

Section 205(b) also expressly recognizes that compliance with the March 17, 2003 biological opinion concerning water operations in the Middle Rio Grande, as well as activities being conducted pursuant to P.L. 106-377, P.L. 107-66, and P.L. 108-7, constitute compliance with all ESA requirements as related to those actions, both federal and non-federal, that are incorporated as the proposed action in the biological opinion. Notwithstanding Section 205, the Secretary is to continue pursuing recovery of listed species in the Middle Rio Grande, including support for the Middle Rio Grande ESA collaborative program.

I believe we are in agreement on the effect of Section 205. Moreover, I think the legislation is an appropriate response to the Tenth Circuit's decision and strikes a proper balance by providing certainty for all water users in the Middle Rio Grande basin while still maintaining the policy that all water users have a shared interest and responsibility to comply with the requirements of the ESA. Given the benefits of this approach I would ask my colleague, as Chairman of Energy and Water Appropriations Subcommittee, to maintain this approach in the conference with the House of Representatives and to include this interpretive language as part of the conference report.

Mr. DOMENICI. I appreciate that my colleague and fellow New Mexican worked with me to help alleviate the current situation with the silvery minnow. I concur with his understanding of the language which is designed to narrowly address the silvery minnow situation in the Rio Grande. It is intended to prohibit the use of San Juan-Chama water in the Rio Grande for endangered species purposes and to implement the March 17, 2003 Biological Opinion. I also concur with his view of the benefits of Section 205 in general, and will strongly advocate for its retention in conference, as well as inclusion of this interpretive language in the conference report.

Mr. BINGAMAN. I thank the distinguished Chairman for his consideration and explanation of this important matter. I believe that this language offers hope for the minnow and protection for the people of New Mexico.

#### MAKAN DELRAHIM

Mr. HATCH. Mr. President, I would like to take a moment today to express in public my thanks and appreciation to the Judiciary Committee's Chief Counsel and Staff Director, Makan Delrahim. Makan's departure is a tremendous loss for the Senate and for me personally. But, we are fortunate that he will continue to serve our country in his new position in the Bush administration as Deputy Assistant Attorney General for the Justice Department's Antitrust Division.

Makan is, in my opinion, a fine example of a great American success

story. Makan's family fled from Iran when he was eight years old, and he quickly learned English and immersed himself in American life.

After learning business fundamentals at his father's gas station, Makan unleashed his newfound American entrepreneurial spirit and pursued several successful business enterprises before receiving a bachelor of science in physiology from UCLA. Later, he earned a law degree from George Washington University and also a Master of Science in biotechnology from Johns Hopkins. On top of it all, he became a registered patent attorney.

Clearly, his wide range of abilities and interests explain in part why he has served the Judiciary Committee and the Congress so exceptionally well. He is a brilliant thinker with the rare ability to quickly grasp a wide variety of complex issues.

It was a stroke of good fortune for me when, back in 1995, Makan joined my Judiciary Committee health staff for a term as an intern. As an intern, Makan distinguished himself as an exceptional talent, and after spending a few years practicing law at the Patton, Boggs, I convinced him to come back to the Judiciary staff as counsel handling e-commerce, antitrust and emerging technologies policy. I was once again so impressed with his dedication and ability that in 2001, I asked Makan to serve as Chief Counsel and Staff Director for the Judiciary Committee.

As Chief Counsel, Makan has been my right hand, providing valuable counsel on all matters that come before the Committee. I am particularly proud of his leadership in the development and passage of Hart Scott Rodino reform, the TEACH Act, the PATRIOT Act and the PROTECT Act, to name just a few. He has proved himself to be a skillful negotiator with the ability to bring parties together on divisive issues. It is no wonder that Makan is widely respected on both sides of the aisle.

Makan has worked tirelessly and capably, and I am afraid that his office in the Dirksen Building has become his virtual home as he has worked late into the night and many weekends over these past years. If he had stayed in private law practice and worked these hours, he would probably be a billionaire by now.

As Staff Director, Makan has demonstrated the extraordinary ability to find the greatest strengths in each staff member and to foster those strengths. And I am especially proud of Makan for helping me recruit a brilliant and impeccably qualified staff, and in doing so, bringing an unprecedented level of diversity to the Committee.

We will miss Makan's charismatic style and his ready sense of humor. And, we will miss his extraordinary ability to multitask. He is the only person I know who is capable of carrying on an intelligent conversation

while simultaneously checking his email and talking on his cell phone.

Since Makan won't be here to ignore my advice anymore, let me offer it once again: He should get married. And, on a serious note, Makan has not only been a trusted adviser, he has been a friend. He has made us proud and we will miss him.

#### ADDITIONAL STATEMENTS

##### HONORING MONICA AND BERNARD BENNING

• Mr. BURNS. Mr. President, today I rise in honor of Monica Conter Benning and Bernard Floyd Benning, Barney, on the celebration of their 61st wedding anniversary on August 20, 2003. Monica and Barney are the only surviving couple of the Pearl Harbor attack who both were in the immediate Pearl Harbor area at the time of the bombing. As the courtship between these two officers evolved in the setting of World War II, their experiences during the attack on America, December 7, 1941, are an important part of American history.

Barney, a college ROTC 2nd Lt. from Niles, MI, was ordered to active duty to Hawaii in May 1941. Barney joined an anti-aircraft battery in Fort Kamehameha at the entrance of the Pearl Harbor channel.

Army nurse 2nd Lt. Monica Conter of Apalachicola, FL served at Walter Reed General Hospital in 1940-1941, and was the official model for the Army Nurse Corps Recruiting Program. Monica was later assigned to the new Hickam Field Hospital, adjacent to Pearl Harbor and separate by a lone chain link fence. Monica is the only nurse still living today who was on duty at Hickam Field Hospital at the time of the attack. During the attack on December 7th, a bomb fell on the hospital lawn about 60 feet from the building, leaving a large crater. A banyon tree sapling was planted in the crater several days after the attack. Today, beside the huge tree is a granite monument and plaque, honoring Monica's service as an Army nurse on duty that fateful day.

Monica and Barney Benning first met on a prearranged "blind date" in September 1941; the beginning of a lifetime together. Their courtship continued with regularity until that "Day of Infamy," December 7, 1941—the first terrorist attack on America. The following Wednesday, when Barney appeared at Hickam Hospital in a dirty, wrinkled uniform, it was quite an emotional moment when they found each other alive.

"Off Duty" time was infrequent and often they were miles apart and usually on some kind of alert status until the American victory at the Battle of Midway in May.

They wed on August 20, 1942, in the temporarily camouflaged Hickam Field Chapel; the original chapel was destroyed on December 7.

On August 20, 2003, they will celebrate their 61st wedding anniversary. I congratulate and praise this couple, members of our Greatest Generation, for serving America to protect our precious democracy. I applaud your bravery and dedication to preserving freedom for all Americans.

Monica and Barney currently reside in Fort Myers, FL. They have two sons, Phil Benning and Gregory Benning and a daughter, Veronica Benning, as well as two grandchildren, Melanie and Lauren Benning.●

#### OREGON HEALTH CARE HERO

● Mr. SMITH. Mr. President, Vail Blackwell Horton is a self-described "man with a vision on a mission." Vail was born 25 years ago without legs and has since dedicated himself to enabling people with disabilities to become active members of their communities.

As the founder and CEO of Ken Mobility, Vail and his team of outstanding employees are developing new technologies and services to empower people with disabilities. Innovative assistive devices like the "Keen Krutch" and "Sure Foot Forearm" are engineered to significantly reduce the onset of painful conditions and ailments like osteoarthritis. Vail's products have helped improve the quality of life for many with disabilities. One client raved: "I can't find the words to tell you what your invention has done for my life . . . I am not as embarrassed to walk with my crutch because I think it is a real looker. It has given me a badly needed boost to keep on fighting the fight to live and walk in this world."

In addition to Keen Mobility, Vail founded Incight, a nonprofit organization that focuses on employment and education issues for people with disabilities. Appearing frequently as a motivational speaker, Vail aims to "educate and encourage individuals to acknowledge their handicap, but not let it dictate their life."

Vail's tireless spirit serves as an inspiration to us all. Today, I am proud to honor Vail Blackwell Horton as a Health Care Hero for the great State of Oregon.●

#### WINCHESTER CELEBRATES ITS 250TH BIRTHDAY

● Mr. GREGG. Mr. President, I rise today in honor of Winchester, New Hampshire. This great American community is celebrating the 250th anniversary of its founding, and I am proud to recognize this historic event.

Over 4,000 people call themselves citizens of Winchester. From the town's incorporation in 1753 through today, they have had an enormous impact on the economic and cultural development of not only New Hampshire but our country as well. Winchester has long been a center for commerce and manufacturing. Companies like the Ashuelot Manufacturing Corporation, Thayer &

Turner's Woolen Mill and Robertson Brothers's Paper Mill were early leaders in powering the expansion of the United States. The A.C. Lawrence Leather Company is another notable example of this proud heritage. It made thousands of boots and shoes which our troops needed during World War II. I know there are many residents still living in town who used to work at AC Lawrence at this time and I want to thank them for the vital contributions they made to supporting our troops during that conflict.

The town's people have made significant contributions to the security of our country in many other ways. Colonel Samuel Ashley commanded a regiment of soldiers in the American Revolution. Major General Leonard Wood, another Winchester native, became Chief of Staff for the Army just prior to the start of World War I. He was one of the first men to see the war in Europe as a challenge to the American military establishment. In response, he led a crusade for a larger and better prepared armed force. This effort involved an intensive speaking tour throughout the United States and the launching of summer training camps for college students in Pennsylvania, Vermont, North Carolina and Michigan. One can certainly conclude that our victory in World War I was possible in large part because of General Wood's vision.

This town has also played an important role in the political history of New Hampshire. Francis Parnell Murphy, elected Governor of the State in 1937, was born here. Today, Tom Magee, Gus Ruth, Bill Kelly, Ken Berthiaume and Brian Moser, the current members of the Board of Selectmen, are carrying on this tradition of public service.

These people, and so many others, highlight the rich history for which the people of Winchester can justifiably be proud. As they celebrate the Town's 250th birthday, I am honored to salute this great community.●

#### ONE SMALL SLICE OF THE AMERICAN DREAM

● Mr. LEVIN. Mr. President, on June 10, 1903, 26-year-old Giovanni Castellano married 21-year-old Santa Basile in Milazzo, Italy. Less than 2 months later, on July 24, the newlyweds boarded the S.S. *Lahn* steamship headed for the United States of America. On August 5, 1903, Giovanni and Santa Castellano set foot on American soil at Ellis Island, starting a new chapter in the American dream.

The story of the Castellano family in many ways reflects the typical American immigrant experience. Giovanni and Santa settled in New York City and presided over the development of a large family. The first generation born in America included Joseph, Jenny, Vincent, Florence, Faye, Steve, and Anthony. The members of this generation in turn had families of their own,

and so on. As the new century gets underway, the fourth generation of American Castellanos begins grade school.

The first generation of the Castellano family tended to marry other Italian Americans, the likes of Carizzo, Cambria, and Fidele. Reflecting U.S. immigration patterns, there was the occasional McElligot. Over time, the genealogy of the Castellano family came to reflect the diversity of America. Ullmann, Cinotti, Burk, Garcia, Anchustegui, and Pray are just some of the names that may be found on the family tree now.

Many members of the Castellano family have stayed in New York but others have moved throughout the United States. One hundred years of history have brought the Castellano family literally from sea to shining sea—from New York, Maryland and Washington, DC, to Colorado, New Mexico, and California.

While many in the first generation of the Castellano family received only a grade school education, succeeding generations have graduated from community colleges, State universities, private colleges, and the Ivy League. The Castellano family has spawned teachers, stockbrokers, delivery drivers, restaurateurs, soldiers, lawyers, doctors, dentists, bricklayers, and other professions; some have worked in business, some have worked in public service. They have served their country in both peace and in World War II, Vietnam, and Somalia.

Next week is the 100th anniversary of Giovanni and Santa's entry into the United States through Ellis Island—the beginning of the American dream for one family. Congratulations to the Castellano family; may the dream go on for all Americans.●

#### RECOGNITION FOR NATIONAL HEALTH CENTER WEEK 2003

● Mr. JOHNSON. Mr. President, I recognize the National Health Center Week that will be celebrated from August 10 to 16, 2003. Health centers provide services to over 10 million people living in underserved areas through the United States, with about 50 percent of the users being from rural areas such as South Dakota.

Community health centers have a longstanding history of providing quality primary health care services to medically underserved populations. Providing care to one of every 12 rural Americans and tending to needs of the increasing number of uninsured individuals, health centers provide medical attention to those who would otherwise lack access to health care. A unique aspect of community health centers allows them to individualize their center to meet the specific needs of a particular community. By partnering with community organizations, schools and businesses, health centers are able to best meet the health care needs of individuals in each respective community.