Science, and Transportation.

EC–1099. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Boeing Model 747–100, 747–100B, 747–100B SUD, 747–200B, 747–200C, 747–200F, 747–300, 747SR, and 747SP Series Airplanes Equipped with General Electric CF6–45 or –50 Series Engines, or Equipped with Pratt and Whitney JT9D–3 and –7 Series Engines'' ((RIN2120–AA64)(Docket No. 2006–NM–262)) received on March 15, 2007; to the Committee on Commerce, Science, and Transportation.

EC–1100. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Rolls-Royce plc RB211 Trent 700 Series Turbofan Engines'' ((RIN2120–AA64)(Docket No. 2004–NE–03)) received on March 15, 2007; to the Committee on Commerce, Science, and Transportation.

EC–1101. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; SOCATA—Groupe Aerospatiale TB 20 and TB 21 Airplanes'' ((RIN2120–AA64)(Docket No. 2006–CE–66)) received on March 15, 2007; to the Committee on Commerce, Science, and Transportation.

EC–1102. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Rolls-Royce Deutschland Ltd and Co. KG Dart 528,

529, 532, 535, 542, and 555 Series Turboprop Engines'' ((RIN2120–AA64) (Docket No. 2006–NE–17)) received on March 15, 2007; to the Committee on Commerce, Science, and Transportation.

EC–1103. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Non-American Fisheries Act Crab Vessels Catching Pacific Cod for Processing by the Inshore Component in the Western Regulatory Area of the Gulf of Alaska'' (ID No. 021407D) received on March 15, 2007; to the Committee on Commerce, Science, and Transportation.

EC–1104. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Vessels Catching Pacific Cod for Processing by the Offshore Component in the Central Regulatory Area of the Gulf of Alaska'' (ID No. 021407C) received on March 15, 2007; to the Committee on Commerce, Science, and Transportation.

EC–1105. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Vessels Catching Pacific Cod for Processing by the Offshore Component in the Western Regulatory Area of the Gulf of Alaska'' (ID No. 021407B) received on March 15, 2007; to the Committee on Commerce, Science, and Transportation.

EC–1106. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Decrease the Commercial Trip Limit for Atlantic Group Spanish Mackerel in the Southern Zone'' (ID No. 013107B) received on March 15, 2007; to the Committee on Commerce, Science, and Transportation.

EC–1107. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 630 of the Gulf of Alaska'' (ID No. 013107A) received on March 15, 2007; to the Committee on Commerce, Science, and Transportation.

EC–1108. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Sablefish Managed Under the Individual Fishing Quota Program'' (ID No. 021207I) received on March 15, 2007; to the Committee on Commerce, Science, and Transportation.

EC–1109. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Processor Vessels Using Pot Gear in the Bering Sea and Aleutian Islands Management Area'' (ID No. 021607K) received on March 15, 2007; to the Committee on Commerce, Science, and Transportation.

EC–1110. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Chiniak Gully Research Area for Vessels Using Trawl Gear'' (ID No. 021207C) received on March 15, 2007; to the Committee on Commerce, Science, and Transportation.

EC–1111. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Notification of 2007 No-Harvest Guideline for the Northwestern Hawaiian Islands Crustaceans Fishery'' (ID No. 021207A) received on March 15, 2007; to the Committee on Commerce, Science, and Transportation.

EC–1112. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 630 of the Gulf of Alaska'' (ID No. 022007A) received on March 15, 2007; to the Committee on Commerce, Science, and Transportation.

EC–1113. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Rock Sole, Flathead Sole, and 'Other Flatfish' by Vessels Using Trawl Gear in Bering Sea and Aleutian Islands Management Area'' (ID No. 021607B) received on March 15, 2007; to the Committee on Commerce, Science, and Transportation.

EC–1114. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Non-Community Development Quota Pollock with Trawl Gear in the Chinook Salmon Savings Areas of the Bering Sea and Aleutian Islands Management Area'' (ID No. 020507D) received on March 15 , 2007; to the Committee on Commerce, Science, and Transportation.

EC–1115. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 610 of the Gulf of Alaska'' (ID No. 020207C) received on March 15, 2007; to the Committee on Commerce, Science, and Transportation.

EC–1116. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Atka Mackerel in the Bering Sea and Aleutian Islands Management Area'' (ID No. 020107F) received on March 15, 2007; to the Committee on Commerce, Science, and Transportation.

REPORTS OF COMMITTEES

Under the authority of the order of the Senate of March 15, 2007, the following reports of committees were submitted on March 16, 2007:

By Mr. CONRAD, from the Committee on the Budget, without amendment:

S. Con. Res. 21. An original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012.

EXECUTIVE REPORT OF COMMITTEE

The following executive report of a nomination was submitted:

By Mr. LEAHY for the Committee on the Judiciary.

John Wood, of Missouri, to be United States Attorney for the Western District of Missouri for the term of four years.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

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. REED (for himself and Mr. COLEMAN):

S. 911. A bill to amend the Public Health Service Act to advance medical research and treatments into pediatric cancers, ensure patients and families have access to the current treatments and information regarding pediatric cancers, establish a population-based national childhood cancer database, and promote public awareness of pediatric cancers; to the Committee on Health, Education, Labor, and Pensions.

By Mr. ROCKEFELLER (for himself, Mr. HARKIN, and Mr. KERRY):

S. 912. A bill to amend the Internal Revenue Code of 1986 to expand the incentives for the construction and renovation of public schools; to the Committee on Finance.

By Mr. GRASSLEY:

S. 913. A bill to clarify that the revocation of an alien's visa or other documentation is not subject to judicial review; to the Committee on the Judiciary.

By Mr. VOINOVICH (for himself, Mr. MCCONNELL, Mr. ALEXANDER, Mr. BOND, Mr. BURR, and Mr. SMITH):

S. 914. A bill to authorize the States (and subdivisions thereof), the District of Columbia, territories, and possessions of the United States to provide certain tax incentives to any person for economic development purposes; to the Committee on Finance.

By Mrs. DOLE (for herself and Mr. NELSON of Nebraska):

S. 915. A bill to establish a pilot program to provide grants to encourage eligible institutions of higher education to establish and operate pregnant and parenting student services offices for pregnant students, parenting students, prospective parenting students who are anticipating a birth or adoption, and students who are placing or have placed a child for adoption; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CRAIG (for himself, Ms. CANTWELL, Mr. CRAPO, and Mrs. MURRAY):

S. 916. A bill to modify the boundary of the Minidoka Internment National Monument, to establish the Minidoka National Historic Site, to authorize the Secretary of the Interior to convey certain land and improvements of the Gooding Division of the Minidoka Project, Idaho, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. ALLARD:

S. 917. A bill to clarify the authority of the Secretary of the Interior with regard to management of elk in Rocky Mountain National Park; to the Committee on Energy and Natural Resources.

By Mr. LAUTENBERG (for himself and Mr. SMITH) (by request):

S. 918. A bill to authorize appropriations for activities under the Federal railroad safety laws for fiscal years 2008 through 2011, and for other purposes; to the Committee on Commerce, Science, and Transportation.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. COLEMAN (for himself, Mrs. BOXER, Mr. CARDIN, Mr. FEINGOLD, Mr. LEVIN, Mr. SANDERS, Mr. SPECTER, Mr. WYDEN, Mr. LAUTENBERG,

Mrs. FEINSTEIN, Mr. KOHL, and Mr. MENENDEZ):

S. Res. 111. A resolution expressing the sense of the Senate that the Citizen's Stamp Advisory Committee should recommend to the Postmaster General that a commemorative stamp be issued honoring the life of Oskar Schindler; to the Committee on Homeland Security and Governmental Affairs.

ADDITIONAL COSPONSORS

S. 22

At the request of Mr. WEBB, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 22, a bill to amend title 38, United States Code, to establish a program of educational assistance for members of the Armed Forces who serve in the Armed Forces after September 11, 2001, and for other purposes.

S. 43

At the request of Mr. ENSIGN, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 43, a bill to amend title II of the Social Security Act to preserve and protect Social Security benefits of American workers and to help ensure greater congressional oversight of the Social Security system by requiring that both Houses of Congress approve a totalization agreement before the agreement, giving foreign workers Social Security benefits, can go into effect.

S. 57

At the request of Mr. INOUYE, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 57, a bill to amend title 38, United States Code, to deem certain service in the organized military forces of the Government of the Commonwealth of the Philippines and the Philippine Scouts to have been active service for purposes of benefits under programs administered by the Secretary of Veterans Affairs.

S. 67

At the request of Mr. INOUYE, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 67, a bill to amend title 10, United States Code, to permit former members of the Armed Forces who have a service-connected disability rated as total to travel on military aircraft in the same manner and to the same extent as retired members of the Armed Forces are entitled to travel on such aircraft.

S. 117

At the request of Mr. OBAMA, the names of the Senator from Missouri (Mrs. MCCASKILL) and the Senator from Oregon (Mr. WYDEN) were added as cosponsors of S. 117, a bill to amend titles 10 and 38, United States Code, to improve benefits and services for members of the Armed Forces, veterans of the Global War on Terrorism, and other veterans, to require reports on the effects of the Global War on Terrorism, and for other purposes.

S. 169

At the request of Mr. ALLARD, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 169, a bill to amend the National Trails System Act to clarify Federal authority relating to land acquisition from willing sellers for the majority of the trails in the System, and for other purposes.

S. 211

At the request of Mrs. CLINTON, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 211, a bill to facilitate nationwide availability of 2-1-1 telephone service for information and referral on human services. volunteer services, and for other purposes.

S. 261

At the request of Ms. CANTWELL, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 261, a bill to amend title 18, United States Code, to strengthen prohibitions against animal fighting, and for other purposes.

S. 321

At the request of Mr. THUNE, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 321, a bill to establish pilot projects under the Medicare program to provide incentives for home health agencies to utilize home monitoring and communications technologies.

S. 326

At the request of Mrs. LINCOLN, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 326, a bill to amend the Internal Revenue Code of 1986 to provide a special period of limitation when uniformed services retirement pay is reduced as result of award of disability compensation.

S. 340

At the request of Mrs. FEINSTEIN, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 340, a bill to improve agricultural job opportunities, benefits, and security for aliens in the United States and for other purposes.

S. 445

At the request of Ms. STABENOW, the name of the Senator from Ohio (Mr. VOINOVICH) was added as a cosponsor of S. 445, a bill to establish the position of Trade Enforcement Officer and a Trade Enforcement Division in the Office of the United States Trade Representative, to require identification of trade enforcement priorities, and for other purposes.

S. 453

At the request of Mr. OBAMA, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 453, a bill to prohibit deceptive practices in Federal elections.

S. 496

At the request of Mr. VOINOVICH, the name of the Senator from Kentucky (Mr. MCCONNELL) was added as a cosponsor of S. 496, a bill to reauthorize and improve the program authorized by the Appalachian Regional Development Act of 1965.

S. 502

At the request of Mr. CRAPO, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. 502, a bill to repeal the sunset on the reduction of capital gains rates for individuals and on the taxation of dividends of individuals at capital gains rates.

S. 543

At the request of Mr. NELSON of Nebraska, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 543, a bill to improve Medicare beneficiary access by extending the 60 percent compliance threshold used to determine whether a hospital or unit of a hospital is an inpatient rehabilitation facility under the Medicare program.

S. 573

At the request of Ms. STABENOW, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. 573, a bill to amend the Federal Food, Drug, and Cosmetic Act and the Public Health Service Act to improve the prevention, diagnosis, and treatment of heart disease, stroke, and other cardiovascular diseases in women.

S. 593

At the request of Mr. BURR, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 593, a bill to amend the Public Health Service Act to establish a grant program to provide supportive services in permanent supportive housing for chronically homeless individuals, and for other purposes.

S. 600

At the request of Mr. SMITH, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 600, a bill to amend the Public Health Service Act to establish the School-Based Health Clinic program, and for other purposes.

S. 602

At the request of Mr. PRYOR, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 602, a bill to develop the next generation of parental control technology.

S. 623

At the request of Mr. SCHUMER, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 623, a bill to amend the Public Health Service Act to provide for the licensing of comparable and interchangeable biological products, and for other purposes.

S. 624

At the request of Ms. MIKULSKI, the names of the Senator from California (Mrs. BOXER), the Senator from Maine (Ms. SNOWE) and the Senator from Michigan (Ms. STABENOW) were added as cosponsors of S. 624, a bill to amend the Public Health Service Act to provide waivers relating to grants for preventive health measures with respect to breast and cervical cancers.

S. 627

At the request of Mr. HARKIN, the name of the Senator from New York

(Mr. SCHUMER) was added as a cosponsor of S. 627, a bill to amend the Juvenile Justice and Delinquency Prevention Act of 1974 to improve the health and well-being of maltreated infants and toddlers through the creation of a National Court Teams Resource Center, to assist local Court Teams, and for other purposes.

S. 659

At the request of Mr. HAGEL, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 659, a bill to amend section 1477 of title 10, United States Code, to provide for the payment of the death gratuity with respect to members of the Armed Forces without a surviving spouse who are survived by a minor child.

S. 671

At the request of Mr. AKAKA, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 671, a bill to exempt children of certain Filipino World War II veterans from the numerical limitations on immigrant visas.

S. 692

At the request of Mr. OBAMA, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 692, a bill to amend title 38, United States Code, to establish a Hospital Quality Report Card Initiative to report on health care quality in Veterans Affairs hospitals.

S. 713

At the request of Mr. OBAMA, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 713, a bill to ensure dignity in care for members of the Armed Forces recovering from injuries.

S. 721

At the request of Mr. ENZI, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 721, a bill to allow travel between the United States and Cuba.

S. 735

At the request of Mr. KENNEDY, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 735, a bill to amend title 18, United States Code, to improve the terrorist hoax statute.

S. 829

At the request of Ms. MIKULSKI, the name of the Senator from New York (Mrs. CLINTON) was added as a cosponsor of S. 829, a bill to reauthorize the HOPE VI program for revitalization of severely distressed public housing, and for other purposes.

S. 844

At the request of Mrs. FEINSTEIN, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 844, a bill to provide for the protection of unaccompanied alien children, and for other purposes.

S. 858

At the request of Mr. WYDEN, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 858, a bill to amend the Internal Revenue Code of 1986 to extend the transportation fringe benefit to bicycle commuters.

S. 869

At the request of Mr. DEMINT, the name of the Senator from Nevada (Mr. ENSIGN) was added as a cosponsor of S. 869, a bill to reform certain provisions of section 404 of the Sarbanes-Oxley Act of 2002, to make compliance with that section more efficient, with the goal of maintaining United States capital market global competitiveness.

S. 882

At the request of Mr. MENENDEZ, the names of the Senator from West Virginia (Mr. ROCKEFELLER) and the Senator from Oregon (Mr. WYDEN) were added as cosponsors of S. 882, a bill to require a pilot program on the facilitation of the transition of members of the Armed Forces to receipt of veterans health care benefits upon completion of military service, and for other purposes.

S. 890

At the request of Mr. INOUYE, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 890, a bill to provide for certain administrative and support services for the Dwight D. Eisenhower Memorial Commission, and for other purposes.

S. 893

At the request of Mr. DEMINT, the name of the Senator from Idaho (Mr. CRAIG) was added as a cosponsor of S. 893, a bill to allow a State to combine certain funds and enter into a performance agreement with the Secretary of Education to improve the academic achievement of students.

S. 897

At the request of Ms. MIKULSKI, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 897, a bill to amend the Internal Revenue Code of 1986 to provide more help to Alzheimer's disease caregivers.

S. 902

At the request of Mr. HARKIN, the names of the Senator from Maine (Ms. COLLINS) and the Senator from Maryland (Ms. MIKULSKI) were added as cosponsors of S. 902, a bill to provide support and assistance for families of members of the National Guard and Reserve who are undergoing deployment, and for other purposes.

S. CON. RES. 14

At the request of Ms. SNOWE, the name of the Senator from Colorado (Mr. SALAZAR) was added as a cosponsor of S. Con. Res. 14, a concurrent resolution commemorating the 85th anniversary of the founding of the American Hellenic Educational Progressive Association, a leading association for the 1,300,000 United States citizens of Greek ancestry and Philhellenes in the United States.

S. RES. 106

At the request of Mr. DURBIN, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. Res. 106, a resolution calling on the President to ensure that the foreign policy of the United States reflects appropriate understanding and sensitivity concerning issues related to human rights, ethnic cleansing, and genocide documented in the United States record relating to the Armenian Genocide.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. REED (for himself and Mr. COLEMAN):

S. 911. A bill to amend the Public Health Service Act to advance medical research and treatments into pediatric cancers, ensure patients and families have access to the current treatments and information regarding pediatric cancers, establish a population-based national childhood cancer database, and promote public awareness of pediatric cancers; to the Committee on Health, Education, Labor, and Pensions.

Mr. REED. Mr. President, I rise today to join my colleague, Senator Coleman, in introducing the Conquer Childhood Cancer Act.

This bipartisan legislation seeks to achieve several important goals in our battle against childhood cancer. Specifically, it will expand support for pediatric cancer research, foster the career development of more pediatric oncologists, establish a population-based national childhood database, and provide essential information and support to help families dealing with this devastating disease. Childhood cancer impacts thousands of children and their families each year. While we have made great strides in treating cancer, we have made relatively little progress in advancing our understanding of the most common forms of pediatric cancer. This legislation will provide the focus and resources to hopefully one day find a cure.

Each year, more than 12,500 children are diagnosed with cancer, and more than 2,300 of them lose their courageous battle with the disease. Pediatric cancer not only takes a toll on the child, it affects the entire family—the parents, siblings, friends, and extended family all suffer when a child has cancer. I have had the honor of meeting one such family from Warwick, RI who has taken the pain and devastation of losing their nine year old son to neuroblastoma, a very aggressive childhood cancer, and turned their tragedy into a message of hope. The Haight family is committed, in memory of their son Ben, to providing education, advocacy, and support to other families going through a similar struggle with pediatric cancer. I never had a chance to meet Ben Haight but his mother Nancy has told me of his passion for life and his tremendous sense of strength and courage. Ben fought every day during his four and a half year battle with this disease and his tragic story highlights the importance of this legislation.

It is my hope that the bill we are introducing today will help to step up our efforts with regard to childhood cancer so that one day Ben's story, and thousands of other children like him, will be one of survival. In Rhode Island alone, about eight children each year succumb to various forms of childhood cancer. Each of these children had hopes, dreams, and desires that will never be fulfilled and one cannot quantify the impact each of these children could have had on their communities and on society as a whole. We need to be doing more to give these children a chance to grow up and reach their full potential. It is expected that by 2010 one out of 350 adults will be a survivor of childhood cancer.

The Conquer Childhood Cancer Act will build the foundation necessary to enhance federal efforts in the fight against childhood cancer and will also complement the incredible work of the network of organizations around the country dedicated to the prevention and cure of pediatric cancer.

I look forward to working with my colleagues toward swift passage of this important legislation.

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

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

S. 911

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 ''Conquer Childhood Cancer Act of 2007''.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) Cancer kills more children than any other disease.

(2) Each year cancer kills more children between 1 and 20 years of age than asthma, diabetes, cystic fibrosis, and AIDS, combined.

(3) Every year, over 12,500 young people are diagnosed with cancer.

(4) Each year about 2,300 children and teenagers die from cancer.

(5) One in every 330 Americans develops cancer before age 20.

(6) Some forms of childhood cancer have proven to be so resistant that even in spite of the great research strides made, most of those children die. Up to 75 percent of the children with cancer can now be cured.

(7) The causes of most childhood cancers are not yet known.

(8) Childhood cancers are mostly those of the white blood cells (leukemias), brain, bone, the lymphatic system, and tumors of the muscles, kidneys, and nervous system. Each of these behaves differently, but all are characterized by an uncontrolled proliferation of abnormal cells.

(9) Eighty percent of the children who are diagnosed with cancer have disease which has already spread to distant sites in the body.

(10) Ninety percent of children with a form of pediatric cancer are treated at one of the more than 200 Children's Oncology Group member institutions throughout the United States.

SEC. 3. PURPOSES.

It is the purpose of this Act to authorize appropriations to—

(1) encourage and expand the support for biomedical research programs of the existing National Cancer Institute-designated multicenter national infrastructure for pediatric cancer research;

(2) establish a population-based national childhood cancer database (the Children's Cancer Research Network) to evaluate incidence trends of childhood cancers and to enable the investigations of genetic epidemiology in order to identify causes to aid in development of prevention strategies;

(3) provide informational services to patients and families affected by childhood cancer;

(4) support the development, construction, and operation of a comprehensive online public information system on childhood cancers and services available to families; and

(5) establish a fellowship program in pediatric cancer research to foster clinical and translational research career development in pediatric oncologists in the early stages of their career.

SEC. 4. PEDIATRIC CANCER RESEARCH AND AWARENESS.

Subpart 1 of part C of title IV of the Public Health Service Act (42 U.S.C. 285 et seq.) is amended by adding at the end the following:

''SEC. 417E. PEDIATRIC CANCER RESEARCH AND AWARENESS.

''(a) PEDIATRIC CANCER RESEARCH.—

''(1) SPECIAL PROGRAMS OF RESEARCH EXCELLENCE IN PEDIATRIC CANCERS.—The Director of NIH, acting through the National Cancer Institute, shall establish special programs of research excellence in the area of pediatric cancers. Such programs shall demonstrate a balanced approach to research cause, prognosis, prevention, diagnosis, and treatment of pediatric cancers that foster translation of basic research findings into innovative interventions applied to patients.

''(2) FELLOWSHIP OF EXCELLENCE IN PEDIATRIC CANCER RESEARCH.—The Secretary shall develop a grant mechanism for the establishment, in cooperation with the National Cancer Institute-supported pediatric cancer clinical trial groups, of Research Fellowships in Pediatric Cancer to support adequate numbers of pediatric focused clinical and translational investigators thereby facilitating continuous momentum of research excellence.

''(b) NATIONAL CHILDHOOD CANCER REGISTRY.—The Director of NIH shall award a grant for the operation of a population-based national childhood cancer database, the Childhood Cancer Research Network (CCRN), of the Children's Oncology Group, in cooperation with the National Cancer Institute.

''(c) PUBLIC AWARENESS OF PEDIATRIC CANCERS AND AVAILABLE TREATMENTS AND RESEARCH.—The Secretary shall award grants to recognized childhood cancer professional and advocacy organizations for the expansion and widespread implementation of activities to raise public awareness of currently available information, treatment, and research with the intent to ensure access to best available therapies for pediatric cancers.

''(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section, $30,000,000 for each of fiscal years 2008 through 2012. Funds appropriated under this section shall remain available until expended.''.

By Mr. ROCKEFELLER (for himself, Mr. HARKIN, and Mr. KERRY):

S. 912. A bill to amend the Internal Revenue Code of 1986 to expand the incentives for the construction and renovation of public schools; to the Committee on Finance.

Mr. ROCKEFELLER. Mr. President, today I am reintroducing America's Better Classroom Act, an essential initiative to respond to the overwhelming needs for school construction and renovations. I welcome the support of my colleagues, Senator HARKIN, and Senator KERRY, who have been strong leaders on school construction and education policy. This bill is a wise investment in education and economic development; it creates jobs while we build and renovate our schools.

The Department of Education reports that the average public school building is 42 years old. In 1995, GAO estimated that we needed $112 billion for school construction and renovations of the three-quarters of our schools that need funding to bring the buildings into good overall condition. A more recent survey in 2001 in the Journal of Education Finance indicates that the need is increasing, and the unmet need for school infrastructure over the next decade is over $200 billion. My State of West Virginia will need as much as $2 billion for school construction and renovations.

Combine these statistics with the fact that there is a proven relation between the condition of school buildings and the performance of students, and it is not difficult to see that the state of our schools is entirely unacceptable. It is our responsibility to do all we can to remedy this situation.

America's Better Classroom Act provides the financial tools to do this. It will continue the Qualified Zone Academy Bonding (QZAB) Program, which, in recent years, has provided $4.2 million for support of school construction and renovations in disadvantaged communities. This provision would provide $2.8 billion to continue and expand the successful QZAB Program. Effective programs deserve continued support.

But the truth is that many school districts need help with school construction and renovations, but cannot qualify for the QZAB program. This is why the America's Better Classroom Act creates a $22 billion Qualified School Bonding Program. Funding will be allocated to the States based on the Title 1 formula so it is targeted, but the States will have flexibility in allocating support among school districts.

When I visit schools in West Virginia, I am often stunned by the aging buildings and compelling needs. In our fast-growing Eastern Panhandle, new schools must be built or renovated to accommodate rapid population growth. In other parts of the State, older school buildings need renovations to be safe learning environments for our students. As technology plays an increasingly important role in education, classrooms need to be updated.

States and communities need the America's Better Classroom Act so that we can make needed investments. School construction can play a positive role in helping to stimulate our economy and create needed jobs and is also an important investment in our children's education.

By Mr. CRAIG (for himself, Ms. CANTWELL, Mr. CRAPO, and Mrs. MURRAY):

S. 916. A bill to modify the boundary of the Minidoka Internment National Monument, to establish the Minidoka National Historic Site, to authorize the Secretary of the Interior to convey certain land and improvements of the Gooding Division of the Minidoka Project, Idaho, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. CRAIG. Mr. President, I rise today with the support of my colleague Senator CANTWELL to introduce the Minidoka National Historic Site Act of 2007. This act will modify the boundary of the Minidoka Internment National Monument to establish the Minidoka National Historic Site.

Adjacent to the Minidoka Internment National Monument is Herrmann farm. Herrmann farm plays a historically significant role to the people of Idaho and the United States. During World War II, the Herrmann farm area was part of the Minidoka Relocation Center, one of the 10 city-like camps where Americans of Japanese descent were interned.

Herrmann farm is also an excellent example of how relocation center land was transformed after the war into small family farms suitable for irrigation and farming. Many of these farms were allotted to World War II veterans. These veteran settlers put forth the same stubborn American spirit and ingenuity with which they helped to win the war, to promote the farm area into a fruitful and prosperous agricultural section.

Herrmann farm became one of a few Farm-In-A-Day sites within the United States, where members of a community joined together in the creation of a farm site within one day.

The Minidoka Internment National Monument area is also a notable educational tool for residents of Idaho and the United States. Herrmann farm is an excellent location to inform the public about the post-camp homesteading era and agriculture in south-central Idaho as buildings, features, and artifacts from both the relocation center and the Farm-In-A-Day are present at the Minidoka site.

In addition to the historical and educational importance of Herrmann farm, the Minidoka Internment National Site honors the hardships and sacrifices of those Japanese Americans imprisoned during World War II. Many of the Japanese American's who lived at this site are reaching considerable age and want to see this area preserved for future generations.

The site will incorporate the Nidoto Nai Yoni, ''Let it not happen again'', memorial that commemorates those courageous Japanese Americans of Bainbridge Island, WA, who were the first to be forcibly removed from their homes and relocated to internment camps during World War II.

I ask the Senate to move swiftly on this bill, so the remaining few Japanese Americans who are still alive today can revisit this site that holds such meaningful memories. It is with pleasure and the support of the Senator from Washington, that I introduce this act which preserves areas of historical and educational importance for the people of Idaho, Washington and the United States.

SUBMITTED RESOLUTIONS—DURING ADJOURNMENT MARCH 16, 2007

SENATE CONCURRENT RESOLUTION 21—SETTING FORTH THE CONGRESSIONAL BUDGET FOR THE UNITED STATES GOVERNMENT FOR FISCAL YEAR 2008 AND INCLUDING THE APPROPRIATE BUDGETARY LEVELS FOR FISCAL YEARS 2007 AND 2009 THROUGH 2012

Mr. CONRAD from the Committee on the Budget, submitted the following concurrent resolution, which was placed on the calendar:

S. CON. RES. 21

Resolved by the Senate (the House of Representatives concurring),

SECTION 1. CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2008.

(a) DECLARATION.—The Congress declares that this resolution is the concurrent resolution on the budget for fiscal year 2008 and that the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012 are set forth.

(b) TABLE OF CONTENTS.—The table of contents for this concurrent resolution is as follows:

Sec. 1. Concurrent Resolution on the Budget for Fiscal Year 2008.

TITLE I—RECOMMENDED LEVELS AND AMOUNTS

Sec. 101. Recommended levels and amounts.
Sec. 102. Social Security.
Sec. 103. Major functional categories.

TITLE II—BUDGET PROCESS

Sec. 201. Pay-as-you-go point of order in the Senate.
Sec. 202. Point of order against reconciliation legislation that would increase the deficit or reduce a surplus.
Sec. 203. Point of order against legislation increasing long-term deficits.
Sec. 204. Emergency legislation.
Sec. 205. Extension of enforcement of budgetary points of order.
Sec. 206. Point of order against advance appropriations.
Sec. 207. Discretionary spending limits.
Sec. 208. Application of previous allocations in Senate.
Sec. 209. Point of order to Save Social Security First.

TITLE III—RESERVE FUNDS AND ADJUSTMENTS

Sec. 301. Deficit-neutral reserve fund for SCHIP legislation.
Sec. 302. Deficit-neutral reserve fund for care of wounded service members.
Sec. 303. Deficit-neutral reserve fund for tax relief.
Sec. 304. Deficit-neutral reserve fund for comparative effectiveness research.
Sec. 305. Deficit-neutral reserve fund for higher education.
Sec. 306. Deficit-neutral reserve fund for the Farm Bill.
Sec. 307. Deficit-neutral reserve fund for energy legislation.
Sec. 308. Deficit-neutral reserve fund for Medicare.
Sec. 309. Deficit-neutral reserve fund for small business health insurance.
Sec. 310. Deficit-neutral reserve fund for county payments for Secure Rural Schools and Community Self-Determination Act of 2000 reauthorization.
Sec. 311. Deficit-neutral reserve fund for terrorism risk insurance reauthorization.
Sec. 312. Deficit-neutral reserve fund for affordable housing.
Sec. 313. Deficit-neutral reserve fund for receipts from Bonneville Power Administration.
Sec. 314. Deficit-neutral reserve fund for Indian claims settlement.
Sec. 315. Deficit-neutral reserve fund for Food and Drug Administration.
Sec. 316. Deficit-neutral reserve fund for health care reform.
Sec. 317. Deficit-neutral reserve fund for enhancement of veterans' benefits.
Sec. 318. Deficit-neutral reserve fund for long-term care.
Sec. 319. Deficit-neutral reserve fund for health information technology.
Sec. 320. Deficit-neutral reserve fund for child care.
Sec. 321. Deficit-neutral reserve fund for comprehensive immigration reform.
Sec. 322. Deficit-neutral reserve fund for mental health parity.
Sec. 323. Application and effect of changes in allocations and aggregates.
Sec. 324. Adjustments to reflect changes in concepts and definitions.
Sec. 325. Exercise of rulemaking powers.

TITLE I—RECOMMENDED LEVELS AND AMOUNTS

SEC. 101. RECOMMENDED LEVELS AND AMOUNTS.

The following budgetary levels are appropriate for each of fiscal years 2007 through 2012:

(1) FEDERAL REVENUES.—For purposes of the enforcement of this resolution:

(A) The recommended levels of Federal revenues are as follows:

Fiscal year 2007: $1,900,706,000,000.
Fiscal year 2008: $2,009,096,000,000.
Fiscal year 2009: $2,123,326,000,000.
Fiscal year 2010: $2,221,621,000,000.
Fiscal year 2011: $2,410,150,000,000.
Fiscal year 2012: $2,552,896,000,000.

(B) The amounts by which the aggregate levels of Federal revenues should be changed are as follows:

Fiscal year 2007: –$4,000,000,000.
Fiscal year 2008: –$41,700,000,000.
Fiscal year 2009: $16,400,000,000.
Fiscal year 2010: $57,900,000,000.
Fiscal year 2011: $15,600,000,000.
Fiscal year 2012: –$44,200,000,000.

(2) NEW BUDGET AUTHORITY.—For purposes of the enforcement of this resolution, the appropriate levels of total new budget authority are as follows:

Fiscal year 2007: $2,364,566,000,000.
Fiscal year 2008: $2,490,185,000,000.
Fiscal year 2009: $2,506,314,000,000.
Fiscal year 2010: $2,550,622,000,000.
Fiscal year 2011: $2,664,262,000,000.
Fiscal year 2012: $2,691,285,000,000.

(3) BUDGET OUTLAYS.—For purposes of the enforcement of this resolution, the appropriate levels of total budget outlays are as follows:

Fiscal year 2007: $2,298,846,000,000.
Fiscal year 2008: $2,460,251,000,000.
Fiscal year 2009: $2,555,575,000,000.
Fiscal year 2010: $2,582,172,000,000.
Fiscal year 2011: $2,670,131,000,000.
Fiscal year 2012: $2,677,372,000,000.

(4) DEFICITS.—For purposes of the enforcement of this resolution, the amounts of the deficits are as follows:
Fiscal year 2007: $398,140,000,000.
Fiscal year 2008: $451,155,000,000.
Fiscal year 2009: $432,249,000,000.
Fiscal year 2010: $360,551,000,000.
Fiscal year 2011: $259,981,000,000.
Fiscal year 2012: $124,476,000,000.

(5) PUBLIC DEBT.—The appropriate levels of the public debt are as follows:
Fiscal year 2007: $8,960,830,000,000.
Fiscal year 2008: $9,529,690,000,000.
Fiscal year 2009: $10,078,585,000,000.
Fiscal year 2010: $10,556,677,000,000.
Fiscal year 2011: $10,929,998,000,000.
Fiscal year 2012: $11,180,704,000,000.

(6) DEBT HELD BY THE PUBLIC.—The appropriate levels of debt held by the public are as follows:
Fiscal year 2007: $5,045,226,000,000.
Fiscal year 2008: $5,308,092,000,000.
Fiscal year 2009: $5,536,784,000,000.
Fiscal year 2010: $5,680,183,000,000.
Fiscal year 2011: $5,705,908,000,000.
Fiscal year 2012: $5,584,520,000,000.

SEC. 102. SOCIAL SECURITY.

(a) SOCIAL SECURITY REVENUES.—The amounts of revenues of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund are as follows:
Fiscal year 2007: $637,586,000,000.
Fiscal year 2008: $668,998,000,000.
Fiscal year 2009: $702,851,000,000.
Fiscal year 2010: $737,589,000,000.
Fiscal year 2011: $772,605,000,000.
Fiscal year 2012: $807,928,000,000.

(b) SOCIAL SECURITY OUTLAYS.—The amounts of outlays of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund are as follows:
Fiscal year 2007: $441,676,000,000.
Fiscal year 2008: $460,224,000,000.
Fiscal year 2009: $478,578,000,000.
Fiscal year 2010: $499,655,000,000.
Fiscal year 2011: $520,743,000,000.
Fiscal year 2012: $546,082,000,000.

(c) SOCIAL SECURITY ADMINISTRATIVE EXPENSES.—In the Senate, the amounts of new budget authority and budget outlays of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund for administrative expenses are as follows:
Fiscal year 2007:
(A) New budget authority, $4,692,000,000.
(B) Outlays, $4,727,000,000.
Fiscal year 2008:
(A) New budget authority, $5,130,000,000.
(B) Outlays, $5,105,000,000.
Fiscal year 2009:
(A) New budget authority, $5,284,000,000.
(B) Outlays, $5,244,000,000.
Fiscal year 2010:
(A) New budget authority, $5,444,000,000.
(B) Outlays, $5,417,000,000.
Fiscal year 2011:
(A) New budget authority, $5,612,000,000.
(B) Outlays, $5,583,000,000.
Fiscal year 2012:
(A) New budget authority, $5,783,000,000.
(B) Outlays, $5,753,000,000.

SEC. 103. MAJOR FUNCTIONAL CATEGORIES.

The Congress determines and declares that the appropriate levels of new budget authority and outlays for fiscal years 2007 through 2012 for each major functional category are:
(1) National Defense (050):
Fiscal year 2007:
(A) New budget authority, $619,363,000,000.
(B) Outlays, $560,462,000,000.
Fiscal year 2008:
(A) New budget authority, $648,820,000,000.
(B) Outlays, $617,842,000,000.
Fiscal year 2009:
(A) New budget authority, $584,775,000,000.
(B) Outlays, $626,962,000,000.
Fiscal year 2010:
(A) New budget authority, $545,251,000,000.
(B) Outlays, $572,856,000,000.
Fiscal year 2011:
(A) New budget authority, $551,054,000,000.
(B) Outlays, $558,381,000,000.
Fiscal year 2012:
(A) New budget authority, $559,899,000,000.
(B) Outlays, $551,763,000,000.
(2) International Affairs (150):
Fiscal year 2007:
(A) New budget authority, $34,790,000,000.
(B) Outlays, $32,015,000,000.
Fiscal year 2008:
(A) New budget authority, $37,004,000,000.
(B) Outlays, $35,887,000,000.
Fiscal year 2009:
(A) New budget authority, $34,555,000,000.
(B) Outlays, $34,533,000,000.
Fiscal year 2010:
(A) New budget authority, $34,859,000,000.
(B) Outlays, $33,272,000,000.
Fiscal year 2011:
(A) New budget authority, $35,432,000,000.
(B) Outlays, $33,227,000,000.
Fiscal year 2012:
(A) New budget authority, $35,984,000,000.
(B) Outlays, $33,214,000,000.
(3) General Science, Space, and Technology (250):
Fiscal year 2007:
(A) New budget authority, $25,079,000,000.
(B) Outlays, $24,516,000,000.
Fiscal year 2008:
(A) New budget authority, $26,535,000,000.
(B) Outlays, $25,885,000,000.
Fiscal year 2009:
(A) New budget authority, $26,885,000,000.
(B) Outlays, $27,144,000,000.
Fiscal year 2010:
(A) New budget authority, $27,249,000,000.
(B) Outlays, $27,432,000,000.
Fiscal year 2011:
(A) New budget authority, $27,614,000,000.
(B) Outlays, $27,192,000,000.
Fiscal year 2012:
(A) New budget authority, $27,980,000,000.
(B) Outlays, $27,535,000,000.
(4) Energy (270):
Fiscal year 2007:
(A) New budget authority, $2,958,000,000.
(B) Outlays, $1,384,000,000.
Fiscal year 2008:
(A) New budget authority, $3,337,000,000.
(B) Outlays, $1,150,000,000.
Fiscal year 2009:
(A) New budget authority, $3,142,000,000.
(B) Outlays, $1,539,000,000.
Fiscal year 2010:
(A) New budget authority, $3,198,000,000.
(B) Outlays, $1,715,000,000.
Fiscal year 2011:
(A) New budget authority, $3,258,000,000.
(B) Outlays, $1,750,000,000.
Fiscal year 2012:
(A) New budget authority, $3,306,000,000.
(B) Outlays, $2,022,000,000.
(5) Natural Resources and Environment (300):
Fiscal year 2007:
(A) New budget authority, $31,332,000,000.
(B) Outlays, $32,905,000,000.
Fiscal year 2008:
(A) New budget authority, $32,883,000,000.
(B) Outlays, $34,887,000,000.
Fiscal year 2009:
(A) New budget authority, $33,331,000,000.
(B) Outlays, $35,240,000,000.
Fiscal year 2010:
(A) New budget authority, $33,999,000,000.
(B) Outlays, $35,264,000,000.
Fiscal year 2011:
(A) New budget authority, $34,365,000,000.
(B) Outlays, $35,337,000,000.
Fiscal year 2012:
(A) New budget authority, $35,098,000,000.
(B) Outlays, $35,624,000,000.
(6) Agriculture (350):
Fiscal year 2007:
(A) New budget authority, $26,207,000,000.
(B) Outlays, $22,580,000,000.
Fiscal year 2008:
(A) New budget authority, $20,481,000,000.
(B) Outlays, $21,497,000,000.
Fiscal year 2009:
(A) New budget authority, $20,984,000,000.
(B) Outlays, $20,108,000,000.
Fiscal year 2010:
(A) New budget authority, $21,137,000,000.
(B) Outlays, $20,118,000,000.
Fiscal year 2011:
(A) New budget authority, $21,099,000,000.
(B) Outlays, $20,390,000,000.
Fiscal year 2012:
(A) New budget authority, $21,288,000,000.
(B) Outlays, $20,763,000,000.
(7) Commerce and Housing Credit (370):
Fiscal year 2007:
(A) New budget authority, $5,515,000,000.
(B) Outlays, –$3,522,000,000.
Fiscal year 2008:
(A) New budget authority, $8,797,000,000.
(B) Outlays, $1,790,000,000.
Fiscal year 2009:
(A) New budget authority, $8,602,000,000.
(B) Outlays, $139,000,000.
Fiscal year 2010:
(A) New budget authority, $8,566,000,000.
(B) Outlays, $173,000,000.
Fiscal year 2011:
(A) New budget authority, $8,591,000,000.
(B) Outlays, –$28,000,000.
Fiscal year 2012:
(A) New budget authority, $8,772,000,000.
(B) Outlays, $507,000,000.
(8) Transportation (400):
Fiscal year 2007:
(A) New budget authority, $81,282,000,000.
(B) Outlays, $74,739,000,000.
Fiscal year 2008:
(A) New budget authority, $83,709,000,000.
(B) Outlays, $81,220,000,000.
Fiscal year 2009:
(A) New budget authority, $75,700,000,000.
(B) Outlays, $84,032,000,000.
Fiscal year 2010:
(A) New budget authority, $76,253,000,000.
(B) Outlays, $85,893,000,000.
Fiscal year 2011:
(A) New budget authority, $76,887,000,000.
(B) Outlays, $86,307,000,000.
Fiscal year 2012:
(A) New budget authority, $77,476,000,000.
(B) Outlays, $87,721,000,000.
(9) Community and Regional Development (450):
Fiscal year 2007:
(A) New budget authority, $19,117,000,000.
(B) Outlays, $28,281,000,000.
Fiscal year 2008:
(A) New budget authority, $14,634,000,000.
(B) Outlays, $22,298,000,000.
Fiscal year 2009:
(A) New budget authority, $13,511,000,000.
(B) Outlays, $21,017,000,000.
Fiscal year 2010:
(A) New budget authority, $13,692,000,000.
(B) Outlays, $19,848,000,000.
Fiscal year 2011:
(A) New budget authority, $13,871,000,000.
(B) Outlays, $17,903,000,000.
Fiscal year 2012:
(A) New budget authority, $14,048,000,000.
(B) Outlays, $15,006,000,000.
(10) Education, Training, Employment, and Social Services (500):
Fiscal year 2007:
(A) New budget authority, $92,780,000,000.

(B) Outlays, $92,224,000,000.
Fiscal year 2008:
(A) New budget authority, $93,789,000,000.
(B) Outlays, $90,397,000,000.
Fiscal year 2009:
(A) New budget authority, $97,592,000,000.
(B) Outlays, $93,890,000,000.
Fiscal year 2010:
(A) New budget authority, $99,366,000,000.
(B) Outlays, $96,866,000,000.
Fiscal year 2011:
(A) New budget authority, $99,650,000,000.
(B) Outlays, $98,463,000,000.
Fiscal year 2012:
(A) New budget authority, $100,104,000,000.
(B) Outlays, $98,307,000,000.
(11) Health (550):
Fiscal year 2007:
(A) New budget authority, $268,340,000,000.
(B) Outlays, $268,645,000,000.
Fiscal year 2008:
(A) New budget authority, $288,836,000,000.
(B) Outlays, $287,893,000,000.
Fiscal year 2009:
(A) New budget authority, $310,058,000,000.
(B) Outlays, $308,255,000,000.
Fiscal year 2010:
(A) New budget authority, $328,209,000,000.
(B) Outlays, $328,322,000,000.
Fiscal year 2011:
(A) New budget authority, $351,047,000,000.
(B) Outlays, $350,346,000,000.
Fiscal year 2012:
(A) New budget authority, $374,804,000,000.
(B) Outlays, $374,141,000,000.
(12) Medicare (570):
Fiscal year 2007:
(A) New budget authority, $365,152,000,000.
(B) Outlays, $370,180,000,000.
Fiscal year 2008:
(A) New budget authority, $389,969,000,000.
(B) Outlays, $390,035,000,000.
Fiscal year 2009:
(A) New budget authority, $414,779,000,000.
(B) Outlays, $414,440,000,000.
Fiscal year 2010:
(A) New budget authority, $439,862,000,000.
(B) Outlays, $440,092,000,000.
Fiscal year 2011:
(A) New budget authority, $484,792,000,000.
(B) Outlays, $484,811,000,000.
Fiscal year 2012:
(A) New budget authority, $481,008,000,000.
(B) Outlays, $480,632,000,000.
(13) Income Security (600):
Fiscal year 2007:
(A) New budget authority, $360,365,000,000.
(B) Outlays, $364,204,000,000.
Fiscal year 2008:
(A) New budget authority, $379,046,000,000.
(B) Outlays, $383,072,000,000.
Fiscal year 2009:
(A) New budget authority, $390,791,000,000.
(B) Outlays, $392,946,000,000.
Fiscal year 2010:
(A) New budget authority, $400,703,000,000.
(B) Outlays, $401,757,000,000.
Fiscal year 2011:
(A) New budget authority, $415,851,000,000.
(B) Outlays, $415,874,000,000.
Fiscal year 2012:
(A) New budget authority, $401,275,000,000.
(B) Outlays, $400,684,000,000.
(14) Social Security (650):
Fiscal year 2007:
(A) New budget authority, $19,089,000,000.
(B) Outlays, $19,089,000,000.
Fiscal year 2008:
(A) New budget authority, $19,644,000,000.
(B) Outlays, $19,644,000,000.
Fiscal year 2009:
(A) New budget authority, $21,518,000,000.
(B) Outlays, $21,518,000,000.
Fiscal year 2010:
(A) New budget authority, $23,701,000,000.
(B) Outlays, $23,701,000,000.
Fiscal year 2011:
(A) New budget authority, $27,009,000,000.
(B) Outlays, $27,009,000,000.
Fiscal year 2012:
(A) New budget authority, $29,898,000,000.
(B) Outlays, $29,898,000,000.
(15) Veterans Benefits and Services (700):
Fiscal year 2007:
(A) New budget authority, $73,896,000,000.
(B) Outlays, $72,342,000,000.
Fiscal year 2008:
(A) New budget authority, $85,192,000,000.
(B) Outlays, $84,362,000,000.
Fiscal year 2009:
(A) New budget authority, $87,372,000,000.
(B) Outlays, $87,935,000,000.
Fiscal year 2010:
(A) New budget authority, $89,559,000,000.
(B) Outlays, $89,210,000,000.
Fiscal year 2011:
(A) New budget authority, $94,707,000,000.
(B) Outlays, $94,314,000,000.
Fiscal year 2012:
(A) New budget authority, $91,513,000,000.
(B) Outlays, $90,957,000,000.
(16) Administration of Justice (750):
Fiscal year 2007:
(A) New budget authority, $45,559,000,000.
(B) Outlays, $44,709,000,000.
Fiscal year 2008:
(A) New budget authority, $47,180,000,000.
(B) Outlays, $46,514,000,000.
Fiscal year 2009:
(A) New budget authority, $47,333,000,000.
(B) Outlays, $48,234,000,000.
Fiscal year 2010:
(A) New budget authority, $48,106,000,000.
(B) Outlays, $48,397,000,000.
Fiscal year 2011:
(A) New budget authority, $48,895,000,000.
(B) Outlays, $48,766,000,000.
Fiscal year 2012:
(A) New budget authority, $49,686,000,000.
(B) Outlays, $49,414,000,000.
(17) General Government (800):
Fiscal year 2007:
(A) New budget authority, $18,196,000,000.
(B) Outlays, $18,577,000,000.
Fiscal year 2008:
(A) New budget authority, $18,745,000,000.
(B) Outlays, $19,107,000,000.
Fiscal year 2009:
(A) New budget authority, $19,208,000,000.
(B) Outlays, $19,306,000,000.
Fiscal year 2010:
(A) New budget authority, $19,649,000,000.
(B) Outlays, $19,564,000,000.
Fiscal year 2011:
(A) New budget authority, $20,214,000,000.
(B) Outlays, $19,979,000,000.
Fiscal year 2012:
(A) New budget authority, $20,721,000,000.
(B) Outlays, $20,602,000,000.
(18) Net Interest (900):
Fiscal year 2007:
(A) New budget authority, $344,475,000,000.
(B) Outlays, $344,475,000,000.
Fiscal year 2008:
(A) New budget authority, $370,425,000,000.
(B) Outlays, $370,425,000,000.
Fiscal year 2009:
(A) New budget authority, $390,393,000,000.
(B) Outlays, $390,393,000,000.
Fiscal year 2010:
(A) New budget authority, $412,001,000,000.
(B) Outlays, $412,001,000,000.
Fiscal year 2011:
(A) New budget authority, $427,474,000,000.
(B) Outlays, $427,474,000,000.
Fiscal year 2012:
(A) New budget authority, $438,452,000,000.
(B) Outlays, $438,452,000,000.
(19) Allowances (920):
Fiscal year 2007:
(A) New budget authority, $785,000,000.
(B) Outlays, $755,000,000.
Fiscal year 2008:
(A) New budget authority, –$7,087,000,000.
(B) Outlays, –$1,901,000,000.
Fiscal year 2009:
(A) New budget authority, –$7,180,000,000.
(B) Outlays, –$5,010,000,000.
Fiscal year 2010:
(A) New budget authority, –$7,279,000,000.
(B) Outlays, –$6,851,000,000.
Fiscal year 2011:
(A) New budget authority, –$7,373,000,000.
(B) Outlays, –$7,171,000,000.
Fiscal year 2012:
(A) New budget authority, –$7,470,000,000.
(B) Outlays, –$7,311,000,000.
(20) Undistributed Offsetting Receipts (950):
Fiscal year 2007:
(A) New budget authority, –$69,714,000,000.
(B) Outlays, –$69,714,000,000.
Fiscal year 2008:
(A) New budget authority, –$71,754,000,000.
(B) Outlays, –$71,754,000,000.
Fiscal year 2009:
(A) New budget authority, –$67,035,000,000.
(B) Outlays, –$67,044,000,000.
Fiscal year 2010:
(A) New budget authority, –$67,458,000,000.
(B) Outlays, –$67,458,000,000.
Fiscal year 2011:
(A) New budget authority, –$70,175,000,000.
(B) Outlays, –$70,195,000,000.
Fiscal year 2012:
(A) New budget authority, –$72,557,000,000.
(B) Outlays, –$72,560,000,000.

TITLE II—BUDGET PROCESS

SEC. 201. PAY-AS-YOU-GO POINT OF ORDER IN THE SENATE.

(a) POINT OF ORDER.—

(1) IN GENERAL.—It shall not be in order in the Senate to consider any direct spending or revenue legislation that would increase the on-budget deficit or cause an on-budget deficit for any 1 of 4 applicable time periods as measured in paragraphs (5) and (6).

(2) APPLICABLE TIME PERIODS.—For purposes of this subsection, the term ''applicable time period'' means any 1 of the 4 following periods:

(A) The current fiscal year.

(B) The budget year.

(C) The period of the 5 fiscal years following the current fiscal year.

(D) The period of the 5 fiscal years following the 5 fiscal years referred to in subparagraph (C).

(3) DIRECT SPENDING LEGISLATION.—For purposes of this subsection and except as provided in paragraph (4), the term ''direct spending legislation'' means any bill, joint resolution, amendment, motion, or conference report that affects direct spending as that term is defined by, and interpreted for purposes of, the Balanced Budget and Emergency Deficit Control Act of 1985.

(4) EXCLUSION.—For purposes of this subsection, the terms ''direct spending legislation'' and ''revenue legislation'' do not include—

(A) any concurrent resolution on the budget; or

(B) any provision of legislation that affects the full funding of, and continuation of, the deposit insurance guarantee commitment in effect on the date of enactment of the Budget Enforcement Act of 1990.

(5) BASELINE.—Estimates prepared pursuant to this subsection shall—

(A) use the baseline surplus or deficit used for the most recently adopted concurrent resolution on the budget; and

(B) be calculated under the requirements of subsections (b) through (d) of section 257 of the Balanced Budget and Emergency Deficit Control Act of 1985 for fiscal years beyond those covered by that concurrent resolution on the budget.

(6) PRIOR SURPLUS.—If direct spending or revenue legislation increases the on-budget deficit or causes an on-budget deficit when taken individually, it must also increase the on-budget deficit or cause an on-budget deficit when taken together with all direct spending and revenue legislation enacted since the beginning of the calendar year not accounted for in the baseline under paragraph (5)(A), except that direct spending or revenue effects resulting in net deficit reduction enacted in any bill pursuant to a reconciliation instruction since the beginning of that same calendar year shall never be made available on the pay-as-you-go ledger and shall be dedicated only for deficit reduction.

(b) SUPERMAJORITY WAIVER AND APPEALS.—

(1) WAIVER.—This section may be waived or suspended in the Senate only by the affirmative vote of three-fifths of the Members, duly chosen and sworn.

(2) APPEALS.—Appeals in the Senate from the decisions of the Chair relating to any provision of this section shall be limited to 1 hour, to be equally divided between, and controlled by, the appellant and the manager of the bill or joint resolution, as the case may be. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

(c) DETERMINATION OF BUDGET LEVELS.—For purposes of this section, the levels of new budget authority, outlays, and revenues for a fiscal year shall be determined on the basis of estimates made by the Senate Committee on the Budget.

(d) SUNSET.—This section shall expire on September 30, 2017.

(e) REPEAL.—In the Senate, section 505 of H. Con. Res. 95 (108th Congress), the fiscal year 2004 concurrent resolution on the budget, shall no longer apply.

SEC. 202. POINT OF ORDER AGAINST RECONCILIATION LEGISLATION THAT WOULD INCREASE THE DEFICIT OR REDUCE A SURPLUS.

(a) IN GENERAL.—It shall not be in order in the Senate to consider any reconciliation bill, resolution, amendment, amendment between Houses, motion, or conference report pursuant to section 310 of the Congressional Budget Act of 1974 that would cause or increase a deficit or reduce a surplus in the current fiscal year, the budget year, the period of the first 5 fiscal years following the current fiscal year, or the period of the second 5 fiscal years following the current fiscal year.

(b) SUPERMAJORITY WAIVER AND APPEAL.—

(1) WAIVER.—This section may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn.

(2) APPEAL.—An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required in the Senate to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

SEC. 203. POINT OF ORDER AGAINST LEGISLATION INCREASING LONG-TERM DEFICITS.

(a) CONGRESSIONAL BUDGET OFFICE ANALYSIS OF PROPOSALS.—The Director of the Congressional Budget Office shall, to the extent practicable, prepare for each bill and joint resolution reported from committee (except measures within the jurisdiction of the Committee on Appropriations), and amendments thereto and conference reports thereon, an estimate of whether the measure would cause, relative to current law, a net increase in deficits in excess of $5,000,000,000 in any of the four 10-year periods beginning in fiscal year 2018 through fiscal year 2057.

(b) POINT OF ORDER.—In the Senate, it shall not be in order to consider any bill, joint resolution, amendment, motion, or conference report that would cause a net increase in deficits in excess of $5,000,000,000 in any of the four 10-year periods beginning in 2018 through 2057.

(c) SUPERMAJORITY WAIVER AND APPEAL.—

(1) WAIVER.—This section may be waived or suspended only by the affirmative vote of three-fifths of the Members, duly chosen and sworn.

(2) APPEAL.—An affirmative vote of three-fifths of the Members, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

(d) DETERMINATIONS OF BUDGET LEVELS.—For purposes of this section, the levels of net deficit increases shall be determined on the basis of estimates provided by the Committee on the Budget of the Senate.

(e) REPEAL.—In the Senate, section 407 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006, shall no longer apply.

(f) SUNSET.—This section shall expire on September 30, 2017.

SEC. 204. EMERGENCY LEGISLATION.

(a) AUTHORITY TO DESIGNATE.—With respect to a provision of direct spending or receipts legislation or appropriations for discretionary accounts that the Congress designates as an emergency requirement in such measure, the amounts of new budget authority, outlays, and receipts in all fiscal years resulting from that provision shall be treated as an emergency requirement for the purpose of this section.

(b) EXEMPTION OF EMERGENCY PROVISIONS.—Any new budget authority, outlays, and receipts resulting from any provision designated as an emergency requirement, pursuant to this section, in any bill, joint resolution, amendment, or conference report shall not count for purposes of sections 302 and 311 of the Congressional Budget Act of 1974 and sections 201 and 207 of this resolution (relating to pay-as-you-go in the Senate and discretionary spending limits).

(c) DESIGNATIONS.—If a provision of legislation is designated as an emergency requirement under this section, the committee report and any statement of managers accompanying that legislation shall include an explanation of the manner in which the provision meets the criteria in subsection (f).

(d) DEFINITIONS.—In this section, the terms ''direct spending'', ''receipts'', and ''appropriations for discretionary accounts'' means any provision of a bill, joint resolution, amendment, motion, or conference report that affects direct spending, receipts, or appropriations as those terms have been defined and interpreted for purposes of the Balanced Budget and Emergency Deficit Control Act of 1985.

(e) POINT OF ORDER.—

(1) IN GENERAL.—When the Senate is considering a bill, resolution, amendment, motion, or conference report, if a point of order is made by a Senator against an emergency designation in that measure, that provision making such a designation shall be stricken from the measure and may not be offered as an amendment from the floor.

(2) SUPERMAJORITY WAIVER AND APPEALS.—

(A) WAIVER.—Paragraph (1) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn.

(B) APPEALS.—Appeals in the Senate from the decisions of the Chair relating to any provision of this subsection shall be limited to 1 hour, to be equally divided between, and controlled by, the appellant and the manager of the bill or joint resolution, as the case may be. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this subsection.

(3) DEFINITION OF AN EMERGENCY DESIGNATION.—For purposes of paragraph (1), a provision shall be considered an emergency designation if it designates any item as an emergency requirement pursuant to this subsection.

(4) FORM OF THE POINT OF ORDER.—A point of order under paragraph (1) may be raised by a Senator as provided in section 313(e) of the Congressional Budget Act of 1974.

(5) CONFERENCE REPORTS.—If a point of order is sustained under paragraph (1) against a conference report, the report shall be disposed of as provided in section 313(d) of the Congressional Budget Act of 1974.

(f) CRITERIA.—

(1) IN GENERAL.—For purposes of this section, any provision is an emergency requirement if the situation addressed by such provision is—

(A) necessary, essential, or vital (not merely useful or beneficial);

(B) sudden, quickly coming into being, and not building up over time;

(C) an urgent, pressing, and compelling need requiring immediate action;

(D) subject to paragraph (2), unforeseen, unpredictable, and unanticipated; and

(E) not permanent, temporary in nature.

(2) UNFORESEEN.—An emergency that is part of an aggregate level of anticipated emergencies, particularly when normally estimated in advance, is not unforeseen.

(g) REPEAL.—In the Senate, section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006, shall no longer apply.

SEC. 205. EXTENSION OF ENFORCEMENT OF BUDGETARY POINTS OF ORDER.

Notwithstanding any provision of the Congressional Budget Act of 1974 and section 403 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006, subsections (c)(2) and (d)(3) of section 904 of the Congressional Budget Act of 1974 and section 403 of H. Con. Res. 95 (109th Congress) shall remain in effect for purposes of Senate enforcement through September 30, 2017.

SEC. 206. POINT OF ORDER AGAINST ADVANCE APPROPRIATIONS.

(a) IN GENERAL.—

(1) POINT OF ORDER.—Except as provided in subsection (b), it shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, or conference report that would provide an advance appropriation.

(2) DEFINITION.—In this section, the term ''advance appropriation'' means any new budget authority provided in a bill or joint resolution making general appropriations or continuing appropriations for fiscal year 2008 that first becomes available for any fiscal year after 2008, or any new budget authority provided in a bill or joint resolution making general appropriations or continuing appropriations for fiscal year 2009, that first becomes available for any fiscal year after 2009.

(b) EXCEPTIONS.—Advance appropriations may be provided—

(1) for fiscal years 2009 and 2010 for programs, projects, activities, or accounts identified in the joint explanatory statement of managers accompanying this resolution under the heading ''Accounts Identified for

Advance Appropriations'' in an aggregate amount not to exceed $25,158,000,000 in new budget authority in each year; and

(2) for the Corporation for Public Broadcasting.

(c) SUPERMAJORITY WAIVER AND APPEAL.—

(1) WAIVER.—In the Senate, subsection (a) may be waived or suspended only by an affirmative vote of three-fifths of the Members, duly chosen and sworn.

(2) APPEAL.—An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under paragraph (a).

(d) FORM OF POINT OF ORDER.—A point of order under subsection (a) may be raised by a Senator as provided in section 313(e) of the Congressional Budget Act of 1974.

(e) CONFERENCE REPORTS.—If a point of order is sustained under subsection (a) against a conference report in the Senate, the report shall be disposed of as provided in section 313(d) of the Congressional Budget Act of 1974.

(f) REPEAL.—In the Senate, section 401 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006, shall no longer apply.

SEC. 207. DISCRETIONARY SPENDING LIMITS.

(a) POINT OF ORDER.—

(1) IN GENERAL.—Except as otherwise provided in this section, it shall not be in order in the Senate to consider any bill or joint resolution (or amendment, motion, or conference report on that bill or joint resolution) that would cause the discretionary spending limits in this section to be exceeded.

(2) SUPERMAJORITY WAIVER AND APPEALS.—

(A) WAIVER.—This subsection may be waived or suspended in the Senate only by the affirmative vote of three-fifths of the Members, duly chosen and sworn.

(B) APPEALS.—Appeals in the Senate from the decisions of the Chair relating to any provision of this subsection shall be limited to 1 hour, to be equally divided between, and controlled by, the appellant and the manager of the bill or joint resolution. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this subsection.

(b) DISCRETIONARY SPENDING LIMITS.—In the Senate and as used in this section, the term ''discretionary spending limit'' means—

(1) for fiscal year 2007, $951,140,000,000 in new budget authority and $1,029,456,000,000 in outlays; and

(2) for fiscal year 2008, $942,312,000,000 in new budget authority and $1,021,407,000,000 in outlays;

as adjusted in conformance with the adjustment procedures in subsection (c).

(c) ADJUSTMENTS.—

(1) IN GENERAL.—After the reporting of a bill or joint resolution relating to any matter described in paragraph (2), or the offering of an amendment thereto or the submission of a conference report thereon—

(A) the chairman of the Senate Committee on the Budget may adjust the discretionary spending limits, budgetary aggregates, and allocations pursuant to section 302(a) of the Congressional Budget Act of 1974, by the amount of new budget authority in that measure for that purpose and the outlays flowing therefrom; and

(B) following any adjustment under subparagraph (A), the Senate Committee on Appropriations may report appropriately revised suballocations pursuant to section 302(b) of the Congressional Budget Act of 1974 to carry out this subsection.

(2) MATTERS DESCRIBED.—Matters referred to in paragraph (1) are as follows:

(A) CONTINUING DISABILITY REVIEWS AND SSI REDETERMINATIONS.—If a bill or joint resolution is reported making appropriations for fiscal year 2008 that appropriates $264,000,000 for continuing disability reviews and Supplemental Security Income redeterminations for the Social Security Administration, and provides an additional appropriation of up to $213,000,000 for continuing disability reviews and Supplemental Security Income redeterminations for the Social Security Administration, then the discretionary spending limits, allocation to the Senate Committee on Appropriations, and aggregates may be adjusted by the amounts provided in such legislation for that purpose, but not to exceed $213,000,000 in budget authority and outlays flowing therefrom for fiscal year 2008.

(B) INTERNAL REVENUE SERVICE TAX ENFORCEMENT.—If a bill or joint resolution is reported making appropriations for fiscal year 2008 that appropriates $6,822,000,000 for the Internal Revenue Service for enhanced tax enforcement to address the Federal tax gap (taxes owed but not paid) and provides an additional appropriation of up to $406,000,000 for the Internal Revenue Service for enhanced tax enforcement to address the Federal tax gap, then the discretionary spending limits, allocation to the Senate Committee on Appropriations, and aggregates may be adjusted by the amounts provided in such legislation for that purpose, but not to exceed $406,000,000 in budget authority and outlays flowing therefrom for fiscal year 2008.

(C) HEALTH CARE FRAUD AND ABUSE CONTROL.—If a bill or joint resolution is reported making appropriations for fiscal year 2008 that appropriates up to $383,000,000 to the health care fraud and abuse control program at the Department of Health and Human Services, then the discretionary spending limits, allocation to the Senate Committee on Appropriations, and aggregates may be adjusted by the amounts provided in such legislation for that purpose, but not to exceed $383,000,000 in budget authority and outlays flowing therefrom for fiscal year 2008.

(D) UNEMPLOYMENT INSURANCE IMPROPER PAYMENTS REVIEWS.—If a bill or joint resolution is reported making appropriations for fiscal year 2008 that appropriates $10,000,000 for unemployment insurance improper payments reviews for the Department of Labor, and provides an additional appropriation of up to $40,000,000 for unemployment insurance improper payments reviews for the Department of Labor, then the discretionary spending limits, allocation to the Senate Committee on Appropriations, and aggregates may be adjusted by the amounts provided in such legislation for that purpose, but not to exceed $40,000,000 in budget authority and outlays flowing therefrom for fiscal year 2008.

(E) WILDLAND FIRE SUPPRESSION.—

(i) DEFINITION.—For this subparagraph, the term ''base amount'' refers to the average of the obligations of the preceding 10 years for wildfire suppression in the Forest Service and the Department of the Interior, calculated as of the date of the applicable year's budget request is submitted by the President to Congress.

(ii) ADJUSTMENTS FOR FISCAL YEAR 2008.—If the amount appropriated for Wildland Fire Suppression in fiscal year 2008 is not less than the base amount, then the chairman of the Senate Committee on the Budget may adjust the appropriate allocations, aggregates, discretionary spending limits, and other budgetary levels in this resolution for any bill, joint resolution, amendment, motion, or conference report that provides additional funding for wildland fire suppression, by the amounts provided in such legislation for such purpose, but not to exceed the following amounts in budget authority and the outlays flowing therefrom:

(I) for the Forest Service, for fiscal year 2008, $400,000,000 ; and

(II) for the Department of the Interior, for fiscal year 2008, $100,000,000.

(F) COSTS OF GLOBAL WAR ON TERROR.—The Chairman of the Senate Committee on the Budget may revise the allocations, aggregates, and discretionary spending limits for one or more bills, joint resolutions, motions, amendments, or conference reports that make discretionary appropriations for fiscal year 2008 or 2009 in excess of the levels assumed in this resolution for expenses related to the global war on terror, but not to exceed the following amounts:

(i) For fiscal year 2008, $145,162,000,000 in budget authority and the outlays flowing therefrom.

(ii) For fiscal year 2009, $50,000,000,000 in budget authority and the outlays flowing therefrom.

(G) ADJUSTMENT FOR UNITED STATES FORCES IN THE GLOBAL WAR ON TERRORISM.—The Chairman of the Senate Committee on the Budget may revise the allocations, aggregates, and discretionary spending limits for one or more bills, joint resolutions, motions, amendments, or conference reports that make discretionary appropriations for fiscal year 2008 for an amount appropriated, but not to exceed $5,000,000,000 in budgetary authority and outlays flowing therefrom, to—

(i) address training, equipment, force protection, logistics, or other matters necessary for the protection of United States forces; or

(ii) address deficiencies at Walter Reed Army Medical Center and other facilities within the military medical system providing treatment to service members injured while performing their duties in the Global War on Terrorism.

SEC. 208. APPLICATION OF PREVIOUS ALLOCATIONS IN SENATE.

Section 7035 of Public Law 109–234 shall no longer apply in the Senate.

SEC. 209. POINT OF ORDER TO SAVE SOCIAL SECURITY FIRST.

(a) POINT OF ORDER IN THE SENATE.—It shall not be in order in the Senate to consider any direct spending or revenue legislation that would increase the on-budget deficit in any fiscal year until the President submits legislation to Congress and Congress enacts legislation which would restore 75-year solvency to the Old-Age, Survivors, and Disability Insurance Trust Funds as certified by the Social Security Administration actuaries.

(b) SUPERMAJORITY WAIVER AND APPEAL.—This section may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required in the Senate to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

TITLE III—RESERVE FUNDS AND ADJUSTMENTS

SEC. 301. DEFICIT-NEUTRAL RESERVE FUND FOR SCHIP LEGISLATION.

The Chairman of the Senate Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for a bill, joint resolution, amendment, motion, or conference report that provides up to $50,000,000,000 for reauthorization of the State Children's Health Insurance Program (SCHIP), if such legislation maintains coverage for those currently enrolled in SCHIP, continues efforts to reach uninsured children who are already eligible for SCHIP or Medicaid but are not enrolled, and

supports States in their efforts to move forward in covering more children, by the amounts provided in that legislation for those purposes up to $35,000,000,000 over the total of fiscal years 2007 through 2012, provided that such legislation would not increase the deficit over the total of the period of fiscal years 2007 through 2012.

SEC. 302. DEFICIT-NEUTRAL RESERVE FUND FOR CARE OF WOUNDED SERVICE MEMBERS.

The Chairman of the Senate Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for a bill, joint resolution, amendment, motion, or conference report which improves the medical care of or disability benefits for wounded or disabled military personnel or improves the disability evaluations of military personnel or veterans to expedite the claims process, by the amounts provided in that legislation for that purpose, provided that such legislation would not increase the deficit over the total of the period of fiscal years 2007 through 2012.

SEC. 303. DEFICIT-NEUTRAL RESERVE FUND FOR TAX RELIEF.

The Chairman of the Senate Committee on the Budget may revise the aggregates, allocations, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would provide tax relief, including extensions of expiring tax relief and refundable tax relief, by the amounts provided in that legislation for those purposes, provided that such legislation would not increase the deficit over the total of the period of fiscal years 2007 through 2012.

SEC. 304. DEFICIT-NEUTRAL RESERVE FUND FOR COMPARATIVE EFFECTIVENESS RESEARCH.

The Chairman of the Senate Committee on the Budget may revise the aggregates, allocations, and other appropriate levels in this resolution for a bill, joint resolution, amendment, motion, or conference report that establishes a new federal or public-private initiative for comparative effectiveness research, by the amounts provided in such legislation for that purpose, provided that such legislation would not increase the deficit over the total of fiscal years 2007 through 2012.

SEC. 305. DEFICIT-NEUTRAL RESERVE FUND FOR HIGHER EDUCATION.

The Chairman of the Senate Committee on the Budget may revise the aggregates, allocations, and other appropriate levels in this resolution for a bill, joint resolution, amendment, motion, or conference report, including tax legislation, that would make higher education more accessible and more affordable, by the amounts provided in such legislation for that purpose, provided that such legislation would not increase the deficit over the total of the period of fiscal years 2007 through 2012.

SEC. 306. DEFICIT-NEUTRAL RESERVE FUND FOR THE FARM BILL.

The Chairman of the Senate Committee on the Budget may revise the allocations, aggregates, and other appropriate levels and limits in this resolution for a bill, joint resolution, amendment, motion, or conference report that—

(1) reauthorizes the Food Security and Rural Investment Act of 2002;

(2) strengthens our agriculture and rural economies and critical nutrition programs;

(3) provides agriculture-related tax relief;

(4) improves our environment by reducing our Nation's dependence on foreign sources of energy through expanded production and use of alternative fuels; or

(5) combines any of the purposes provided in paragraphs (1) through (4);

by the amounts provided in that legislation for those purposes up to $15,000,000,000 over the total of fiscal years 2007 through 2012, provided that such legislation would not increase the deficit over the total of the period of fiscal years 2007 through 2012.

SEC. 307. DEFICIT-NEUTRAL RESERVE FUND FOR ENERGY LEGISLATION.

The Chairman of the Senate Committee on the Budget may revise the allocations, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports, including tax legislation, that would reduce our Nation's dependence on foreign sources of energy, expand production and use of alternative fuels and alternative fuel vehicles, promote renewable energy development, improve electricity transmission, encourage responsible development of domestic oil and natural gas resources, or reward conservation and efficiency, by the amounts provided in that legislation for those purposes, provided that such legislation would not increase the deficit over the total of the period of fiscal years 2007 through 2012.

SEC. 308. DEFICIT-NEUTRAL RESERVE FUND FOR MEDICARE.

(a) PRESCRIPTION DRUGS.—The Chairman of the Senate Committee on the Budget may revise the aggregates, allocations, and other appropriate levels in this resolution for a bill, joint resolution, amendment, motion, or conference report that repeals the prohibition in section 1860D–11(i)(1) of the Social Security Act (42 U.S.C. 1395w–111(i)(1)) while preserving access to prescription drugs and price competition without requiring a particular formulary or instituting a price structure for reimbursement of covered Part D drugs, provided that such legislation would not increase the deficit over the total of fiscal years 2007 through 2012 and provided further that any savings from the measure are to be used either to improve the Medicare Part D benefit or for deficit reduction.

(b) PHYSICIAN PAYMENTS.—The Chairman of the Senate Budget Committee may revise the aggregates, allocations, and other appropriate levels in this resolution for a bill, joint resolution, amendment, motion, or conference report that increases the reimbursement rate for physician services under section 1848(d) of the Social Security Act, by the amounts provided in such legislation for that purpose, provided that the legislation would not increase the deficit over the total of fiscal years 2007 through 2012.

(c) IMPROVEMENTS TO MEDICARE PART D.—The Chairman of the Senate Budget Committee may revise the aggregates, allocations, and other appropriate levels in this resolution for a bill, joint resolution, amendment, motion, or conference report that makes improvements to the prescription drug benefit under Medicare Part D, by the amounts provided in such legislation for that purpose up to $5,000,000,000, provided that the legislation would not increase the deficit over the total of fiscal years 2007 through 2012.

SEC. 309. DEFICIT-NEUTRAL RESERVE FUND FOR SMALL BUSINESS HEALTH INSURANCE.

The Chairman of the Senate Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for a bill, joint resolution, motion, amendment, or conference report that makes health insurance coverage more affordable or available to small businesses and their employees without weakening rating rules or reducing covered benefits, by the amounts provided in such legislation for that purpose, provided that the legislation would not increase the deficit over the total of fiscal years 2007 through 2012.

SEC. 310. DEFICIT-NEUTRAL RESERVE FUND FOR COUNTY PAYMENTS FOR SECURE RURAL SCHOOLS AND COMMUNITY SELF-DETERMINATION ACT OF 2000 REAUTHORIZATION.

The Chairman of the Senate Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for a bill, joint resolution, amendment, motion, or conference report that provides for the reauthorization of the Secure Rural Schools and Community Self-Determination Act of 2000 (Public Law 106–393), by the amounts provided by that legislation for that purpose, but not to exceed $440,000,000 in new budget authority for fiscal year 2008 and the outlays flowing from that budget authority and $2,240,000,000 in new budget authority for the period of fiscal years 2008 through 2012 and the outlays flowing from that budget authority, provided that such legislation would not increase the deficit over the total of the period of fiscal years 2007 through 2012.

SEC. 311. DEFICIT-NEUTRAL RESERVE FUND FOR TERRORISM RISK INSURANCE REAUTHORIZATION.

The Chairman of the Senate Budget Committee may revise the aggregates, allocations, and other levels in this resolution for a bill, joint resolution, motion, amendment, or conference report that provides for a continued Federal role in ensuring the availability of terrorism insurance after the expiration of the Terrorism Risk Insurance Extension Act, by the amounts provided in such legislation for that purpose, provided that such legislation is deficit-neutral over the total of fiscal years 2007 through 2012.

SEC. 312. DEFICIT-NEUTRAL RESERVE FUND FOR AFFORDABLE HOUSING.

The Chairman of the Senate Budget Committee may revise the aggregates, allocations, and other levels in this resolution for a bill, joint resolution, motion, amendment, or conference report that would establish an affordable housing fund financed by the housing government-sponsored enterprises, by the amounts provided in such legislation for that purpose, provided that the legislation is deficit-neutral over the total of fiscal years 2007 through 2012.

SEC. 313. DEFICIT-NEUTRAL RESERVE FUND FOR RECEIPTS FROM BONNEVILLE POWER ADMINISTRATION.

The Chairman of the Senate Committee on the Budget may adjust the allocations, aggregates, and other appropriate levels in this resolution for a bill, joint resolution, motion, amendment, or conference report that prohibits the Bonneville Power Administration from making early payments on its Federal Bond Debt to the United States Treasury, by the amounts provided by that legislation for that purpose, provided that such legislation would not increase the deficit over the total of the period of fiscal years 2007 through 2012.

SEC. 314. DEFICIT-NEUTRAL RESERVE FUND FOR INDIAN CLAIMS SETTLEMENT.

The Chairman of the Senate Committee on the Budget may revise the aggregates, allocations, and other appropriate levels in this resolution for a bill, joint resolution, amendment, motion, or conference report that—

(1) creates an Indian claims settlement fund for trust accounting and management deficiencies related to Individual Indian Moneys and assets; and

(2) extinguishes all claims arising before the date of enactment for losses resulting from accounting errors, mismanagement of assets, or interest owed in connection with Individual Indian Moneys accounts;

by the amounts provided in such legislation for those purposes up to $8,000,000,000, provided that such legislation does not increase the deficit over the total of the period of fiscal years 2007 through 2012.

SEC. 315. DEFICIT-NEUTRAL RESERVE FUND FOR FOOD AND DRUG ADMINISTRATION.

The Chairman of the Senate Committee on the Budget may revise the allocations, aggregates, and other appropriate levels and limits in this resolution for a bill, joint resolution, motion, amendment, or conference report that authorizes the Food and Drug Administration to regulate tobacco products and assess user fees on tobacco manufacturers and importers to cover the cost of the Food and Drug Administration's regulatory activities, by the amounts provided in that legislation for that purpose, provided that such legislation is deficit-neutral over the total of fiscal years 2007 through 2012.

SEC. 316. DEFICIT-NEUTRAL RESERVE FUND FOR HEALTH CARE REFORM.

If an SCHIP reauthorization bill is enacted, then the Chairman of the Senate Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for a bill, joint resolution, motion, amendment, or conference report to improve health care, and provide quality health insurance for the uninsured and underinsured, and protect individuals with current health coverage, by the amounts provided in that legislation for that purpose, provided that such legislation would not increase the deficit over the total of the period of fiscal years 2007 through 2012.

SEC. 317. DEFICIT-NEUTRAL RESERVE FUND FOR ENHANCEMENT OF VETERANS' BENEFITS.

The Chairman of the Senate Budget Committee may revise the aggregates, allocations, and other levels in this resolution for a bill, joint resolution, motion, amendment, or conference report that would enhance benefits for veterans, by the amounts provided in such legislation for that purpose, provided that such legislation is deficit-neutral over the total of fiscal years 2007 through 2012.

SEC. 318. DEFICIT-NEUTRAL RESERVE FUND FOR LONG-TERM CARE.

The Chairman of the Senate Budget Committee may revise the allocations, aggregates, and other levels in this resolution for a bill, joint resolution, motion, amendment, or conference report that would improve long-term care, enhance the safety and dignity of patients, encourage appropriate use of institutional and non-institutional care, promote quality care, and provide for the cost-effective use of public resources, by the amounts provided in such legislation for that purpose, provided that the legislation would not increase the deficit over the total of fiscal years 2007 through 2012.

SEC. 319. DEFICIT-NEUTRAL RESERVE FUND FOR HEALTH INFORMATION TECHNOLOGY.

(a) The Chairman of the Senate Budget Committee may revise the aggregates, allocations, and other appropriate levels in this resolution for a bill, joint resolution, amendment, motion, or conference report that provides incentives or other support for adoption of modern information technology to improve quality and protect privacy in health care, by the amounts provided in such legislation for that purpose, provided that the legislation would not increase the deficit over the total of fiscal years 2007 through 2012.

(b) The Chairman of the Senate Budget Committee may revise the aggregates, allocations, and other appropriate levels in this resolution for a bill, joint resolution, amendment, motion, or conference report that provides for payments that are based on adherence to accepted clinical protocols identified as best practices, by the amounts provided in such legislation for that purpose, provided that the legislation would not increase the deficit over the total of fiscal years 2007 through 2012.

SEC. 320. DEFICIT-NEUTRAL RESERVE FUND FOR CHILD CARE.

The Chairman of the Senate Committee on the Budget may revise the allocations, aggregates, and other levels in this resolution for a bill, joint resolution, amendment, motion, or conference report that provides up to $5,000,000,000 for the child care entitlement to States, by the amounts provided by such legislation for that purpose, provided that the legislation would not increase the deficit over the total of fiscal years 2007 through 2012.

SEC. 321. DEFICIT-NEUTRAL RESERVE FUND FOR COMPREHENSIVE IMMIGRATION REFORM.

The Chairman of the Senate Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for a bill, joint resolution, amendment, motion or conference report that—

(1) provides for comprehensive immigration reform;

(2) provides for increased interior enforcement, through an effective electronic employment verification system which accurately establishes the employment authorization of individuals; and

(3) provides for increased border security and enhanced information technology systems;

provided that such legislation would not increase the deficit for the fiscal year 2008 and for the period of fiscal years 2008 through 2012.

SEC. 322. DEFICIT-NEUTRAL RESERVE FUND FOR MENTAL HEALTH PARITY.

If the Senate Committee on Health, Education, Labor, and Pensions reports a bill or joint resolution, or an amendment is offered thereto, or a conference report is submitted thereon, that provides parity between health insurance coverage of mental health benefits and benefits for medical and surgical services, the chairman of the Committee on the Budget of the Senate may make the appropriate adjustments in allocations and aggregates to the extent that such legislation would not increase the deficit for fiscal year 2008 and for the period of fiscal years 2008 through 2012.

SEC. 323. APPLICATION AND EFFECT OF CHANGES IN ALLOCATIONS AND AGGREGATES.

(a) APPLICATION.—Any adjustments of allocations and aggregates made pursuant to this resolution shall—

(1) apply while that measure is under consideration;

(2) take effect upon the enactment of that measure; and

(3) be published in the Congressional Record as soon as practicable.

(b) EFFECT OF CHANGED ALLOCATIONS AND AGGREGATES.—Revised allocations and aggregates resulting from these adjustments shall be considered for the purposes of the Congressional Budget Act of 1974 as allocations and aggregates contained in this resolution.

(c) BUDGET COMMITTEE DETERMINATIONS.—For purposes of this resolution the levels of new budget authority, outlays, direct spending, new entitlement authority, revenues, deficits, and surpluses for a fiscal year or period of fiscal years shall be determined on the basis of estimates made by the Senate Committee on the Budget.

SEC. 324. ADJUSTMENTS TO REFLECT CHANGES IN CONCEPTS AND DEFINITIONS.

Upon the enactment of a bill or joint resolution providing for a change in concepts or definitions, the chairman of the Senate Committee on the Budget may make adjustments to the levels and allocations in this resolution in accordance with section 251(b) of the Balanced Budget and Emergency Deficit Control Act of 1985 (as in effect prior to September 30, 2002).

SEC. 325. EXERCISE OF RULEMAKING POWERS.

Congress adopts the provisions of this title—

(1) as an exercise of the rulemaking power of the Senate, and as such they shall be considered as part of the rules of the Senate and such rules shall supersede other rules only to the extent that they are inconsistent with such other rules; and

(2) with full recognition of the constitutional right of the Senate to change those rules (so far as they relate to that house) at any time, in the same manner, and to the same extent as is the case of any other rule of the Senate.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 111—EXPRESSING THE SENSE OF THE SENATE THAT THE CITIZEN'S STAMP ADVISORY COMMITTEE SHOULD RECOMMEND TO THE POSTMASTER GENERAL THAT A COMMEMORATIVE STAMP BE ISSUED HONORING THE LIFE OF OSKAR SCHINDLER

Mr. COLEMAN (for himself, Mrs. BOXER, Mr. CARDIN, Mr. FEINGOLD, Mr. LEVIN, Mr. SANDERS, Mr. SPECTER, Mr. WYDEN, Mr. LAUTENBERG, Mrs. FEINSTEIN, Mr. KOHL, and Mr. MENENDEZ) submitted the following resolution; which was referred to the Committee on Homeland Security and Governmental Affairs:

S. RES. 111

Whereas Oskar Schindler acted as a hero during the Nazi occupation of Poland and selflessly rescued 1,200 Jewish men, women, and children by employing them in his factory, at risk to his own life and that of his wife;

Whereas Oskar Schindler also rescued approximately 100 Jewish men and women from the Goleszow concentration camp, who lay trapped and partly frozen in 2 sealed train cars stranded near Runlets;

Whereas Oskar Schindler embodied ideals of the United States, such as the pursuit of freedom, liberty, and opposition to tyranny, and many of the Jewish people who fled the Nazi occupation made the United States their home;

Whereas millions of people in the United States have been made aware of the story of Oskar Schindler's bravery;

Whereas, on July 18, 1967, Yad Vashem decided to recognize Oskar Schindler as one of the Righteous Among the Nations, or ''righteous Gentiles'', an honor awarded by Israel to non-Jews who saved Jews during the Holocaust at great personal risk;

Whereas the 100th anniversary of Oskar Schindler's birth is April 28, 2008; and

Whereas Oskar Schindler is a true humanitarian, deserving of honor by the United States Government: Now, therefore, be it

Resolved, That it is the sense of the Senate that the Citizens' Stamp Advisory Committee should recommend to the Postmaster General that a commemorative stamp be issued honoring the life of Oskar Schindler.

NOTICES OF HEARINGS/MEETINGS

COMMITTEE ON RULES AND ADMINISTRATION

Mrs. FEINSTEIN. Mr. President, I wish to announce that the Committee on Rules and Administration will meet on Wednesday, March 28, 2007, at 10

a.m., to conduct a markup of S. 223, the Senate Campaign Disclosure Parity Act.

For further information regarding this hearing, please contact Howard Gantman at the Rules and Administration Committee on 224–6352.

PRIVILEGES OF THE FLOOR

Mr. KYL. Mr. President, I ask unanimous consent that Seth Poldberg of Senator GRASSLEY's office be granted floor privileges during today's session of the Senate.

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

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following nominations: calendar Nos. 45 and 46; that the nominations be confirmed; that the motion to reconsider be laid upon the table; that the President be immediately notified of the Senate's action; and that the Senate then resume legislative session.

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

The nominations were considered and confirmed, as follows:

IN THE NAVY

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be admiral

Adm. Timothy J. Keating, 0000

IN THE AIR FORCE

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsiblity under title 10, U.S.C., section 601:

To be general

Lt. Gen. Victor E. Renuart, Jr., 0000

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will now return to legislative session.

VITIATION OF ACTION

Mr. REID. Mr. President, I ask unanimous consent that Senate action of the amendment to the preamble to H. Con. Res. 20 be vitiated.

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

PROCLAIMING CASIMIR PULASKI TO BE AN HONORARY CITIZEN POSTHUMOUSLY

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 78, S.J. Res. 5.

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

The assistant legislative clerk read as follows:

A joint resolution (S.J. Res. 5) proclaiming Casimir Pulaski to be an honorary citizen of the United States posthumously.

There being objection, the Senate proceeded to consider the joint resolution.

Mr. REID. I ask unanimous consent that the joint resolution be read a third time and passed; that the preamble be agreed to; the motion to reconsider be laid upon the table; and that any statements relating to the joint resolution be printed in the RECORD, without intervening action or debate.

The joint resolution (S.J. Res. 5) was ordered to be engrossed for a third reading, was read the third time, and passed.

The preamble was agreed to.

The joint resolution, with its preamble, reads as follows:

S.J. RES. 5

Whereas Casimir Pulaski was a Polish military officer who fought on the side of the American colonists against the British in the American Revolutionary War;

Whereas Benjamin Franklin recommended that General George Washington accept Casimir Pulaski as a volunteer in the American Cavalry and said that Pulaski was ''renowned throughout Europe for the courage and bravery he displayed in defense of his country's freedom'';

Whereas after arriving in America, Casimir Pulaski wrote to General Washington, ''I came here, where freedom is being defended, to serve it, and to live or die for it.'';

Whereas the first military engagement of Casimir Pulaski with the British was on September 11, 1777, at the Battle of Brandywine, and his courageous charge in this engagement averted a disastrous defeat of the American Cavalry and saved the life of George Washington;

Whereas on September 15, 1777, George Washington elevated Casimir Pulaski to the rank of Brigadier General of the American Cavalry;

Whereas Casimir Pulaski formed the Pulaski Cavalry Legion, and in February 1779, this legion ejected the British occupiers from Charleston, South Carolina;

Whereas in October 1779, Casimir Pulaski mounted an assault against British forces in Savannah, Georgia;

Whereas on the morning of October 9, 1779, Casimir Pulaski was mortally wounded and was taken aboard the American ship USS Wasp, where he died at sea on October 11, 1779;

Whereas before the end of 1779, the Continental Congress resolved that a monument should be erected in honor of Casimir Pulaski;

Whereas in 1825, General Lafayette laid the cornerstone for the Casimir Pulaski monument in Savannah, Georgia; and

Whereas in 1929, Congress passed a resolution recognizing October 11 of each year as Pulaski Day in the United States: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Casimir Pulaski is proclaimed to be an honorary citizen of the United States posthumously.

COMMEMORATING THE 85TH ANNIVERSARY OF THE FOUNDING OF THE AMERICAN HELLENIC EDUCATIONAL PROGRESSIVE ASSOCIATION

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 79, S. Con. Res. 14.

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

The assistant legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 14) commemorating the 85th anniversary of the founding of the American Hellenic Educational Progressive Association, a leading association for the 1,300,000 United States citizens of Greek ancestry and Philhellenes in the United States.

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

Mr. REID. 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 to this matter be printed in the RECORD, with no intervening action or debate.

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

The concurrent resolution (S. Con. Res. 14) was agreed to.

The preamble was agreed to.

The concurrent resolution, with its preamble, reads as follows:

S. CON. RES. 14

Whereas the American Hellenic Educational Progressive Association (AHEPA) was founded on July 26, 1922, in Atlanta, Georgia, by 8 visionary Greek immigrants to help unify, organize, and protect against the bigotry, discrimination, and defamation faced by people of all ethnic, racial, and religious backgrounds perpetrated predominantly by the Ku Klux Klan;

Whereas the mission of AHEPA is to promote the ideals of ancient Greece, which include philanthropy, education, civic responsibility, and family and individual excellence through community service and volunteerism;

Whereas, since its inception, AHEPA has instilled in its members an understanding of their Hellenic heritage and an awareness of the contributions made by Greece to the development of democratic principles and governance in the United States and throughout the world;

Whereas AHEPA has done much throughout its history to foster patriotism in the United States;

Whereas members of AHEPA have served in the Armed Forces to protect the freedom of the United States and to preserve the democratic ideals that are part of the Hellenic legacy;

Whereas, in World War II, members of AHEPA were parachuted behind enemy lines in Nazi-occupied Greece to help liberate the country;

Whereas AHEPA raised more than $253,000,000 for United States war bonds during World War II, for which AHEPA was named an official Issuing Agent for United States War Bonds by the Department of Treasury, an honor that no other civic organization was able to achieve at the time;

Whereas the members of AHEPA donated $612,000 for the restoration of the Statue of

Liberty and Ellis Island, New York, for which AHEPA received special recognition by the Department of the Interior;

Whereas the AHEPA National Housing Program was awarded $500,000,000 by the Department of Housing and Urban Development for its Section 202 Program, which has yielded 4,370 units in 80 properties across 21 States and 49 cities and has provided dignified, affordable housing to senior citizens;

Whereas AHEPA was recognized by the Department of State as an organization that has engaged in ''Track Two Diplomacy'' to foster reconciliation and rapprochement in the Eastern Mediterranean, which is in the best interest of the United States;

Whereas members of AHEPA raised $110,000 for the George C. Marshall Statue to be erected on the grounds of the United States Embassy in Athens, Greece, in celebration of the historic relationship between the United States and Greece, and in tribute to an outstanding statesman and Philhellene, General Marshall;

Whereas AHEPA financially supports scholarships, educational chairs, medical research, and countless other charitable and philanthropic causes by contributing more than $2,000,000 annually from its national, district, and local levels collectively;

Whereas, in the spirit of their Hellenic heritage and in commemoration of the Centennial Olympic Games held in Atlanta, Georgia, members of AHEPA raised $775,000 for the Tribute to Olympism Sculpture, the fanlike structure of which helped to save lives during the bombing at Centennial Olympic Park;

Whereas members of AHEPA have been Presidents and Vice Presidents of the United States, United States Senators and Representatives, and United States Ambassadors, and have served honorably as elected officials at the local and State levels throughout the United States; and

Whereas President George H.W. Bush cited AHEPA as one of the ''thousand points of light'': Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That the Congress—

(1) recognizes the significant contributions of United States citizens of Hellenic heritage to the United States;

(2) commemorates the 85th anniversary of the founding of the American Hellenic Educational Progressive Association (AHEPA), applauds its mission, and commends the many charitable contributions of its members to communities around the world; and

(3) encourages the people of the United States to observe the 85th anniversary of the founding of AHEPA and celebrate its many accomplishments.

ORDERS FOR TUESDAY, MARCH 20, 2007

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 10 a.m., Tuesday, March 20; that on Tuesday, following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, and the time for the two leaders be reserved for their use later in the day; that the Senate then resume consideration of S. 214, as provided for under a previous order; I also ask unanimous consent that following the vote on passage of S. 214, the Senate then stand in recess until 2:15 p.m.

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

PROGRAM

Mr. REID. Mr. President, it was my intent to ask consent to proceed to the budget resolution at 2:15. I am informed that a vote may be required to proceed to the measure. I will not ask for consent tonight. Members are alerted it might be necessary to have a rollcall vote on the motion to proceed to the budget resolution at 2:15 tomorrow afternoon.

Today, we have had good debate on the pending U.S. attorneys bill. We will continue that debate tomorrow morning and then vote with respect to the two amendments and passage of the bill. The first vote will occur at about 11:30 tomorrow morning.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. REID. If there is no further business at this time, and if the distinguished Republican leader has nothing further, I ask unanimous consent that following the remarks of Senator SPECTER, the Senate stand adjourned under the previous order.

The PRESIDING OFFICER. Is there objection?

The Republican leader.

Mr. MCCONNELL. Mr. President, if I may, obviously I am not going to object. Let me say to all our colleagues on this side of the aisle, this will be a challenging week. Budget week always is, with numerous votes. Obviously, it would be to the advantage of the body to have a number of those votes before the so-called vote-arama, which occurs as the time expires late in the week.

So I encourage Republican Senators who have amendments to come on over, beginning tomorrow, lay them down, and let's try to proceed early in the week in order to minimize the inconvenience to everyone at the end of the week.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, I would only add—and I appreciate very much the Senator's remarks—we have to finish the budget resolution this week. Next week we have to get to the supplemental. We have been told by the Secretary of Defense that all the work on the supplemental must be completed by the end of April. Even though there is a week or so that other arrangements can be made, we have found Secretary Gates to be extremely upfront, and so we have to get to the supplemental next week so we can complete it by the first of May.

The PRESIDING OFFICER. The Republican leader.

Mr. MCCONNELL. Mr. President, if I may alert the majority leader, apparently Senator SPECTER is not coming to the floor tonight, so there is no impediment to the Senate going ahead and adjourning.

Mr. REID. Mr. President, I ask unanimous consent that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 6:46 p.m., adjourned until Tuesday, March 20, 2007, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate March 19, 2007:

THE JUDICIARY

RAYMOND M. KETHLEDGE, OF MICHIGAN, TO BE UNITED STATES CIRCUIT JUDGE FOR THE SIXTH CIRCUIT, VICE JAMES L. RYAN, RETIRED.

STEPHEN JOSEPH MURPHY III, OF MICHIGAN, TO BE UNITED STATES CIRCUIT JUDGE FOR THE SIXTH CIRCUIT, VICE SUSAN BIEKE NEILSON, DECEASED.

ROBERT JAMES JONKER, OF MICHIGAN, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF MICHIGAN, VICE GORDON J. QUIST, RETIRED.

PAUL LEWIS MALONEY, OF MICHIGAN, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF MICHIGAN, VICE RICHARD ALAN ENSLEN, RETIRED.

JANET T. NEFF, OF MICHIGAN, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF MICHIGAN, VICE DAVID W. MCKEAGUE, ELEVATED.

SHARION AYCOCK, OF MISSISSIPPI, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF MISSISSIPPI, VICE GLEN H. DAVIDSON, RETIRING.

DAVID R. DUGAS, OF LOUISIANA, TO BE UNITED STATES DISTRICT JUDGE FOR THE MIDDLE DISTRICT OF LOUISIANA, VICE FRANK J. POLOZOLA, RETIRED.

JAMES RANDAL HALL, OF GEORGIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF GEORGIA, VICE B. AVANT EDENFIELD, RETIRED.

RICHARD H. HONAKER, OF WYOMING, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF WYOMING, VICE CLARENCE A. BRIMMER, JR., RETIRED.

RICHARD A. JONES, OF WASHINGTON, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF WASHINGTON, VICE JOHN C. COUGHENOUR, RETIRED.

JANIS LYNN SAMMARTINO, OF CALIFORNIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF CALIFORNIA, VICE JUDITH NELSEN KEEP, DECEASED.

IN THE AIR FORCE

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be major general

BRIG. GEN. THADDEUS J. MARTIN, 0000

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 major general

BRIG. GEN. WILLIAM C. KIRKLAND, 0000

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. GREGORY E. COUCH, 0000

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. RICHARD S. KRAMLICH, 0000

IN THE NAVY

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

To be rear admiral

REAR ADM. (LH) GREGORY A. TIMBERLAKE, 0000

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

To be rear admiral

REAR ADM. (LH) ALBERT GARCIA III, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

REAR ADM. ANTHONY L. WINNS, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

REAR ADM. JEFFREY L. FOWLER, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

REAR ADM. SAMUEL J. LOCKLEAR III, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be admiral

ADM. ROBERT F. WILLARD, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be admiral

ADM. GARY ROUGHEAD, 0000

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTIONS 531 AND 1211:

To be major

CHERYL A. UDENSI, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

KEITH A. DARLINGTON, 0000
RICHARD B. DUNN, 0000
JERRY D. LEWIS, 0000
STEVEN J. MERRILL, 0000
CONRADO E. NAVARRO, 0000
BRETT C. OXMAN, 0000
CLIFTON PERRY, 0000
FRANK A. YERKES, JR., 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

KENNETH A. ARNOLD, 0000
RENEE T. BENNETT, 0000
GUILLERMO R. CARRANZA, 0000
DAVID S. CASTRO, 0000
LOUIS J. CHERRY, 0000
DOUGLAS P. CORDOVA, 0000
THOMAS J. COUTURE, 0000
DAVID S. DALES, 0000
STEVEN J. EHLENBECK, 0000
THOMAS J. HELGET, 0000
GARY M. JACKSON, 0000
JOSEPH D. JACOBSON, 0000
CHARLIE M. JOHNSON, 0000
DAVID A. G. KENDRICK, 0000
PETER R. MARKSTEINER, 0000
CRAIG G. MILLER, 0000
JAY W. MOUNKES, 0000
JEFFREY S. PALMER, 0000
PERRY J. PELOQUIN, 0000
JEFFREY P. RUDE, 0000
JEFFREY J. SLAGLE, 0000
MARK S. TESKEY, 0000
KENNETH M. THEURER, 0000
DONNA M. VERCHIO, 0000
THOMAS F. ZIMMERMAN, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

MARIA M. ALSINA, 0000
CATHERINE M. FAHLING, 0000
ANDREW C. FOLTZ, 0000
MATTHEW R. GRANT, 0000
DAWN D. HANKINS, 0000
SCOTT E. HARDING, 0000
DANIEL J. HIGGINS, 0000
CYNTHIA A. HOLT, 0000
KEVIN J. HUYSER, 0000
PAUL E. JETER, 0000
DEIRDRE A. KOKORA, 0000
GRANT L. KRATZ, 0000
CHRISTOPHER F. LEAVEY, 0000
WON K. LEE, 0000
HEATHER E. LOBUE, 0000
LANCE E. MATHEWS, 0000
RICHARD J. MCDERMOTT, 0000
CHARLES L. PLUMMER, 0000
JONATHAN P. PORIER, 0000
TERRI A. SAUNDERS, 0000
WENDY L. SHERMAN, 0000
KENNETH R. SIBLEY, 0000
JENNIFER L. SMITH, 0000
MARK D. STOUP, 0000
MICHELLE P. TILFORD, 0000
DAVID A. WHITEFORD, 0000
LE THI ZIMMERMAN, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

THOMAS M. ANGELO, 0000
JAMES L. BAILEY, 0000
GARY J. BERTSCH, 0000
TIMOTHY A. BUTLER, 0000
KENNETH E. HARP, 0000
DONALD J. HOFFMAN, 0000
FREDERICK MCFARLAND, 0000
DWAYNE R. PEOPLES, 0000
DAVID M. TERRINONI, 0000
LISA H. TICE, 0000
FREDERICK H. VICCELLIO, 0000
DANIEL S. ZULLI, 0000

THE FOLLOWING NAMED INDIVIDUALS FOR APPOINTMENT IN THE GRADES INDICATED IN THE REGULAR AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531(A):

To be lieutenant colonel

GLENN M. FREDERICK, 0000
DANIEL J. JUDGE, 0000

To be major

RAFAEL BURGOS, 0000
DANNY M. COLTON, 0000
ALAN FLOWER, 0000
NIRAJ GOVIL, 0000
JOHN T. JANOUSAK, 0000
MARLA R. MELENDEZ, 0000
JULIE L. STEELE, 0000

THE FOLLOWING NAMED INDIVIDUALS FOR APPOINTMENT IN THE GRADES INDICATED IN THE REGULAR AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531(A):

To be lieutenant colonel

PIO VAZQUEZDIAZ, 0000
JOHN ZIELINSKI, 0000

To be major

ANTONIO DELGADO, 0000
RODNEY C. JOHNS, 0000
SAMUEL T. OLATUNBOSUN, 0000
DREW D. SCHNYDER, 0000

THE FOLLOWING NAMED INDIVIDUALS FOR APPOINTMENT IN THE GRADES INDICATED IN THE REGULAR AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531(A):

To be lieutenant colonel

KAREN D. DOHERTY, 0000
BILLY PRUETT, 0000
ALAN E. SHACKELFORD, 0000

To be major

IKRAMULLAH AHMADANI, 0000
PHIL M. AKE, 0000
FRANCES A. CARNEY, 0000
AURA M. CISNEROS, 0000
MEGAN GORDON, 0000
JACK A. HEMELSTRAND, 0000
LARRY C. JACKSON, 0000
GLORIA KING, 0000
ROBERT P. LOUIS, 0000
GINGER L. MANOS, 0000
GEORGE MATEWERE, 0000
THOMAS A. MORRIS, 0000
CAROL A. NORIEGA, 0000
EMMANUEL C. TANGLAO, 0000
MAUREEN G. TOOMEY, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

CHRISTOPHER R. ABRAMSON, 0000
JAMES R. ACKERMAN III, 0000
ORLANDO A. ACOSTA, 0000
ANDREW J. ADAMS, 0000
DAVID E. ADAMS, 0000
DENNIS P. ADAMS, 0000
SHAWN J. ADKINS, 0000
LATHEEF N. AHMED, 0000
MARK J. AHRENS, 0000
RICKY L. AINSWORTH, 0000
SUSAN M. AIROLASKULLY, 0000
ANTHONY J. AJELLO, JR., 0000
PATRICK L. ALDERMAN, 0000
JOSE M. ALEMAN, 0000
JENNIFER C. ALEXANDER, 0000
LEWIS E. ALFORD III, 0000
RONALD GENE ALLEN, JR., 0000
THADDEUS P. ALLEN, 0000
WALTER C. ALLEN II, 0000
NATHAN A. ALLERHEILIGEN, 0000
JOHN B. ALLISON, 0000
JOSEPH R. ALTHOFF III, 0000
CLIFFORD G. ALTIZER, 0000
RAYMOND ALVES II, 0000
MARK C. ANARUMO, 0000
DAVID J. ANASON, 0000
LEIGHTON T. ANDERSON, JR., 0000
MICHAEL A. ANDERSON, 0000
MONTE D. ANDERSON, 0000
ROBERT E. ANDERSON, JR., 0000
STEVEN E. ANDERSON, 0000
JOSE Z. L. ANDIN, 0000
MICHAEL S. ANGLE, 0000
CHRISTOPHER T. ANTHONY, 0000
HAROLD A. ARB, 0000
DANIEL F. ARCH, 0000
JOHN E. ARD, 0000
JOHN H. ARMSTRONG, JR., 0000
JONATHAN D. ARNETT, 0000
CHARLES F. ARNOLD, JR., 0000
JOSEPH E. ARTHUR, 0000
REGINALD E. G. ASH III, 0000
SCOTT J. BABBITT, 0000
LESLIE P. BABICH, 0000
MARK E. BAER, 0000
FRED P. BAIER, 0000
CHARLES P. BAILEY, JR., 0000
JAMES B. BAILEY, JR., 0000
RICHARD J. BAILEY, JR., 0000
WILLIAM C. BAILEY, 0000
BRANDON E. BAKER, 0000
GILBERT W. BAKER, 0000
JESSICA BAKER, 0000
JOHN P. BAKER, 0000
JONATHAN P. BAKONYI, 0000
RUSSELL L. BALL, 0000
THOMAS C. BALLARD, 0000
DAVID BALLEW, 0000
ANTHONY E. BAMSEY, 0000
ALEXANDER J. BARELKA, 0000
MATTHEW A. BARKER, 0000
GEOFFREY C. BARNES, 0000
BRADLEY W. BARNHART, 0000
MARK A. BARONI, 0000
FRANKLIN D. BARROW, 0000
STEPHEN P. BARROWS, 0000
DEREK S. BARTHOLOMEW, 0000
ROBERT A. BASKETTE, 0000
SAMUEL D. BASS, 0000
LOREN E. BATTELS, JR., 0000
ROBERT G. BATTEMA, 0000
JOSEPH T. BATTLE, JR., 0000
KURT P. BAUER II, 0000
JONATHAN M. BAUGHMAN, 0000
STEPHEN J. BAUMGARTE, 0000
JOSEPH G. BEAHM, JR., 0000
DAVID L. BEAVER, 0000
MATTHEW R. BECKLEY, 0000
JOHN D. BEDINGFIELD, 0000
ROBERT L. BEHNKEN, 0000
DEAN C. BELLAMY, 0000
KELLY S. BELLAMY, 0000
ALFRED P. BELLO III, 0000
KYLE G. BELLUE, 0000
ROBERT J. BEMENT, 0000
MICHAEL R. BENHAM, 0000
JAMES S. BENOIT, 0000
LYNN BENTLEY III, 0000
RICHARD F. BENZ, 0000
DANIELLE E. BERNARD, 0000
JERRY W. BISHOP, JR., 0000
FREDERICK C. BIVETTO, 0000
EDWARD P. BLACK, 0000
SHAWN L. BLACK, 0000
DOUGLAS F. BLACKLEDGE, 0000
PETER D. BLAKE, 0000
CHRISTOPHER J. BLANEY, 0000
THOMAS R. BLAZEK, 0000
JENNIFER A. BLOCK, 0000
THEODORE B. BLOOMER, 0000
GREGORY D. BLOUNT, 0000
TRACY A. BOBO, 0000
RON W. BODINE, 0000
LELAND B. BOHANNON, 0000
PETER J. BOLLINGER, 0000
ROBERT P. BONGIOVI, 0000
NICOLE A. BONTRAGER, 0000
BRENT M. BOOKER, 0000
EUGENE A. BOOTH, JR., 0000
DONALD J. BORCHELT, 0000
JAMES B. BORDERS, 0000
BRETT J. BORGHETTI, 0000
JOHN H. BORN, 0000
OLEG BORUKHIN, 0000
WILLIAM K. BOSCH, 0000
JAMES D. BOTTOMLEE, 0000
SCOTT L. BOUSHELL, 0000
DONNA M. BOYCE, 0000
LORENZO C. BRADLEY, 0000
ERIC D. BRADSHAW, 0000
DANIEL E. BRANT, 0000
JAMES A. BRAUNSCHNEIDER, 0000
PAUL D. BRAWLEY, JR., 0000
STEVEN J. BREEZE, 0000
JASON M. BRENNEMAN, 0000
JOSEPH D. BREWER, 0000
JOHN A. BREWSTER, 0000
YUSEF D. BRIDGES, 0000
LARA C. BRINSON, 0000
RICHARD S. BRISCOE, 0000
KERRY D. BRITT, 0000
JEFFREY S. BRITTIG, 0000
KEVIN W. BROOKS, 0000
CHARLES E. BROWN, JR., 0000
ERIC D. BROWN, 0000
HAL D. BROWN, 0000
JASON M. BROWN, 0000
NICOLE R. BROWN, 0000
ROBERT G. BROWN, 0000
SCOTT M. BROWN, 0000
DAVID F. BROWNING, 0000
DENISE M. BRUCE, 0000
NEAL W. BRUEGGER, 0000
MICHAEL A. BRUZZINI, 0000
JOHN N. BRYAN, 0000
ALBERT D. BRYSON, 0000
BRIAN G. BUCK, 0000
JOHN S. BULLDIS, 0000
RICHARD K. BULLOCK, 0000
JEFFREY S. BURDETT, 0000
CHRISTOPHER W. BURELLI, 0000
JOSHUA C. BURGESS, 0000
MICHAEL D. BURK, 0000
TIMOTHY J. BURKE, 0000
JOSEPH K. BURNHAM, 0000
ALVIN F. BURSE, 0000
ANGELA J. BURTH, 0000
THOMAS F. BURTSCHI, 0000
FREDERICK E. BUSH III, 0000

RICHARD D. BUTLER, 0000
STEVEN M. BUZON, 0000
CHRISTINE M. BYERS, 0000
CHRISTOPHER L. BYROM, 0000
DENNIS O. BYTHEWOOD, 0000
STEVEN R. CABOSKY, 0000
WILLIAM M. CAHILL, 0000
PAUL D. CAIRNEY, 0000
PHILIP M. CALI, 0000
KENNETH D. CALLAHAN, 0000
MICHAEL G. CANCELLIER, 0000
JIMMY R. CANLAS, 0000
BRYAN H. CANNADY, 0000
MONTE R. CANNON, 0000
CHRISTOPHER E. CANTRELL, 0000
HOUSTON R. CANTWELL, 0000
ANTHONY B. CAPOBIANCO II, 0000
MICHAEL R. CARDOZA, 0000
SCOTT H. CARDOZO, 0000
JOEL L. CAREY, 0000
LANCE A. CARMACK, 0000
STEVEN C. CARMICAL, 0000
DENNIS F. CARON, 0000
BRIAN L. CARR, 0000
STEPHEN T. CARSON, 0000
ALAN M. CARVER, 0000
KENNETH R. CARYER, 0000
GREGORY T. CATARRA, 0000
EUGENE M. CAUGHEY, 0000
TOBIN W. CAVALLARI, 0000
JOSEPH R. CDEBACA, 0000
BRYAN K. CESSNA, 0000
TIMOTHY P. CHAMERNIK, 0000
ROBERT L. CHARLESWORTH, 0000
ROBERT M. CHAVEZ, 0000
SAMUEL J. CHESNUT IV, 0000
JASON J. E. CHILDS, 0000
VINCENT J. CHIOMA, 0000
DAVID B. CHISENHALL, JR., 0000
SEAN M. CHOQUETTE, 0000
DAVID P. CHRISMAN, 0000
KEVIN L. CHRIST, 0000
CHAD L. CHRISTOPHERSON, 0000
MATTHEW C. CICCARELLO, 0000
ROBERT O. CIOPPA, 0000
ANNE L. CLARK, 0000
MICHAEL J. CLARK, 0000
JONATHAN B. CLAUNCH, 0000
CHRISTINA M. CLAUSNITZER, 0000
HERBERT L. CLAYTON, 0000
JOHN D. CLAYTON, 0000
JASON E. CLEMENTS, 0000
PHILIP A. CLINTON, 0000
NILES M. COCANOUR, 0000
STEPHEN B. COCKS, 0000
JED S. COHEN, 0000
PETER J. COHEN, 0000
MICHAEL D. COLBURN, 0000
BARRY W. COLE, 0000
DARREN R. COLE, 0000
HERMAN A. COLE III, 0000
JAMES E. COLEBANK, 0000
ANTHONY E. COLEMAN, 0000
BRIAN D. COLLINS, 0000
HEATH A. COLLINS, 0000
TODD A. COLLINS, 0000
JASON R. COMBS, 0000
KEITH A. C. COMPTON, JR., 0000
VERNON W. CONAWAY IV, 0000
CHAD L. CONERLY, 0000
WILLIAM J. CONLEY, 0000
JOHN P. CONMY, 0000
SIDNEY S. CONNER, 0000
MICHAEL A. CONNOLLY, 0000
DEREK T. CONTRERAS, 0000
JOEL O. COOK, 0000
ROBERT J. COOK, 0000
WANDA D. COOK, 0000
BERT COOL, 0000
BRYAN S. COON, 0000
CHARLES J. COOPER, 0000
THOMAS M. COOPER, 0000
JAMES A. COPHER, 0000
THOMAS COPPERSMITH, 0000
GREGORY B. CORKERN, 0000
SIMON D. CORLEY, 0000
DYLAN R. CORNWELL, 0000
ALEXANDER COS, 0000
DONALD J. COTHERN, 0000
JON E. COUNSELL, 0000
TERRY G. COURTNEY, 0000
STEVEN M. COX, 0000
ROBERT D. COXWELL, 0000
ANGERNETTE E. COY, 0000
CHRISTOPHER P. COZZI, 0000
ADRIANE B. CRAIG, 0000
TODD A. CRAIGIE, 0000
BRENT R. CRIDER, 0000
BRADLEY M. CRITES, 0000
ALBERTO E. CRUZ, 0000
BERNARD A. CRUZ, 0000
ENRIQUE A. CRUZ, 0000
WILLIAM C. CULVER, 0000
MICHAEL W. CUMMINGS, 0000
CASE A. CUNNINGHAM, 0000
FRANKLIN E. CUNNINGHAM, JR., 0000
LAVERN E. CURRY, JR., 0000
RUSSELL V. CUSTER, 0000
ROGER C. CUTSHAW, 0000
ALEXANDER J. CZERNECKI III, 0000
PATRICK W. DABROWSKI, 0000
MICHAEL P. DAHLSTROM, 0000
WILLIAM A. DAROSA, 0000
ARTHUR D. DAVIS, 0000
DONALD J. DAVIS, 0000
ERIC S. DAVIS, 0000
LEVERTIS DAVIS, JR., 0000
PATRICK W. DAVIS, 0000
MICHAEL J. DEAN, 0000
BRIAN J. DELAMATER, 0000
CHARLES J. DELAPP II, 0000
JAMES W. DELOACH, 0000
JAMES M. DELONG, 0000
SCOTT A. DELORENZI, 0000
CHRISTOPHER DELOSSANTOS, 0000
ELIZABETH A. DEMMONS, 0000
THOMAS E. DEMPSEY III, 0000
JEFFREY G. DEMUTH, 0000
GARY D. DENNEY, 0000
CHAD P. DERANGER, 0000
ABNER DEVALLON, JR., 0000
STEVEN N. DICKERSON, 0000
BRIAN C. DICKINSON, 0000
MICHAEL A. DICKINSON, 0000
TOR F. DIETRICHS, 0000
STEVE A. DINZART, 0000
JAMES E. DITTUS, 0000
BRANDON K. DOAN, 0000
FRANCIS T. DOIRON, 0000
MICHAEL P. DOMBROWSKI, 0000
MICHAEL R. DOMBROWSKI, 0000
THOMAS R. DORL, 0000
JOHN L. DORRIAN, 0000
PETER W. DOTY, 0000
ANNA M. DOUGLAS, 0000
CHARLES W. DOUGLASS, 0000
ROBERT A. DOWNEY, 0000
JAMES F. DOWNS, 0000
JEFFREY T. DOYLE, 0000
NORMAN A. DOZIER, 0000
ERIK A. DRAKE, 0000
KERRY A. DRAKE, 0000
THOMAS G. DRAPE, 0000
PAUL T. DRIESSEN, 0000
PERCY E. DUNAGIN III, 0000
DAVID E. DUTCHER, 0000
DAVID W. DYE, 0000
CHRISTOPHER A. EAGAN, 0000
DARREN A. EASTON, 0000
LEIF E. ECKHOLM, 0000
GILBERT B. EDDY, 0000
BRIAN J. EDE, 0000
EDIE L. EDMONDSON, 0000
CAREY D. EFFERSON, 0000
EDWARD J. EFSIC III, 0000
LEO J. EISBACH, 0000
RICHARD D. ELMORE, 0000
JOHN J. ELSHAW, 0000
MICHAEL B. ELTZ, 0000
MARK R. ELY, 0000
TODD M. EMMONS, 0000
BYRL R. ENGEL, 0000
CHRISTOPHER B. ERICKSON, 0000
JOHN W. ERICKSON, 0000
JOHN B. ESCH, 0000
ERIC A. ESPINO, 0000
EDWARD E. ESTERON, 0000
BRIAN L. EVANS, 0000
DAVID F. EVANS, JR., 0000
MARCIA D. EVANS, 0000
DARREN E. EWING, 0000
STACY P. EXUM, 0000
JOHN M. FAIR, 0000
JEFFREY K. FALLESEN, 0000
THOMAS G. FALZARANO, 0000
BLAKE C. FARLEY, 0000
RICHARD S. FARNSWORTH II, 0000
BRIAN M. FARRAR, 0000
MATTHEW O. FEASTER, 0000
ERIK S. FEGENBUSH, 0000
MICHAEL A. FELICE, 0000
ROSS O. FELKER, 0000
RICHARD A. FICKEN, 0000
MATTHEW C. FINNEGAN, 0000
THOMAS J. FINNERAN, 0000
PAUL R. FIORENZA, 0000
JON R. FISHER, 0000
ARMANDO E. FITERRE, 0000
RICHARD R. FLAKE, 0000
ROBERT L. FLETCHER, 0000
FRANK A. FLORES, 0000
MICHAEL R. FLORIO, 0000
DANIEL E. FLYNN, 0000
TODD A. FOGLE, 0000
MATTHEW J. FOLEY, 0000
CHARLES L. FORD, JR., 0000
MARK A. FORMICA, 0000
KYLE C. FORRER, 0000
ERIC N. FORSYTH, 0000
JOHN C. FRANKLIN, 0000
RONALD K. FRANTZ, 0000
ANTHONY L. FRANZ, 0000
DANIEL W. FRANZEN, 0000
JOHN H. FRASER, 0000
BRADLEY D. FRAZIER, 0000
ANDREW B. FREEBORN, 0000
CHRISTOPHER A. FREEMAN, 0000
KARL L. FRERKING, 0000
CHARLES B. FROEMKE, JR., 0000
JASON S. FROMM, 0000
RICHARD M. FULTON, 0000
SCOTT A. GAAB, 0000
GARY A. GABRIEL, JR., 0000
JUAN C. GACHARNA, 0000
GREGORY J. GAGNON, 0000
ALEXANDER G. GAINES, 0000
JOHN J. GALIK, 0000
MICHELANGELO GALLUCCI, 0000
ROBERT A. GALLUP, 0000
DANIEL D. GARBER, 0000
MIGUEL E. GARCIA, 0000
WILLIAM C. GARRE III, 0000
JEFFREY B. GARTMAN, 0000
JOHN M. GARVER, 0000
BRYAN T. GATES, 0000
JEFFRY E. GATES, 0000
MICHAEL J. GAYER, JR., 0000
MICHAEL A. GEER, 0000
GLEN M. GENOVE, 0000
HOWARD A. GENTRY, 0000
DAVID P. GERHARDT, 0000
KEVIN A. GIBBONS, 0000
KEITH P. GIBSON, 0000
ROBIN L. GIBSON, 0000
TODD G. GIEFER, 0000
JAMES M. GIFFORD, JR., 0000
JOHN W. GILES, JR., 0000
ROBERT J. GILL, 0000
BRENT M. GILLESPIE, 0000
BRYAN M. GILLESPIE, 0000
CHRISTOPHER W. GILMORE, 0000
CARMELO J. GIOVENCO, JR., 0000
TIMOTHY F. GIRAS, 0000
JOHN C. GLASS, 0000
MICHAEL P. GLEASON, 0000
ANDREW T. GOBER, 0000
EDWARD R. GOETZ, 0000
JOSEPH M. GOLOVACH, JR., 0000
ALEJANDRO GOMEZ, JR., 0000
JAIME GOMEZ, JR., 0000
HECTOR L. GONZALEZ, 0000
LONGINOS GONZALEZ, JR., 0000
PEDRO I. GONZALEZ, 0000
ROBERT A. GONZALEZ, 0000
KRISTIN E. GOODWIN, 0000
KEVIN J. GORDON, 0000
GLEN L. GOSS, 0000
DANIEL F. GOTTRICH, 0000
GEORGE V. GOVAN, 0000
DONALD R. GRANNAN, 0000
JARED W. GRANSTROM, 0000
DARREN P. GRAY, 0000
JAMES E. GRAY, 0000
RODNEY GRAY, 0000
RONALD M. GRAY, 0000
TREVOR E. GRAY II, 0000
GREGORY S. GREEN, 0000
JUSTIN W. GREEN, 0000
MICHELE A. GREEN, 0000
JAMES C. GREENE, 0000
KEVIN D. GREENE, 0000
MICHAELA A. GREENE, 0000
PAUL D. GREENLEE, 0000
BRIAN S. GREENROAD, 0000
STEVEN C. GREGG, 0000
MANUEL G. GRIEGO, 0000
ETHAN C. GRIFFIN, 0000
BRIAN D. GRIFFITH, 0000
ROBERT L. GRIFFITH, 0000
MICHAEL W. GRISMER, JR., 0000
MICHAEL A. GROGAN, 0000
DONALD B. GROVE, 0000
MICHAEL C. GRUB, 0000
KYLE E. GRUNDEN, 0000
LUIS M. GRUNEIRO, 0000
MARK A. GUERRERO, 0000
THEODORE G. GUETIG, 0000
RYAN E. GUIBERSON, 0000
SCOTT D. GUNDLACH, 0000
ENRIQUE J. GWIN, 0000
WILLIAM J. HAAG, 0000
ARLIE V. HADDIX, 0000
MICHAEL D. HADDOCK, 0000
KEVIN R. HAFF, 0000
DIANA L. HAJEK, 0000
CHARLES T. HALEY III, 0000
JOSEPH E. HALL, 0000
WILLIAM D. HALL, 0000
ERIC K. HALVERSON, 0000
ANDREW K. HAMANN, 0000
STEPHEN F. HAMLIN, 0000
FRANCISCO G. HAMM, 0000
STEWART A. HAMMONS, 0000
DEBORAH G. HAMRICK, 0000
TERRY J. HAMRICK, JR., 0000
TODD L. HANNING, 0000
CRAIG A. HANSEN, 0000
DAVID S. HANSON, 0000
WILLIAM B. HARE III, 0000
SHAWN L. HARING, 0000
FREDERICK G. HARMON, 0000
STEPHEN J. HARMON, 0000
STEPHEN R. HARMON, 0000
MATTHEW W. HARPER, 0000
MICHAEL S. HARPER, 0000
SEAN A. HARRINGTON, 0000
BRENDAN M. HARRIS, 0000
CHARLES W. HARRIS III, 0000
SUSANNA L. HARRIS, 0000
THOMAS M. HARRIS, 0000
ALAN T. HART, 0000
CARL R. HARTSFIELD, 0000
STEVEN C. M. HASSTEDT, 0000
JANET J. HAUG, 0000
JEAN E. HAVENS, 0000
JAMES A. HAWKINS, JR., 0000
RUSSELL A. HAYES, 0000
CHRISTOPHER J. HAYS, 0000
ARTHUR J. HEAPHY III, 0000
DAVID HEDGER, 0000
TIMREK C. HEISLER, 0000
DARWIN L. HEMEYER, 0000
CHARLES R. HENDERSON, 0000
LANDON L. HENDERSON, 0000
PAUL E. HENDERSON, 0000
JEFFEREY T. HENNES, 0000
JOHN S. HENRY, 0000
DONALD M. HENSLEY, JR., 0000
ERICH D. HERNANDEZBAQUERO, 0000
ROBERT E. HERNDON, JR., 0000
MARK A. HERSANT, 0000

MARCUS W. HERVEY, 0000
SHAUN R. HICK, 0000
JAMES P. HICKMAN, 0000
LAWRENCE C. HICKS, 0000
TAMARA L. HIGGINS, 0000
STEVEN M. HILL, 0000
DWIGHT H. HINTZ, JR., 0000
DEAN T. HITCHCOCK, 0000
HAROLD T. HOANG, 0000
GEORGE K. HOBSON, 0000
STEPHEN G. HOFFMAN, 0000
MICHAEL L. A. HOLLAND, 0000
MICHELLE A. HOLLAND, 0000
MATTHEW H. HOLM, 0000
RONALD P. HOLST, JR., 0000
MICHAEL K. HONMA, 0000
SEAN M. HOYER, 0000
KEVIN R. HUBBARD, 0000
JEFFREY F. HUBER, 0000
THOMAS C. HUDNALL, 0000
ANDREW D. HUGG, 0000
RANDALL S. HUISS, 0000
JIMMY C. HUMPHREY, 0000
JEFFREY W. HUMPHRIES, 0000
ROMAN L. HUND, 0000
JAMES R. HUNTER, 0000
DERON L. HURST, 0000
BARRY A. HUTCHISON, 0000
GARY G. HUTFLES, 0000
JOHN P. HUTTON, 0000
KARL D. INGEMAN, 0000
COLLIN T. IRETON, 0000
GEORGE W. IRVING IV, 0000
LYNN M. IRWIN, 0000
SIMON A. IZAGUIRRE, JR., 0000
GARY L. JACKSON, 0000
JOHN W. JACKSON, 0000
RICHARD S. JACOBS, 0000
MICHAEL S. JANSEN, 0000
MICHAEL JASON, 0000
GARY D. JENKINS II, 0000
PETER J. JENNESS, 0000
JONATHAN A. JENSEN, 0000
LARS D. JENSEN, 0000
WALTER A. JIMENEZ, 0000
MICHAEL W. JIRU, JR., 0000
MICHAEL W. JOHANEK, 0000
CLARENCE A. JOHNSON, JR., 0000
CRAIG P. JOHNSON, 0000
DELBERT L. JOHNSON, 0000
DIRK J. JOHNSON, 0000
GEORGE C. JOHNSON, 0000
JESSE L. JOHNSON, JR., 0000
LAURA M. JOHNSON, 0000
PAUL M. JOHNSON, 0000
JAY P. JONES, JR., 0000
JOEL A. JONES, 0000
RAY A. JONES, 0000
SCOTT H. JONES, 0000
TERRI A. JONES, 0000
WILLIAM R. JONES, 0000
STEPHEN F. JOST, 0000
ELLIOTT G. JOURDAN, 0000
ROSE M. JOURDAN, 0000
CHRISTOPHER L. JUAREZ, 0000
DEAN R. JUDGE, 0000
DARRELL F. JUDY, 0000
TIMOTHY P. JUNG, 0000
JAY L. JUNKINS, 0000
DAVID M. JURK, 0000
DAVID A. KACMARYNSKI, 0000
JEFFREY P. KACZMARCZYK, 0000
ROBERT S. KAFKA, 0000
MICHAEL A. KANEMOTO, 0000
PAUL A. KANNING, 0000
MACE R. KANT, 0000
PATRICK J. KARG, 0000
CHRISTINE A. KARPEL, 0000
PHILIP J. KASE, 0000
AMANDA G. KATO, 0000
MICHELLE L. KAUFMANN, 0000
TONNEY T. KAWUH, 0000
BRYAN A. KEELING, 0000
REGAN T. KEENER, 0000
CHRISTOPHER J. KEETON, 0000
WERNER W. KEIDEL II, 0000
MATTHEW D. KEIHL, 0000
DAVID D. KELLEY, 0000
TODD C. KELLY, 0000
CHRISTOPHER N. KENNEDY, 0000
DEBORAH L. KENT, 0000
GREG A. KENT, 0000
KARL A. KENT, 0000
JOE D. KERR, 0000
KELLY C. KIMSEY, 0000
DAVID N. KINCAID, JR., 0000
MICHAEL O. KINSLOW, 0000
KELLY M. KIRBY, 0000
LEA T. KIRKWOOD, 0000
MICHAEL R. KITCHING, 0000
DONALD A. KLECKNER, 0000
JEFFREY S. KLEIN, 0000
JOHN M. KLEIN, JR., 0000
DOUGLAS W. KLINE, 0000
PATRICK L. KLINGLER, 0000
SCOTT A. KNIEP, 0000
THOMAS E. KOCHENDOERFER, 0000
ROBERT W. KOLB, 0000
THOMAS A. KONICKI, 0000
KURT D. KONOPATZKE, 0000
KEN W. KOPP, 0000
JAMES K. KOSSLER, 0000
VAN A. KRAILO, 0000
DANIEL J. KRALL, 0000
MARK T. KRAMIS, 0000
STEPHEN M. KRAVITSKY, 0000
DERIC V. KRAXBERGER, 0000
DAVID T. KREMPASKY, 0000
DAVID D. KRETZ, 0000
JASON R. KRINSKY, 0000
MOHAN S. KRISHNA, 0000
ERIC A. KRYSTKOWIAK, 0000
TANYA R. KUBINEC, 0000
DOUGLAS O. KUGLER, 0000
CHARLES D. KUHL, 0000
JERRY J. KUNG, 0000
JOSEPH D. KUNKEL, 0000
THOMAS E. KUNKEL, 0000
JOSEPH W. KURTZ, 0000
JOSHUA M. KUTRIEB, 0000
DWAYNE A. LAHAYE, 0000
MICHAEL F. LAMB, 0000
DAWN C. LANCASTER, 0000
PAUL J. LANDER, 0000
JOHN F. LANDOLT III, 0000
JARA N. LANG, 0000
DONALD L. LANGLEY II, 0000
ALLEN L. LARKINS, 0000
DANIEL T. LASICA, 0000
ROBERT N. LAWRENCE, 0000
ERICK J. LAWSON, 0000
MICHAEL D. LAY, 0000
DOUGLAS J. LEE, 0000
JEFFREY A. LEE, 0000
JEFFREY P. LEEDER, 0000
JAMES S. LEFFEL, 0000
JEFFREY A. LEISCHNER, 0000
CHAD E. LEMAIRE, 0000
AARON H. K. LEONG, 0000
SEAN P. LEROY, 0000
JONATHAN M. LETSINGER, 0000
CHRISTOPHER P. LEVY, 0000
TARA A. LEWELING, 0000
ANDREW J. LEWIN, 0000
GREGORY J. LEWIS, 0000
ROBERT H. LILKE, 0000
PHILIP D. LIMBACHER, 0000
THOMAS L. LIMBAUGH, 0000
DAVID C. LINDSAY, 0000
DOUGLAS R. LINDSAY, 0000
RICHARD J. LINEHAN III, 0000
MICHAEL J. LINGOR, 0000
GARY L. LIVINGSTON, 0000
CHRISTINE A. LOCKE, 0000
DARRELL LOCKHART, 0000
KEITH M. LOGEMAN, 0000
CHARLES E. LOMINAC II, 0000
SEAN F. LONDRIGAN, 0000
JILL A. LONG, 0000
PERRY M. LONG III, 0000
TODD E. LONG, 0000
THOMAS M. LOPRESTI, 0000
JAMES A. LOUTHAIN, 0000
STEPHEN A. LOVE, 0000
WALTER F. LOVINGS, 0000
JAMES C. LOWE, 0000
THOMAS J. LUCKRITZ, 0000
MATTHEW J. LUPONE, 0000
LOUISE J. LYLE, 0000
MARC A. LYNCH, 0000
JOHN W. LYONS, 0000
JOSEPH E. MACCAFFREY, 0000
JESSICA A. MACDONALD, 0000
ROBERT S. MACKENZIE, 0000
WILLIAM J. MACLEAN, 0000
MARK W. MADAUS, 0000
THOMAS M. MADDOCK, 0000
STEPHEN W. MAGNAN, 0000
MATTHEW T. MAGNESS, 0000
DOUGLAS L. MAGOFFIN, 0000
ANTHONY MAISONET, 0000
JOHN A. MAJEWSKI, JR., 0000
PAUL G. MALACHOWSKI, 0000
JASON MANTARO, 0000
RYAN D. MANTZ, 0000
MARIA C. MARION, 0000
PAUL K. MARKS, 0000
DAVID W. MARSH, 0000
CLAYTON R. MARSHALL, 0000
DANIEL N. MARTICELLO, JR., 0000
JOHN D. MARTIN, 0000
STEVEN L. MARTINEZ, 0000
DAVID J. MARTINSON, 0000
SCOTT P. MASKERY, 0000
ROBIN L. MASON, 0000
ANTHONY J. MASTALIR, 0000
RICHARD S. MATHEWS, 0000
SCOTT B. MATTHEWS, 0000
JOHN W. MATUS, 0000
ROBERT W. MAXWELL, 0000
RONALD L. MCAFEE, 0000
ROBERT A. MCBRIDE, 0000
EDWIN D. MCCAIN, 0000
SEAN M. MCCARTHY, 0000
DAVID L. MCCLANAHAN, 0000
RICHARD W. MCCLEARY, 0000
ANDREW S. MCCOY, 0000
PATRICK S. MCCULLOUGH, 0000
THOMAS M. MCCURLEY, 0000
GAYLORD E. MCFALLS, 0000
TIMOTHY D. MCGAVERN, 0000
WILLIAM A. MCGUFFEY, 0000
SEAN S. MCKENNA, 0000
RICHARD J. MCMULLAN, 0000
JOHN K. MCNULTY, 0000
THOMAS C. M. MCNURLIN, 0000
MIGUEL A. MEDRANO, 0000
ROBERT T. MEEKS III, 0000
THOMAS B. MEEKS, 0000
JAMES S. MEHTA, 0000
KELLY K. MENOZZI, 0000
JAMES S. MERCHANT, 0000
BRADY V. MERRILL, 0000
JACK W. MESSER, 0000
KIRSTEN R. MESSER, 0000
RICHARD J. MESSINA, 0000
DAVID O. METEYER, 0000
MICHAEL J. MEYER, 0000
JOSEPH K. MICHALEK, 0000
JONPAUL MICKLE, 0000
ZEBBY MILES, 0000
CAROLINE M. MILLER, 0000
HANS H. MILLER, 0000
KATHERINE K. MILLER, 0000
MATTHEW P. MILLER, 0000
MICHAEL A. MILLER, 0000
MICHAEL T. MILLER, 0000
RONALD M. MILLER, JR., 0000
TODD A. MILLER, 0000
WESLEY P. MILLER IV, 0000
WILLIAM P. MILLER, JR., 0000
DAVID A. MINEAU, 0000
STEVEN J. MINKIN, 0000
MICHAEL R. MITCHELL, 0000
ERIC N. MOLTZAU, 0000
VICTOR W. MONCRIEFFE II, 0000
JACQUELINE M. MONGEON, 0000
SEAN P. MONOGUE, 0000
DOUGLAS C. MONROE, 0000
SCOTT D. MOON, 0000
ERIC Y. MOORE, 0000
FREDERICK D. MOORE, 0000
SCOTT P. MOORE, 0000
STEVEN W. MOORE, 0000
JOHN E. MORAN, 0000
ERIC J. MORITZ, 0000
WILLIAM B. MOSLE, 0000
KENNETH E. MOSS, 0000
MICHAEL D. MOTE, 0000
HENRY L. MOTON, 0000
RICK G. MOXLEY, 0000
STEPHEN R. MOYES, 0000
JAMES F. MUELLER, 0000
WADE A. MUELLER, 0000
PAUL H. MULLIS, 0000
JOHN F. MURATORE, 0000
TODD A. MURPHEY, 0000
SEAN M. MURPHY, 0000
DANIEL P. MURRAY, 0000
PAUL J. MURRAY, 0000
JOSEPH W. MURRIETTA, 0000
LEILANI L. MUTH, 0000
AMANDA S. MYERS, 0000
PETER P. MYKYTYN III, 0000
STEPHEN J. NAFTANEL, 0000
JOHN P. NAGLE, 0000
GEORGE R. NAGY, 0000
ARNOLD W. NASH III, 0000
ANTHONY J. NATALE, 0000
ROBERT J. NEAL, JR., 0000
JEFFREY P. NEELY, 0000
JODI A. NEFF, 0000
CHRISTOPHER J. NELSON, 0000
JOHN P. NELSON, 0000
RANDALL J. NELSON, 0000
KARA K. J. NEUSE, 0000
JOHN P. NEWBERRY, 0000
HARVEY F. NEWTON, 0000
HIEN T. NGUYEN, 0000
BRADLEY W. NICHOLS, 0000
DAVID M. NICHOLSON, 0000
THOMAS W. NICHOLSON, 0000
CHRISTOPHER J. NIEMI, 0000
ALLAN A. NILLES, 0000
ALAN R. NOLAN, 0000
ROBERT T. NOONAN, 0000
KENNETH D. NORGARD, 0000
WILLIAM J. NORTON, 0000
PAUL C. NOSEK, 0000
KENNETH J. NOTARI, 0000
JEREMY J. NOVAK, 0000
SCOTT R. NOWLIN, 0000
SHAN B. NUCKOLS, 0000
NEIL P. OAKDEN, 0000
EDWARD M. OCHOA, 0000
RUSSELL G. OCHS, 0000
JAMES R. OCONNOR, 0000
JOHN P. OCONNOR, 0000
MICHAEL A. OCONNOR, 0000
BRIAN D. OELRICH, 0000
KENNETH W. OHLSON, 0000
PETER P. OHOTNICKY, 0000
RALPH T. OKUBO, JR., 0000
JON M. OLEKSZYK, 0000
DEREK M. OLIVER, 0000
PHILLIP S. OPELA, 0000
RONNI M. OREZZOLI, 0000
DEAN P. ORFIELD, 0000
CHARLES D. ORMSBY, 0000
JAMES D. OSTERHOUT, 0000
MITCHEL T. OSTROW, 0000
BRIAN A. PAETH, 0000
AMMON H. PALMER, 0000
DONALD D. PALMER, 0000
JEFFERY M. PARKS, 0000
TAMARA L. PARSONS, 0000
JOHN D. PASSMORE, 0000
CHAD A. PATTON, 0000
TRACY G. PATTON, 0000
LUDWIG K. PAULSEN, 0000
DAVID L. PAVIK, 0000
JEFFREY P. PEARSON, 0000
MARK E. PEARSON, 0000
TROY D. PEARSON, 0000
DAVID L. PEELER, JR., 0000
KENNETH V. PEIFER, 0000
LYNN P. PEITZ, 0000
DANA C. PELLETIER, 0000
TOMAS A. PENA, 0000
DANIEL K. PENCE, 0000
DOUGLAS W. PENTECOST, 0000

KEITH A. PERKINS, 0000
LEON J. PERKOWSKI, 0000
KRISTOPHER E. PERRY, 0000
MARSHALL C. PERRY, 0000
BRIAN C. PETERS, 0000
KENDALL D. PETERS, 0000
CHRISTOPHER R. PETERSEN, 0000
SCOTT T. PETERSEN, 0000
TY W. PETERSON, 0000
JAMES D. PETRICK, 0000
MICHAEL S. PETROCCO, 0000
MICHAEL R. PETTIT, 0000
EVAN L. PETTUS, 0000
GEORGE E. PETTY, 0000
THOMAS E. PHILIPP, 0000
RICHARD J. PIAZZA, 0000
JAMES W. PIEL, 0000
STEPHEN M. PIEPER, 0000
SAMMY T. PIERCE, 0000
RONALD L. PIERI, 0000
DAVID A. PIFFARERIO, 0000
DONNA M. G. PIKE, 0000
LEONARD C. PILHOFER, 0000
JOSE A. PINEDO, 0000
CHAD E. A. PITOG, 0000
ROBERT N. PITTMAN, 0000
GARY T. PLASTER, 0000
RAYMOND M. PLATT, 0000
WILLIAM C. PLEASANTS, 0000
WILLIAM H. POE, 0000
STEPHEN A. POLOMSKY, 0000
JAMES S. POMPANO, 0000
BRIAN H. PORTER, 0000
GLORIA L. PORTER, 0000
TERI L. POULTONCONSOLDANE, 0000
DAVID M. POWELL, 0000
MATTHEW J. POWELL, 0000
ROBERT R. POWELL, 0000
DANIEL T. POWERS, 0000
MELANIE Y. PREISSER, 0000
CHRISTOPHER T. PREJEAN, 0000
SKIP C. J. PRIBYL, 0000
MICHAEL J. PRICE, 0000
ARTHUR W. PRIMAS, JR., 0000
DENNIS L. PRIMOLI II, 0000
MATTHEW S. PRUITT, 0000
SHAWN C. PURVIS, 0000
RICHARD D. QUARBERG, 0000
ROBERT J. QUIGG IV, 0000
MICHAEL R. QUINTINI, JR., 0000
ALESIA A. QUITON, 0000
CHAD D. RADUEGE, 0000
KEVIN L. RAINEY, 0000
CHRISTIAN E. RANDELL, 0000
CLINT L. RASIC, 0000
DAVID W. RAWLINS, 0000
MICHAEL T. RAWLS, 0000
BRIAN J. RAY, 0000
THOMAS P. REARDON, 0000
KEITH W. REEVES, 0000
BRAXTON D. REHM, 0000
RHONDA K. REICHEL, 0000
CHRISTOPHER S. REIFEL, 0000
MICHAEL C. REINERS, 0000
SCOTT W. REINHARD, 0000
STEPHEN L. RENNER, 0000
MICHAEL A. RESCHKE, 0000
OMAR REYESLATTOUF, 0000
JONATHAN C. RICE IV, 0000
JUSTIN M. RICE, 0000
JOSEPH P. RICHARDS, 0000
CHRIS A. RICHARDSON, 0000
THOMAS E. RICHARDSON, 0000
ROBERT A. RICKER, 0000
GEORGE J. RIEDEL, 0000
ROBERT T. RIEDELL, 0000
DARREN S. ROACH, 0000
ROBERT L. ROANE, 0000
BILLY G. ROBERSON, JR., 0000
CHRISTIAN D. ROBERT, 0000
ALLEN R. ROBERTS, 0000
GARREN B. ROBERTS, 0000
GLEN A. ROBERTS, 0000
GLEN F. ROBERTS, 0000
AMY R. ROBINSON, 0000
DWAYNE M. ROBISON, 0000
MICHELLE R. ROCCO, 0000
SCOTTLAND L. RODDY, 0000
SHELLEY A. RODRIGUEZ, 0000
CHRISTOPHER J. ROGERS, 0000
CHRISTOPHER T. ROGERS, 0000
RICHARD D. ROGERS, 0000
RYAN C. ROGERS, 0000
CHRISTOPHER S. ROGOWSKI, JR., 0000
MICHAEL K. ROKAW, 0000
RICHARD B. ROLLER, 0000
SCOTT A. ROMBERGER, 0000
ROBERT T. ROMER, 0000
MARGARET M. ROMERO, 0000
LARRY D. ROOF, 0000
RICHARD M. ROSA, 0000
DOUGLAS W. ROTH, 0000
KRISTINA L. ROTH, 0000
TARA K. ROUTSIS, 0000
ROBERT J. ROWELL, 0000
WILLIAM J. ROWELL, 0000
LEERNEST M. B. RUFFIN, 0000
JAMES R. RUFFING, 0000
FRANK G. RUGGERI, 0000
BRYAN T. RUNKLE, 0000
CHAD W. RUSSELL, 0000
STEPHEN M. RUSSELL, 0000
MARK A. RUSSO, 0000
SUNCHLAR M. RUST, 0000
ALLEN C. RUTH, 0000
ANDREW J. RYAN, 0000
PATRICK S. RYDER, 0000
JOHN D. RYE, 0000
MATTHEW B. RYTTING, 0000
MANUEL F. SAENZ, 0000
CHRISTOPHER S. SAGE, 0000
FRANK D. SAMUELSON, 0000
TROY L. SANDERS, 0000
BRIAN S. SANDLIN, 0000
DORAL E. SANDLIN, 0000
TIMOTHY A. SANDS, 0000
MATTHEW D. SANFORD, 0000
MICHAEL G. SANJUME, 0000
JOE H. SANTOS, 0000
JOSEPH C. SANTUCCI, 0000
REX E. SAUKKONEN, 0000
TODD A. SAULS, 0000
MICHAEL E. SAYLOR, 0000
DAVID R. SCANLON, 0000
JERRY B. SCARBOROUGH, 0000
JEFFREY S. SCARBROUGH, 0000
DAVID C. SCHARF, 0000
JAY F. SCHATZ, 0000
JEFFREY A. SCHAVLAND, 0000
ANTHONY W. SCHENK, 0000
SCOTT J. SCHENO, 0000
KEVIN E. SCHILLER, 0000
HERMAN D. SCHIRG, 0000
STEVEN P. SCHLONSKI, 0000
BRIAN K. SCHOOLEY, 0000
FRANK D. SCHORZMAN, 0000
BRYAN J. SCHRASS, 0000
SCOTT M. SCHROFF, 0000
ADRIAN C. SCHUETTKE, 0000
THERESE A. SCHULER, 0000
TIMOTHY M. SCHULTEIS, 0000
SARAH J. SCHULTZ, 0000
DEREK M. SCOTT, 0000
PAUL J. SCOTT, 0000
DAVID A. SEARLE, 0000
PATRICIA K. SEINWILL, 0000
DAVID J. SELNICK, 0000
TRISHA M. SEXTON, 0000
THOMAS B. SHANK, 0000
CHRISTOPHER M. SHEARER, 0000
ROBERT K. SHEEHAN, 0000
MARC A. SHEIE, 0000
JAMES R. SHELL II, 0000
SCOTT A. SHEPARD, 0000
RYAN C. SHERWOOD, 0000
JOHN W. SHIRLEY, 0000
JOHN F. SHIRTZ, 0000
LISA C. SHOEMAKER, 0000
KENNETH A. SHUGART, JR., 0000
DAVID K. SIEVE, 0000
GUILLERMO E. SILVA, 0000
CHARLES T. SIMMONS, 0000
ERIK L. SIMONSEN, 0000
ANTHONY G. SIMPSON, 0000
RAY L. SIMPSON, 0000
DAVID S. SINGER, 0000
RODNEY SINGLETON, 0000
TERRY C. SISSON, 0000
BEVERLY S. SLOAN, 0000
CHRISTOPHER M. SMITH, 0000
DAVID C. SMITH, 0000
KENNETH A. SMITH, 0000
KEVIN D. SMITH, 0000
MARK D. SMITH, 0000
MATTHEW D. SMITH, 0000
MICHAEL R. SMITH, 0000
RANDALL E. SMITH, 0000
RICHARD L. SMITH, 0000
STEPHEN F. SMITH, JR., 0000
WILLIAM G. SMITH, 0000
DAVID B. SMUCK, 0000
ROBERT D. SNODGRASS, 0000
LISA M. SNOW, 0000
MATTHEW O. SNYDER, 0000
JULIE M. SOLBERG, 0000
FREDRICK L. SONNEFELD, 0000
STEPHEN T. SORENSEN, 0000
SEAN K. SORENSON, 0000
JEFFREY A. SORRELL, 0000
GREGORY J. SOUKUP, 0000
JENNIFER P. SOVADA, 0000
ADRIAN L. SPAIN, 0000
JEFFERY B. SPANN, 0000
ALAN N. SPARKS, 0000
KENNETH S. SPEIDEL, 0000
KIMBERLY C. ST JOHN KEYS, 0000
AARON W. STEFFENS, 0000
RONALD D. STENGER, 0000
MARK A. STEPHENS, 0000
MICHAEL J. STETINA, 0000
TODD A. STEVENS, 0000
LISA Y. STEVENSON, 0000
EARL W. STOLZ II, 0000
TIMOTHY M. STONG, 0000
STEVEN J. STORCH, 0000
WILLIAM M. STOWE III, 0000
MARK E. STRATTON, 0000
SUZANNE M. STREETER, 0000
CHRISTOPHER R. STRICKLIN, 0000
BRIAN R. STUART, 0000
GENA R. STUCHBERY, 0000
STEVE S. SUGIYAMA, 0000
CHERRYL B. SULLIVAN, 0000
CHRISTOPHER P. SULLIVAN, 0000
SHANE T. SULLIVAN, 0000
TIMOTHY J. SUNDVALL, 0000
DAVID K. SUTTON, 0000
JASON K. SUTTON, 0000
RICHARD C. SUTTON, 0000
THOMAS T. SWAIM, 0000
DAVID J. SWANKE, 0000
DOUGLAS H. SWIFT, 0000
RANDALL A. TABOR, 0000
DAVID A. TAYLOR, 0000
JAMES M. TAYLOR, 0000
JOHN D. TAYLOR, 0000
ROBERT M. TAYLOR II, 0000
MARK A. TEDROW, 0000
ERNEST J. TEICHERT III, 0000
RAYMUND M. TEMBREULL, 0000
MICHAEL P. TERNUS, 0000
RONALD J. TEWKSBURY II, 0000
CRAIG G. THEISEN, 0000
ALLAN P. THILMANY, 0000
ANTHONY L. THOMAS, 0000
JOHN J. THOMAS, 0000
SPENCER S. THOMAS, 0000
PHILLIP J. THOMPSON, 0000
DANIEL M. THORN, 0000
DENNIS R. THORNE, 0000
BRIAN C. TICHENOR, 0000
MICHAEL E. TIEDE, 0000
KENT J. TIFFANY, 0000
DARREN W. TILLMAN, 0000
JASON A. TIMM, 0000
ROBERT M. TOBLER, 0000
JOHN T. TODD, 0000
PAUL A. TOMBARGE, 0000
JEFFREY L. TOMLINSON, 0000
STEPHON J. TONKO, 0000
THOMAS D. TORKELSON, 0000
BRIAN E. TOTH, 0000
KELVIN J. TOWNSEND, 0000
EDWARD D. V. TREANOR, 0000
JOSEPH M. TRECHTER, 0000
ROBERT B. TREPTON, 0000
ROBERT W. TRIPLETT, 0000
GEORGE E. TROMBA, 0000
ROBERT B. TRSEK, 0000
DAVID C. TRUCKSA, 0000
PETER A. TSCHOHL, 0000
DONNA L. TURNER, 0000
ERIC S. TURNER, 0000
JEFFERSON E. TURNER, 0000
JOHN N. TURNIPSEED, 0000
JAMES R. TWIFORD, 0000
MICHAEL D. TYYNISMAA, 0000
AARON L. ULLMAN, 0000
SHAWN C. UNDERWOOD, 0000
DAVID A. VALENTINE, 0000
ANTHONY E. VALERIO, 0000
JAMES P. VALLEY, 0000
JEFFREY VANSANFORD, 0000
CARLOS A. VECINO, 0000
ROBERT A. VICKERS, 0000
MARK W. VISCONI, 0000
JEFFREY A. VISH, 0000
RUSSELL S. VOCE, 0000
JOHN C. VOORHEES, 0000
ROGER R. VROOMAN, 0000
WILLIAM E. WADE, JR., 0000
MICHAEL V. WAGGLE, 0000
SAMUEL D. WAGNER, 0000
RALPH J. WAITE IV, 0000
TODD S. WALDVOGEL, 0000
ALEXANDER W. WALFORD, 0000
BRIAN P. WALKER, 0000
CHARLES J. WALLACE II, 0000
MARK M. WALLACE, 0000
MATTHEW V. WALLACE, 0000
HOWARD T. WALLER, 0000
KARL C. WALLI, 0000
JOERG D. WALTER, 0000
ROBERT W. WANNER, 0000
DAVID J. WAPELHORST, 0000
BRADLEY J. WARD, 0000
SCOTT C. WARD, 0000
SCOTT L. WARD, 0000
JEFFREY S. WARDELL, 0000
JEFFREY E. WARMKA, 0000
AARON C. WATSON, 0000
ERIK D. WEAVER, 0000
GAIL M. WEAVER, 0000
TERI J. WEAVER, 0000
MICHAEL D. WEBB, 0000
BRYAN A. WEEKS, 0000
CHRISTOPHER M. WEGNER, 0000
THEODORE G. WEIBEL, 0000
TROY B. WEINGART, 0000
GEOFFREY F. WEISS, 0000
MICHAEL T. WEISS, 0000
MICHAEL R. WELBORN, 0000
KEITH A. WELCH, 0000
BRADLEY R. WENSEL, 0000
DAVID S. WERLING, 0000
EDWARD J. WERNER, 0000
KEVIN G. WESTBURG, 0000
DANIEL J. WHANNELL, 0000
MICHAEL D. WHEELER, 0000
TERENCE D. WHEELER, 0000
VICTOR B. WHEELER, 0000
WESLEY L. WHITAKER, 0000
GARY L. WHITE, 0000
SAMUEL G. WHITE III, 0000
SHELDON G. WHITE, 0000
STEVEN D. WHITE, 0000
TED N. WHITE, 0000
TODD A. WHITE, 0000
JAMES T. WICKTOM, 0000
SCOTT D. WIERZBANOWSKI, 0000
MARA C. WIGHT, 0000
LANCE R. WIKOFF, 0000
DAVID P. WILDER, 0000
VICTOR D. WILEY, 0000
RICHARD WILGOS, 0000
SHANE C. WILKERSON, 0000
BRETT D. WILKINSON, 0000
JON C. WILKINSON, 0000
CHRISTOPHER S. WILKOWSKI, 0000
CHARLES L. WILLIAMS, 0000
KENT A. WILLIAMS, 0000

PAUL N. WILLIAMS, 0000
DANIEL L. WILSON, 0000
JACQUELINE R. WILSON, 0000
JOEL B. WILSON, 0000
KEVIN A. WILSON, 0000
SHAWN A. WILSON, 0000
STANLEY G. WILSON III, 0000
WILLIAM V. WINANS, 0000
RANDOLPH L. WINGE, 0000
LYNN H. WINWARD, 0000
MARK D. WITZEL, 0000
JASON D. WOLF, 0000
PATRICK F. WOLFE, 0000
TIMOTHY A. WOLIVER, 0000
ANN WONGJIRU, 0000
CAROLYN L. WOOD, 0000
MARK A. WOODARD, 0000
BOBBY C. WOODS, JR., 0000
JAMES J. WOODS, JR., 0000
DALE W. WRIGHT, 0000
TINA M. WYANT, 0000
HERBERT D. WYMS, 0000
DIANA J. WYRTKI, 0000
SCOTT D. YANCY, 0000
CULLA L. YARBOROUGH, 0000
WALTER K. YAZZIE, 0000
MATTHEW H. YETISHEFSKY, 0000
YOUNGKUN S. YU, 0000
KENNETH J. YUNEVICH, 0000
TIMOTHY A. ZACHARIAS, 0000
DENNIS K. ZAHN, 0000
SCOTTIE L. ZAMZOW, 0000
JAMES C. ZEGEL, 0000
MATTHEW S. ZICKAFOOSE, 0000
DUSTIN P. ZIEGLER, 0000
MATTHEW E. ZUBER, 0000
PAUL M. ZULUAGA, 0000
ANNAMARIE ZURLINDEN, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be major

JENNIFER S. AARON, 0000
LANCE A. AIUMOPAS, 0000
WILLIAM J. ANNEXSTAD, 0000
OMAR S. ASHMAWY, 0000
ANTHONY W. BELL, 0000
RON M. BLAZE, 0000
DANIEL J. BREEN, 0000
ALLAN S. BROCK, 0000
ADRIAN L. BROWN, 0000
ANTHONY C. CAMILLI, 0000
KRISTIN M. CASTIGLIA, 0000
DAVID H. CAZIER, 0000
BRADLEY A. CLEVELAND, 0000
KHARMA S. CLIFFORDALLMON, 0000
SHAWN M. CLINE, 0000
THOMAS F. COLLICK, 0000
PAUL A. DAWSON, 0000
VERONIQUE N. DEROUSELLE, 0000
MICHAEL P. DILLINGER, 0000
JOSHUA P. FALK, 0000
CHRISTOPHER L. FERRETTI, 0000
EVELYN R. FRASURE, 0000
JOHN S. FREDLAND, 0000
LORI M. GILL, 0000
MELINDA L. GREENE, 0000
TOBIN C. GRIFFETH, 0000
ANTHONY S. GUNN, 0000
MICHAEL A. HATTON, 0000
CRYSTAL D. HAYNES, 0000
FRANCIS D. HOLLIFIELD III, 0000
CANDACE L. HUNSTIGER, 0000
KEVIN C. INGRAM, 0000
ROBERT W. JARMAN, 0000
CHAD M. JESPERSEN, 0000
JENNY L. JOHNSON, 0000
AMY M. JORDAN, 0000
ANDREW KALAVANOS, 0000
AARON G. LAKE, 0000
SEAN P. LARDNER, 0000
HEATHER A. LENGEL, 0000
KYLE W. LITTLE, 0000
MARK B. MCKIERNAN, 0000
TYLER E. MERKEL, 0000
JOHN E. OWEN, 0000
CHRISTOPHER S. PEIFER, 0000
JOY L. PRIMOLI, 0000
LARRY E. PRUITT, 0000
TARA L. SHAMHART, 0000
TAMMIE L. SLEDGE, 0000
GLENN A. SPENCER, 0000
ANTHONY SPRATLEY, 0000
JON B. STANLEY, 0000
MICHAEL J. TABER, 0000
BRIAN M. THOMPSON, 0000
BRENDON K. TUKEY, 0000
JEFFERSON H. WEST, 0000
JOHN C. WIGGLESWORTH, 0000
DANIELLE M. WILKERSON, 0000
JOSHUA D. YANOV, 0000
FRANK YOON, 0000
ROBERT S. ZAUNER, 0000

IN THE ARMY

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

To be colonel

KATHLEEN S. LOPER, 0000

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

To be colonel

MICHAEL A. WHITE, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

ANTHONY T. ROPER, 0000

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

To be colonel

ERIC A. HANSEN, 0000
PASCAL O. UDEKWU, 0000
PETER J. VARLJEN, 0000

THE FOLLOWING NAMED INDIVIDUALS FOR REGULAR APPOINTMENT TO THE GRADES INDICATED IN THE UNITED STATES ARMY DENTAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be lieutenant colonel

STEVEN S. GELBERT, 0000

To be major

PATRICK R. MCBREARTY, 0000

CONFIRMATIONS

Executive nominations confirmed by the Senate March 19, 2007:

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be Admiral

ADM. TIMOTHY J. KEATING, 0000

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be General

LT. GEN. VICTOR E. RENUART, JR., 0000