

may be the best nominee ever to the Supreme Court. I am not one that regularly calls on such hyperbole on most issues, but I can say today that from what I have seen, I expect Judge Roberts to serve with distinction and honor as Chief Justice. I think the Court will be enhanced despite the obvious and measurable impact of the loss to the Court of Chief Justice William Rehnquist.

My record on judicial nominations speaks for itself. I have supported 213 of the 214 district and circuit court judges confirmed by the Senate. I voted against filibustering judicial nominees twenty-four times. I understand the executive branch's power to appoint judges—as Nebraska's Governor I appointed the entire State Supreme Court and Court of Appeals and more than half the State's sitting judges.

As a Senator who pledged to put aside the partisan games to get things done in Washington, I was very concerned last year about how a potential Senate shutdown due to a stalemate over judicial nominations would impact legislation important to the Nation, and especially my home State of Nebraska.

We needed a national energy policy—including the renewable fuels standard that would boost ethanol production, a very strong Nebraska industry. We needed to complete the Highway bill—with \$1.3 billion in road construction funds that will create jobs and boost the economy in Nebraska. We needed to avoid the now annual “omnibus” spending bill that made it nearly impossible to monitor and control Washington spending. Social Security and Medicare need to be addressed. At the time I was concerned about the ongoing drought—“Drought David” as I called it to bring attention to it—that is ravaging our agricultural sector in Nebraska and across the Nation. We had no idea the wrath and destruction that Hurricane season would bring to bear on the Nation, but after Katrina we can see how important it is to have a functioning Congress.

Senator ALEXANDER, during a floor speech regarding the judicial stalemate offered a suggestion, a call really, that many of us heard and decided to heed. Surely, a bipartisan group of Senators could develop an agreement that would resolve the stalled judicial nominations and diffuse the nuclear option—and ultimately, ease some of the partisan tension that had crippled the Senate and threatened to shut it down completely.

I am very proud of my role in the so-called “gang of fourteen,” the bipartisan group that navigated the path to confirmation for many of the President's judicial nominees and preserved the precedents and traditions of the Senate. I am also very proud that the gang's “memorandum of understanding” paved the way to complete many of the legislative priorities I mentioned earlier—including the energy bill and the highway bill.

The “memorandum of understanding” included an important section asking the President to improve communications with the Senate on judicial nominees. We asked that he spend more time on the advice part of the “advice and consent” clause in the Constitution.

When Associate Justice Sandra Day O'Connor announced her planned retirement in June, the White House heeded our recommendation and consulted with a vast majority of Senators before nominating Judge Roberts to the Court. That consultation with the Senate certainly diffused some of the more extreme partisanship when the Roberts nomination was announced. Not all of it, of course, but some of it.

Before the Judiciary Committee began its process, I met personally with Judge Roberts. In that meeting he impressed me. We talked at length about judicial activism and the threat it poses to the Nation. We talked about settled law. His knowledge of the history of law was impressive. His belief in and dedication to the rule of law was apparent and admirable.

At the outset of the Roberts confirmation process, I said that I hoped the gang of fourteen had no role in the process because that would mean the process was working. And it did work.

The Roberts confirmation hearings were dignified, the questions were tough but appropriate, and the answers Judge Roberts provided were as most expected. The hearings were no place to overturn law or discuss case specifics. The hearings did not produce any disqualifying revelations, nor did I expect that to happen.

Only time will tell where Judge Roberts will come down on the prevailing legal matters that come before the Roberts Court. I can only take him at his word that he will approach his role on the Court without a predetermined agenda, without activism, and with only the intention to balance the scales of justice for all Americans.

What came though to me as I watched his confirmation hearings was a man with great poise, a deep and thorough knowledge of the law, a love for this country and unmatched integrity. John Roberts is a man deserving of the nomination and deserving of confirmation.

I will vote to confirm Judge John Roberts as Chief Justice of the Supreme Court.

#### DEDICATION OF THE STATUE OF PO'PAY

Mr. DOMENICI. Mr. President, this is a special day for New Mexicans. Earlier today, Congress accepted the statue of Po'pay, a man from San Juan Pueblo who played an important role in New Mexico's colonial history. The acceptance of this work marks the 100th contribution to the Statuary Hall Collection. On behalf of my home State, I give special recognition to sculptor Cliff Fragua, from Jemez Pueblo, for a

job well done. He should be proud of his work. Cliff is the first American Indian artist to sculpt a statue for the Statuary Hall Collection. I also thank the New Mexico Statuary Hall Commission and Foundation for all their dedication and tireless effort in making this endeavor a terrific success.

New Mexico's first statue in the collection is that of the late Senator Dennis Chavez. Unlike Senator Chavez, Po'pay was a leader of a different era. Po'pay was a leader among the Pueblo people during the latter part of the 17th century. He united the Pueblos and led the Pueblo Revolt of 1680. This revolt made apparent the Pueblo Indians' desire to maintain their dignity and culture—both socially and spiritually. The Po'pay-led insurrection against the Spanish conquerors was at its core a basic human and American need to challenge oppressors. Yes, there have been incidences of intolerance in our State's more than 400-year history. Those early days were hard and oftentimes brutal. Wrongs were done, and the Pueblo Revolt—represented with this statue—was the Native peoples' response to those hardships.

In the end, the Pueblo Revolt served as an important lesson for the Spaniards, who returned to New Mexico a dozen years later. The Pueblo Revolt forever shaped the history of the State of New Mexico and the American Southwest. The result of that uprising is still evident today as the Pueblo Indians continue to live a distinct lifestyle. The Pueblo culture of New Mexico draws visitors from around the world. The American people should take the time to visit and enjoy these ancient cultures that are alive today. Their lives give our State its name: “The Land of Enchantment.”

My own life has been made richer by my many Indian friends. My lifelong friend, Herman Agoyo, and his beautiful family are with us today. As well noted in the history of this event, Herman's leadership has been inspiring and tireless. Herman leads the Turtle Dance at San Juan Pueblo on December 26 of each year. This year, Herman and San Juan Pueblo Governor Garcia will have a special reason to celebrate this beautiful event. This is the year of Po'pay—from San Juan Pueblo—who is now honored here in our Nation's Capitol.

Today's Indian Pueblos are a cultural haven from ancient times. However, for all New Mexicans who came after, the revolt taught us an enduring lesson of tolerance and acceptance. It is this lesson that has resulted in New Mexico having one of the best and richest multicultural societies in the United States. As my friend Benny Atencio, of Santo Domingo Pueblo, observed:

I strongly feel that the selection of Po'pay to be placed in the nation's Statuary Hall along with that of the late Senator Dennis Chavez, who was my personal friend, would serve as a unique reminder to the world that two unique cultures can coexist without destruction of their traditional cultural values and beliefs.

I could not have stated it better.

Mr. BINGAMAN. Mr. President, I rise today to honor Po'pay, a man who through his life and philosophy inspired New Mexicans to unite and share their experiences of life, happiness, and customs, with a marble statue sculpted by Cliff Fragua of Jemez Pueblo. It will be the one-hundredth statue to be added to the National Statuary Hall collection. The statue of this remarkable leader of the Pueblo Revolt of 1680, is a gift from the State of New Mexico and was unveiled in the United States Capitol Rotunda today.

Po'pay was born in Ohkay Owingeh, San Juan Pueblo, in 1630. He was a deeply humble man, with deep respect for his Pueblo's culture, language, traditions, and customs, and a dedication to passing these things on to future generations.

During the seventeenth century the Pueblo way of life was seriously threatened. Some did not want the Pueblo people to practice their language, culture, or traditions, depriving them of their very core. Po'pay successfully united the separate Pueblo nations. This group of some 150 Pueblo leaders united against those who sought to destroy their way of life and prevailed. Po'pay led this great revolt and the fight for respect the Pueblo people deserved.

Through his devotion and commitment to the preservation of Pueblo culture, Po'pay played an irreplaceable role in helping to shape our Nation's future. By championing the customs and traditional ways of his ancestors, he strengthened and preserved the Pueblo heritage for future generations, bridging the rich Pueblo and Spanish cultures of the Southwest. His dedication to this cause in response to the challenges the Pueblo community faced is a testament to the spirit of New Mexico.

This statue will forever be a reminder of his leadership and courage in keeping the Pueblo culture alive. The statue of Po'pay will join the figure of the late Senator Dennis Chavez that stands proudly outside the doors of the old Senate Chambers. It is a privilege for New Mexico to be represented by two men with such vision, leadership, and courage.

The decision to honor Po'pay was brought to the foreground during the tercentennial commemoration of the Pueblo Revolt by a unified group of Pueblo leaders. Thanks to their leadership, in November of 1996 the tribal council of Ohkay Owingeh, San Juan Pueblo, made the nomination official with a resolution. In 1997, State Senator Manny Aragon and Representative Nick Salazar introduced Senate Bill 404, which was passed and signed by Governor Gary Johnson on April 10. The nine member Statuary Hall Commission was formed and the fundraising began. Cliff Fragua of Jemez Pueblo was selected to create the statue, and by May of 2005 the block of Tennessee Marble took the form of

Po'pay. Thanks to the vision of many Pueblo leaders, the New Mexico Statuary Hall Commission and Foundation, and New Mexico's citizens, Po'pay shall forever be honored in the halls of the United States Capitol.

We honor and respect Po'pay's accomplishments as the man who made it possible for Pueblo culture to thrive and sustain itself. Po'pay's contributions made New Mexico what it is today, a multicultural State, rich in culture and spirit.

#### HISPANIC HERITAGE MONTH

Mrs. FEINSTEIN. Mr. President, I rise to pay tribute to the Hispanic community. As we commemorate Hispanic Heritage Month, I want to recognize the contributions made by millions of Hispanics to our Nation. The greatness of California is that it is truly a multicultural State and I am honored to represent California's Hispanic community in the U.S. Senate.

This month we celebrate a community that believes in the American goals of freedom, opportunity, and a chance to build a better life. In pursuing these aspirations, Hispanics have made enormous contributions to life in the United States through business, politics, science, culture, sports, and entertainment. Hispanics have served in the armed services with bravery and courage and many have made the ultimate sacrifice in giving their lives for the common good of our country. Through their service, they have brought honor to America and their Hispanic heritage—a rich heritage from which all of America benefits.

Today, I rise to honor the sacrifices that these brave Americans and their families have made. I also want to honor Hispanic heroes and heroines, such as the late Cesar Chavez. Indeed, Hispanics are changing the way America looks at itself. Today there are 31 million Hispanics in the U.S. By 2050, our Nation's Hispanic population is projected to reach 96 million—an increase of more than 200 percent.

Hispanics are making their mark; between 1984 and 1998 Hispanic voting increased nationwide in midterm elections by 27 percent, even as overall voter turnout declined by 13 percent. In my own State of California, where nearly 11.5 million Hispanics comprise over 32 percent of the population, Hispanics are participating and contributing to civic life in important ways. Two of the California State legislature's three highest offices are occupied by Hispanics: Lt. Gov. Cruz Bustamante and Speaker of the Assembly Fabian Nuñez. On the local level, the people of Los Angeles elected Antonio Villaraigosa as the first Hispanic mayor in over a century, and 20 percent of Los Angeles' city council seats are held by Hispanics. The Hispanic community has provided great leadership for California, and will provide important leadership for our country.

Hispanics are visibly successful in other areas as well. From Sammy Sosa

in sports to Jennifer Lopez, Andy Garcia, and Salma Hayek in the entertainment industry, Hispanics have added greatly to the fabric of our Nation.

We must not forget the critical contributions Hispanics have made to education and science. The 1995 Nobel Prize Winner in Chemistry, Dr. Mario Molina, joined the University of California, San Diego last year, and Dr. Eduardo Macagno is the founding dean of the Division of Biological Sciences at the same University.

A democratic and prosperous society should not step back from a national commitment to provide assistance to those who strive to achieve the American dream, despite the odds. In particular, I want to emphasize the importance of quality education for the success of Hispanic children. The University of California system alone enrolled nearly 25,000 Hispanic undergraduate and graduate students last year. Hispanic youths are a great source of strength and hope for the future of this Nation and they should be able to participate fully in the American experience; that is the primary reason why I have been a strong supporter of the DREAM Act.

Mr. President, I am proud to honor California's Hispanic community and to have the opportunity to ensure that Hispanic contributions and sacrifices do not go unnoticed.

#### ADDITIONAL STATEMENTS

##### HONORING SHERI GARMON

• Mr. CRAPO. Mr. President, it is with a heavy heart that I wish to announce the death of Sheri Garmon, one of many Idahoans who have died from cancer that was likely attributable to nuclear fallout.

Like others, Sheri spent time and energy bringing awareness of this issue as it related to Idaho. However, Sheri, who was fighting multiple cancers, became a charismatic spokesperson for those suffering from the same fate.

Sheri Garmon, daughter of Don and Millie Garmon, was born in Emmett, ID, in 1952. When Sheri was just a baby, just 6 months old, the National Cancer Institute estimates that on a single day, June 5, 1952, she received 75 rads of iodine-131. That is the equivalent of 10,000 chest X-rays. The exposure came from nuclear testing being done in the Nevada desert; fallout blew over the little valley where Emmett sits. From that day on, Sheri's ultimate fate was sealed. But no one knew then what we know now. Sheri grew up healthy and strong, out there on her family's dairy farm, drinking milk from their cows, eating vegetables and fruits from their garden. She graduated valedictorian of her high school class, and then went on to graduate from the University of Idaho. She became a CPA and a mother. Sheri used her education as a way to provide for her family and pave the way for future achievement for those