

Gutierrez took a job driving a Kellogg van selling frosted flakes to small grocery stores.

Ten years later, he became general manager of Kellogg's Mexico operations. Within 3 years, he turned the Mexico plant from the company's least productive to most productive.

After stints in Asia and Canada, Mr. Gutierrez returned to the United States in 1990, and in 1999 became Chairman and CEO of the Kellogg Company.

In 5 short years, Mr. Gutierrez has steered the cereal maker into the number one spot in the U.S. cereal market. Under his leadership Kellogg has become a food industry powerhouse with industry leading sales growth.

Those who have studied his business techniques say that Mr. Gutierrez is successful because he is able to focus in on the key issues and convey his vision to everyone—from the assembly line worker to members of the board. He believes that every American should have the opportunity to succeed.

He also believes that America is, and should be, the best place in the world to do business.

Former Governor John Engler of Michigan, who has worked with Mr. Gutierrez, rightly points out that Mr. Gutierrez would be "the most international leader that Commerce has ever had."

Mr. Gutierrez says that one of his proudest accomplishments was helping his son and his wife become American citizens. From one American citizen to another, I can assure him the pride is mutual.

From his remarkable biography, to his meteoric success, Mr. Gutierrez is an inspiration to all. He took the American dream and ran with it—and, I should note, without ever having finished college.

I am confident that his accumulated wisdom, knowledge and skills will make Mr. Gutierrez an effective Commerce Secretary and eloquent advocate of our economic policies and ideals.

I urge my colleagues to support the nomination of this extraordinary American.

I yield the floor and 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. STEVENS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. STEVENS. How much time is remaining?

The PRESIDING OFFICER. The Senator from Alaska has 45 minutes remaining.

Mr. STEVENS. Has the minority no time remaining?

The PRESIDING OFFICER. Three and a half minutes remaining for the minority side.

Mr. STEVENS. Is it possible to get permission to yield back the balance of the minority's time?

The PRESIDING OFFICER. The Senator may ask consent to do so.

Mr. STEVENS. I ask unanimous consent all time be yielded back.

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

Mr. STEVENS. I ask the Chair to put the issue before the Senate.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Carlos M. Gutierrez to be Secretary of Commerce.

The nomination was confirmed.

Mr. STEVENS. I ask that the President be immediately notified of the confirmation of this nominee.

## LEGISLATIVE SESSION

### MORNING BUSINESS

Mr. STEVENS. I ask unanimous consent there now be a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

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

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

Mr. ALLARD. Mr. President, I would like to exercise my right under morning business to make a comment on the Marriage Protection Amendment.

Does my colleague from Montana have a question?

Mr. BAUCUS. No. If the Senator will yield, I ask him how much time he might use?

Mr. ALLARD. Less than 10 minutes.

Mr. BAUCUS. I thank the Senator.

The PRESIDING OFFICER. The Senator from Colorado.

(The remarks of Mr. ALLARD pertaining to the submission of S.J. Res. 1 are printed in today's RECORD under "Submitted Resolutions.")

The PRESIDING OFFICER. Who seeks recognition?

The Senator from Montana is recognized.

### CONGRATULATING SENATOR VITTER

Mr. BAUCUS. Mr. President, first, I congratulate the present occupant of the chair on his election to serve the State of Louisiana in the Senate. I look forward to working with him, as all my colleagues do, and wish him luck while he is in the Senate. I know the people of Louisiana will be well served.

### TRIBUTE TO ZAK ANDERSEN

Mr. BAUCUS. Mr. President, I also rise—in fact, it is the primary reason I

am here—to recognize and thank a remarkable individual, a member of my team who has served our State of Montana in the Senate for more than 9 years, Zak Andersen.

Zak is leaving the post as my chief of staff to go to work for a government affairs firm that represents folks in Montana and the Northwest, The Galatin Group.

Zak is a huge fan of that American icon Bruce Springsteen, who once said: "The door's open but the ride ain't free." The same could be said of Zak's last 9 years.

A graduate of the University of Montana, Zak first started working for me during my 1996 reelection campaign as a door-to-door canvasser. As a sign of things to come, he was quickly bumped up to field coordinator.

After the people of Montana, in 1996, decided to return us to represent them in the Senate, Zak came to work here in my Washington office, where he quickly moved from legislative correspondent, to assistant to the chief of staff, to legislative assistant, to legislative director, and finally chief of staff.

Zak also played a pivotal role in my 2002 reelection campaign, where again the people of Montana decided to return us, at that time with more than 60 percent of the vote.

Zak, of course, is a Montanan. He has an uncanny ability to read, follow, and know Montanans' real values—our hopes, our wishes, our fears, and our desires. And he uses that almost constantly to help our State.

Zak worked his way from field staff to chief of staff in 9 years' time. He likes to joke that he "went from garbage band to broadband" in less than a decade. That he did. In the process, he racked up a list of achievements too long to do justice here, but I will name just a few. Recognizing the need for action on improving our State's economic well-being, Zak spearheaded my economic development efforts and helped me organize the first ever Montana economic development summit in 2000. That meeting drew more than 1,000 people to Great Falls. That might not sound like a lot of folks back here, but in Montana it is. After that, he helped organize two more economic summits, both of which were huge successes and helped the people in our State get more good high-paying jobs.

Zak also helped me bring new businesses to Montana, companies like National Electric Warranty. He helped Montana businesses grow and expand, businesses like Zoot Enterprises and Summit Design. He should know that his efforts are not lost on the people who found good-paying jobs because of his work. Zak led the appropriations efforts in our office, during which time we got important Montana economic development projects funded, projects such as the Mariah II wind tunnel in Butte; the Fort Peck Interpretive Center, MonTec in Missoula and Tech Ranch in Bozeman.

Recognizing that methamphetamines have become a scourge in our close-knit Montana communities, Zak helped me wage a 2-year campaign—and boy it was tough; we worked very hard to get that done—to help me get five of our counties with the worst meth problems included in what is called the high density drug trafficking area, otherwise known as HIDTA. That is one of our great accomplishments, something of which I am proud, to help fight the scourge of methamphetamines. That has helped law enforcement officials in our State crack down on meth.

Zak also helped me work in this Chamber to pass big ticket legislative items such as tax cuts, Medicare improvements, and new Healthy Forest legislation. These are just a few of Zak's outright achievements. But it is the intangible abilities that I will remember most in Zak. I dare say most in our office will remember those best, too.

In particular is his amazing ability to quickly analyze an issue and break it down into pros and cons, both from the standpoint of policy and of politics. There are a lot of quick minds on Capitol Hill but Zak, to me, stands out as one of the very best, one of the brightest. Undoubtedly, that quickness of mind contributes to his sense of humor: a bit dark, extremely dry, ever present. Zak's sense of humor is rare. It is remarkable. He has used it to build bridges with the Montana delegation, to keep my office train on the tracks during some of the more bumpy times, and to mentor younger staffers as they learn the ways of working in this remarkable place.

We will also remember him for his elaborate practical jokes that often involve the whole office. But beyond that, we will remember Zak for his uncanny ability to get things done and his relentless commitment to Montana. His no-nonsense style, his can-do attitude helped me and others accomplish great things for our State and most especially for our people.

A humble guy from Helena, Zak embodies Montana—a very bright, talented, committed guy, hard working, genuine, and astute, and ever mindful of the fact that he is very lucky to be from and advocate for the greatest State in the Union. He is extremely loyal.

Zak loves his microbrews, Mr. Bruce Springsteen, a gin-clear trout stream, the Oakland Raiders, record stores, and University of Montana football. Most of all, he loves his native State of Montana.

Fittingly, one of his favorite authors is Cormac McCarthy. Many of the McCarthy books are about the American West and therefore not for the faint of heart. But they are also very real, sparsely punctuated, light on frills, heavy on matters of depth and critical thought—in other words, a lot like Zak.

As the pages of his life open to endless opportunity, we will all remember

Zak: His remarkable abilities, his devotion to the State he loves; and his commitment to excellence in all that he does.

We will miss you, Zak. We will miss you in our office, but we are going to find you very quickly. You are still part of our team. And I thank you, Zak, so very much. Montana thanks you and a grateful nation thanks you for your service.

I yield the floor.  
The PRESIDING OFFICER (Mr. CORNYN). The Senator from Alabama.

(The remarks of Mr. SESSIONS and Mr. WARNER and Mr. ALLEN pertaining to the introduction of S. 77 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

The Senator from Hawaii is recognized.

Mr. AKAKA. I thank the Chair.  
(The remarks of Mr. AKAKA pertaining to the introduction of S. 13 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

The PRESIDING OFFICER. The Senator from Massachusetts.

#### DEMOCRATIC PRIORITIES AND VALUES

Mr. KENNEDY. Mr. President, today Senate Democrats introduced 10 bills that illustrate the priorities and values we intend to fight for in the coming months to meet our commitments to the American people. It is an agenda for a future of security, opportunity, and responsibility. The contrast with the Bush administration and the Republican leadership in Congress could not be greater. They say they are for ownership, but their vision means an America divided. In a society based on ownership, we are divided by winners and losers, rich and poor, a shrinking middle class, owners and those who cannot afford to own.

Republicans see the forces of globalization as a chance for greater profits at the expense of job and wage security for American families. Democrats are for opportunity for all. Our vision is for an America united to provide opportunity for all Americans and to fulfill the American dream.

We embrace the challenges of globalization not by lowering our wages but raising our skills to equip every American to compete for good jobs in the local economy.

I will mention three areas in which Democrats have introduced bills today that reflect our values and priorities.

First, health care. It is an honor to join our Democratic leader and so many of our colleagues in introducing the Affordable Health Care Act in meeting our responsibility to the Medicare Beneficiaries Act. This Affordable Health Care Act states our strong commitment as Democrats to end the crisis in health care that affects every family. It is a downpayment on our commitment to quality, affordable health care for every American and we will not rest until that goal is achieved.

The worsening crisis in health care is caused by skyrocketing costs, declining insurance coverage, and less security for every family. Businesses, especially small businesses, find it increasingly difficult to provide decent coverage for their employees. Rising health care costs threaten the competitiveness of all American businesses. Even people who have health insurance today cannot count on it being there for them tomorrow. No American family is more than one pink slip or one employer decision away from being uninsured.

In the face of this massive crisis in health care, the administration and Congress have been missing in action for too long. The legislation we are offering today will not solve all of these problems, but it is a good start and we are committed to finishing the job. It will guarantee coverage for every child. It will lower prescription drug costs by allowing importation of safe drugs from abroad. It will improve the quality of health systems while reducing costs at the same time by adopting a modern information technology in health care.

Affordable health care is a high priority for every family and it should be an equally high priority for this Congress. We face a crisis and it is time to act. Senate Democrats are committed to guaranteeing the basic right to health care for all Americans and when we say "all," we mean all.

The legislation we are introducing today cuts the special interest deals out of the Medicare Program, addresses the troubling gaps in the Medicare drug benefit. Medicare is a solid commitment to our senior citizens, not a piggy bank for special interests, and it is time to fulfill that commitment.

Second is education. Our Nation's future depends on ensuring equal educational opportunities for all children. We must keep the promise to leave no child behind. For Democrats, this is not just a slogan. For us, it is a moral commitment. This year alone, the Bush administration underfunded No Child Left Behind by \$9.8 billion, leaving 4 million children behind. In contrast, we propose fully funding No Child Left Behind and also keeping our promises to disabled children by fully funding the Individuals With Disability Education Act.

We also recognize that what we do for children's early education and development does more to ensure their success later in school and later in life