

home. The Local Law Enforcement Enhancement Act is a major step forward in achieving that goal. I believe that by passing this legislation and changing current law, we can change hearts and minds as well.

#### NASA GLENN RESEARCH AWARDS

Mr. DEWINE. Mr. President, I rise today to honor the dedicated team of scientists, engineers, and innovators of NASA's Glenn Research Center in Cleveland for their hard work and perseverance. I have recognized in previous years the award-winning work of researchers and engineers at NASA Glenn and am proud to do so again today.

The Glenn Research Center has come up with a wide range of products that not only contribute to further progress in our space exploration mission, but also provide for remarkable enhancements in the quality of life of citizens throughout the United States. Through NASA's commercialization initiatives, these products have enabled the creation of new jobs in the country, thereby encouraging additional economic growth nationwide.

This year, four products introduced by NASA Glenn have been distinguished among the "Top 100 Most Technologically Significant Products of the Year." They have been recognized by the editors of Research & Design Magazine and awarded four of the "R&D 100" awards—awards known by many as the "Oscars of Invention." Their remarkable achievements clearly illustrate the high level of professionalism that distinguishes the Glenn Research Center, its employees, and the numerous organizations and individuals who work in partnership with the Center.

It is with great pride that I recognize each of the award participants and congratulate them for their outstanding work. In developing an award-winning family of rod-coil block copolymers, Dr. Mary Ann Meador and Dr. James Kinder of Glenn's Materials Division have improved ionic conductivity in lithium polymer batteries. These new polymers will enable cost-saving advances in battery technologies, resulting in improvements to products ranging from mobile phones to fuel cells. Through this important innovation, it will be possible to offer lower manufacturing costs, while increasing battery safety to meet future aerospace application requirements.

The NASA Glenn Sensors and Electronics Branch team has been recognized for its development of a new sensor-based fire detection system that effectively recognizes the presence of fire while screening out false alarms. Dr. Gary Hunter led the development effort in collaboration with colleagues from Case Western Reserve University, the Ohio State University, Makel Engineering, and the Federal Aviation Administration. This revolutionary device will improve fire alarms in cargo

and baggage compartments of commercial aircraft and is also specifically adapted to fit the requirements of the International Space Station.

The Center also has received recognition for its work on a material known as the Glenn Refractory Adhesive for Bonding and Exterior Repair, GRABER. This material, which was considered for use in the Space Shuttle Return to Flight program, was developed and tested by Dr. Mrityunjay "Jay" Singh, now a four-time "R&D 100" award winner, and Tarah Shpargel of NASA Glenn's Ceramics Branch. This dynamic material will allow in-space repair of both large and small cracks in the space shuttle thermal protection system—a capability that is absolutely essential for the safety and success of future Space Shuttle missions following the tragic loss of the *Columbia*. In addition to its applications in space, GRABER has a number of potential industrial applications due to its low cost and excellent adhesive properties.

Finally, NASA Glenn's Numerical Evaluation of Stochastic Structures Under Stress, NESSUS, software program has been recognized as an award winner this year. The NESSUS program combines state-of-the-art algorithms with general-purpose numerical analysis methods to predict responses in hi-tech systems, such as aerospace and automotive structures, biomechanics, and gas turbine engines. Dr. Shantaram Pai, of Glenn's Structural Mechanics and Dynamics Branch, was responsible for developing the probabilistic heat transfer module integrated in the system and managing the integration of nine other NASA-developed modules into NESSUS, enabling analysis of a diverse range of problems.

I extend my most genuine congratulations to everyone who participated in each of NASA Glenn's award-winning projects.

#### SUPERFUND LITIGATION

Mr. BROWNBACK. Mr. President, I rise today to speak on the issue of clarifying Congress's intent regarding agricultural operations in respect to Superfund litigation. I, along with my colleague from Idaho, Senator CRAIG, offered an amendment during the agriculture appropriations conference committee that would have done that very thing. The amendment passed the Senate, by a 9 to 8 vote, yet was stripped from the final conference report. Needless to say, I am disappointed with this result. So much so, in fact, I decided not to sign the conference report.

When the Comprehensive Environmental Response, Compensation, and Liability Act, or CERCLA, was passed in 1980 and the Emergency Planning and Community Right-To-Know Act, or EPCRA, was passed in 1986, agriculture was never part of the deal. These acts were intended to provide for clean up of toxic waste dumps and spills such as

Love Canal and Times Beach. To this end, Congress created the Superfund to tax building blocks, such as petrochemicals, inorganic raw materials and petroleum oil, used to make all hazardous products and waste. Animal agriculture waste, or manure, is clearly not among these materials. In fact, if you would have tried to attach agriculture to either of these two acts, they would not have passed. It was not Congress's intent to apply Superfund rules to manure which contains naturally occurring organic compounds—such as orthophosphate, ammonia and hydrogen sulfide—which occur naturally in the environment in the same form as they appear in manure.

Recently, municipal and State governments have filed suit against livestock and poultry operations claiming Superfund liability in Texas and Oklahoma.

On April 24, 2004, the City of Waco, TX, filed suit in Federal court against eight dairies in the North Bosque River Watershed and later amended the suit to include six additional dairies, seeking \$45 million in damages under Superfund. The suit alleges that orthophosphate is discharged from the dairies and has affected the water quality of Lake Waco which is located approximately 100 miles downstream from the dairies.

On June 13, 2005, the attorney general of the State of Oklahoma filed suit in Federal court against 14 major integrated poultry production firms claiming joint and several liability for damaged water quality in the Illinois River Watershed caused by poultry litter runoff from agricultural lands to which it has been applied as fertilizer. The suit seeks to recover past, present, and future response costs under Superfund, as well as natural resource damages that is expected to add up to several hundreds of millions of dollars. If these two cases are successful, other municipalities and States could bring similar lawsuits and every animal feeding operation and farm could be held liable under Superfund.

This is another example of our judicial system overstepping its boundaries. Our judicial system is usurping the will of Congress and creating laws Congress never meant to create.

Animal agriculture operations have been appropriately regulated and required to have permits for years under the Clean Water Act, the Clean Air Act, and various State laws to protect the environment, but never under Superfund. My amendment would have left these laws in place. My amendment would have only protected agricultural producers from another example of an activist judicial system. Agriculture is already an over regulated industry and adding the possibility of Superfund litigation will be too much to bear for farmers and ranchers.

Further, Superfund was created with a specific goal and mission in mind. The EPA is burdened to meet these goals as it is. To now add the millions

of acres of agriculture as possible Superfund sites would be too heavy a burden for the EPA to carry. Including agriculture within Superfund takes away from Superfund's initial, worthy mission.

As I stated earlier, I am disappointed that the Superfund amendment was stripped from this report after having passed the Senate. I fully intend to bring this item up next year and I am currently looking for ways to move this legislation. This needs to happen for our farmers and ranchers.

#### PROTECTING OUR HOMELAND SECURITY

Mr. LEVIN. Mr. President, despite the potential threat from terrorists armed with easily accessible powerful firearms, Congress still has taken no action to require Federal registration of .50 caliber sniper rifles. We must do more to protect our families and communities.

The .50 caliber sniper rifle is a favorite weapon of militaries around the world and is also among the most powerful weapons legally available to private individuals in the United States. Published reports indicate that .50 caliber sniper rifles are capable of accurately hitting a target more than 1,500 yards away with a bullet measuring a half inch in diameter. In addition, these thumb-size bullets come in armor-piercing, incendiary, and explosive varieties that can easily punch through aircraft fuselages, fuel tanks, and engines. Currently, these highly destructive sniper rifles, which have no sporting purpose, are subject to only minimal Federal regulation and are treated the same as other long rifles, including shotguns, hunting rifles, and smaller target rifles.

In August, the House of Delegates of the American Bar Association adopted a resolution in support of "Federal, State, and territorial laws that would restrict the sale, distribution, transfer, and possession of .50 caliber sniper weapons except to the U.S. military, and the National Guard and law enforcement agencies." The ABA report that accompanied the resolution states:

Despite its destructive potential, the .50 caliber weapon is sold like any other rifle. Under current law, one needs only be 18 years of age, have a driver's license and pass a minimal background check in order to buy the gun.

The U.S. Congress has acted to restrict various weapons including specific firearms and ammunition. Rockets, mortars and ammunition over .50 caliber size cannot be sold or legally possessed by civilians. Machine guns, sawed-off shotguns, imported junk handguns, silencers, guns made of plastic or otherwise undetectable by metal screening devices and some armor-piercing ammunition are currently banned or restricted under federal law.

I am a cosponsor of the Fifty-Caliber Sniper Weapon Regulation Act introduced by Senator FEINSTEIN. This bill would reclassify .50 caliber rifles under

the National Firearms Act, NFA, treating them the same as other high-powered or especially lethal firearms like several of those mentioned in the ABA's report. Among other things, reclassification of .50 caliber sniper rifles under the NFA would subject them to new registration requirements. Future transfers or sales of .50 caliber sniper rifles would have to be conducted through a licensed dealer with an accompanying background check. In addition, the rifle being sold would have to be registered with Federal authorities.

We must take proactive steps to help prevent terrorists armed with military style firearms purchased in the U.S. from carrying out attacks on innocent Americans. I urge the Senate to take up and pass commonsense gun safety legislation, like the Fifty-Caliber Sniper Weapon Regulation Act, to assist our law enforcement officials in protecting our homeland security.

#### ADDITIONAL STATEMENTS

##### TRIBUTE TO ARTHUR GIBB SR.

• Mr. JEFFORDS. Mr. President, this week my home State lost a devoted public servant, an environmental pioneer, a good friend, and a great Vermonter: Art Gibb.

I first met Art when we served together in the Vermont Legislature where Art was known for his unassuming and gracious temperament. Art also established a reputation as an insightful legislator with an unusual ability to forge consensus. These skills impressed me and, for over 30 years, I frequently sought Art's wisdom and advice when I found myself confronted with difficult decisions both in Washington and Montpelier.

Though Art was remarkably accomplished as a member of the Vermont Legislature, he will undoubtedly be remembered for his work on the Governor's Commission on Environmental Control through which he helped save Vermont's beauty and natural resources from reckless overdevelopment. Gov. Deane Davis appointed Art to lead the commission, which became known as the "Gibb Commission," in 1969 as developers began exploiting lenient building regulations in an effort to turn a quick profit at the expense of public health and the environment. The Gibb Commission traveled the State, held public hearings, and worked tirelessly to draft recommendations to address this pressing concern. The result of the Gibb Commission's work was the bold and pioneering Act 250, legislation that has protected Vermont's waterways, forests, and natural landscape ever since.

Art's leadership of the Gibb Commission and his work during his two decades in the legislature earned him well-deserved accolades. Still, Art never operated with any fanfare. Despite his newsworthy accomplishments, Art was

never interested in seeing his name in the headlines. His temperament and fair and nonpartisan nature won Art the respect and admiration of colleagues on both sides of the aisle. Today, Art's portrait hangs in the State House, a rare honor and a fitting tribute for a man who left such an important mark on Vermont, both as a person and a policymaker.

When Art retired from the Vermont Senate in 1986 I noted, on the floor of the U.S. House of Representatives, "I am more than certain, however, that all of us in Vermont will continue to benefit from his,—Art's—wit, his intelligence, his commitment, and his grace for many, many years to come." This statement proved to be true, as Art remained an active member of the community and even served 12 years on the State Environmental Board after his retirement. Today, as we remember Art, I take comfort in the certainty that generations of Vermonters will continue to benefit for years to come from Art's devotion to the preservation and conservation of our great State.

I extend my deepest condolences to Art's surviving children Barbara, Dwight, Lowrie, Arthur, Jr. and Henry, as well as Art's ten grandchildren and seven great grandchildren. All Vermonters mourn with you knowing that without Art, Vermont would not be the beautiful and healthy place it is today. •

##### HONORING DR. BONNIE J. DUNBAR

• Mrs. MURRAY. Mr. President, today I would like to recognize the extraordinary achievements of a gifted Washingtonian named Dr. Bonnie J. Dunbar. Dr. Dunbar is widely acknowledged as one of the world's most experienced female astronauts as well as a pioneer in biomedical engineering. In tribute to her accomplishments, Dr. Dunbar has been selected to receive the distinguished Women in Engineering Achievement Award for 2005.

Born and raised on a ranch in Sunnyside, WA, Dr. Dunbar took an early interest in space. As a child, she studied the exploits of astronauts like Alan Shepherd and spent her nights studying the sky for signs of passing satellites. By the third grade, she had already declared that she would one day be an astronaut. Encouraged by her parents to follow her dreams, Bonnie Dunbar attended the University of Washington where she received her bachelor and master degrees in engineering, an important precursor to her career at NASA. However, her journey to space was not without its hurdles.

Like a true pioneer, Dr. Dunbar worked to break down barriers. At a time when women were generally discouraged from pursuing science based careers, Dr. Dunbar both succeeded and prospered in her field, paving the way for countless women who shared her interest in science. After receiving her doctorate in Mechanical and Biomedical Engineering from the University of Houston, Dr. Dunbar went on to