

life of a great man, Jon Krahulik, who died this week after a courageous struggle with cancer. He was a good friend, devoted family man, and faithful public servant. I will miss him dearly, and I know that sentiment is shared by countless others across Indiana.

I had the honor of appointing Jon to the Indiana Supreme Court more than 15 years ago. While on the court, he served Indiana with distinction, garnering the admiration of all those whom he encountered. During his time on the bench, he authored nearly 120 opinions, shaping the laws of our State and influencing policymakers across the country.

Whether it was teaching law, serving as a trial lawyer, working to reform State government or recommending changes to Indiana's criminal justice system, Jon brought to bear his remarkable talents and his belief in the potential of humanity. He always sought justice while forging collective solutions. His record of service to the legal profession was matched only by his service and dedication to the community.

Jon went to law school in Indianapolis and stayed on to practice law for nearly two decades at Bingham Summers Welsh & Spilman. He resigned from the Indiana Supreme Court to become president at Chemed Corp., in Cincinnati. A true family man who possessed a deep love for the law, Jon later returned to Indianapolis to start a law firm with his two sons.

His personal accomplishments are as impressive as his professional ones. A man of incredible physical strength, Jon ran in several marathons and competed in an Iron Man Triathlon in Hawaii.

Indiana lost a great man when cancer took Jon away from us. It is my sad honor to enter the name of Jon Krahulik in the RECORD of the United States Senate for his service to Indiana and for his profound contributions to the field of law.●

TRIBUTE TO ELLIOTT BALBERT

● Mr. HARKIN. Mr. President, more than 10 years ago I was proud to work shoulder to shoulder with Senator ORRIN HATCH to pass the Dietary Supplement Health Education Act, DSHEA, to give consumers access to dietary supplements and truthful information about these products. That is one of the reasons it is my great pleasure to pay special tribute to Elliott Balbert, upon his retirement as the president of the Dietary Supplement Education Alliance.

Elliott Balbert recognized the need to get the word out about the growing body of scientific support for dietary supplement use. So, 5 years ago, he created a unique industry alliance of companies to focus on providing meaningful information about the health benefits and responsible use of dietary supplements.

Starting a brandnew nonprofit organization is not easy. There were volun-

teers to recruit, a board to create, paperwork to file, and money to raise. But even though Elliott was still a full-time CEO of a large public company, he managed to build a solid foundation on which the Dietary Supplement Education Alliance can continue to grow.

Elliott Balbert served as president of the board of trustees for the Dietary Supplement Education Alliance for more than 4 years. He planted the seeds, nurtured them, and watched them blossom into a thriving organization.

I admire the fact that Elliott isn't afraid to put his money where his mouth is. He has provided ongoing philanthropic support to a number of health-related charities, including the Vitamin Angels, the Healthy Foundation, and other initiatives that provide health benefits to the underprivileged.

As Elliott moves on to dedicate more time to his business, I want to take this opportunity to express my gratitude for the outstanding job he has done for the Dietary Supplement Education Alliance. We wish Elliott and his family all the best, and we salute his leadership in working toward a healthier America.●

JOSEPH P. "SONNY" FOSTER

● Mr. NELSON of Nebraska. Mr. President, I am here today to speak about my cherished friend, long time aide, and trusted confidante, Sonny Foster, who died unexpectedly on August 25.

I first met Sonny in 1973 when he and I served together on the Urban League Board. Sonny was still a student at Creighton and I was counsel to an insurance company. Sonny loved to tell the story of my first Urban League meeting at the old Logan Fontenelle Center. When the meeting ended and I went to drive home, I found, to my dismay, that someone had helped themselves to my battery. Sonny retold the story the week before he died. With his unique high-pitched laugh he said "We never expected to see him again!" But I came back and a friendship began that lasted for more than 30 years!

In 1989, when I was planning to run for Governor, some 16 years later, we teamed up. No one ever expected us to win, and we never expected to lose. And we didn't. It was his first time to manage a statewide campaign and my first time as a candidate for office. Of this victory, the Omaha World-Herald said in its August 27, 2005 editorial "Foster put his stamp on the political map of Nebraska by the start of the 21st Century—not only because of his assistance in planting BEN NELSON firmly in the political firmament, but also in his steadfast efforts to make the Democratic Party a force in his North Omaha base."

Much has been made of Sonny's firsts. He was the first African American elected to be student body president at Creighton University in 1973. He was the first African American elected to the Omaha Board of Edu-

cation by district. He was also the first African American to run a statewide campaign in Nebraska. Sonny had a long and distinguished career in public service including serving as a legislative aide for Congressman John Cavanaugh and as deputy labor commissioner for Governor Bob Kerrey. When I was Governor, he served in multiple positions in my administration.

These are indeed significant accomplishments. And it is indeed appropriate that we celebrate them. But you know what Sonny treasured most was breaking the ground for others to follow—much more than anything he did on his own. In a very real sense, Sonny lived his life so others could enjoy their own success. Sonny lit the torch and passed it on. We must commit to never let that torch go out because of apathy or inaction. He set the standard—it is for others, for us, to now uphold.

I had a lot of time to think about what to say about Sonny in the eulogy I delivered at his memorial service hoping to do justice to a most remarkable life cut short by some divine plan which we must reluctantly accept. I started by listing his many qualities: Sonny was brilliant and perceptive. He was loyal, honest, trustworthy, dependable, responsible, competent, caring, passionate and compassionate.

He was totally trustworthy. Sonny was honest. He would tell you what you needed to know, not what he thought you wanted to hear. This was one of his most endearing qualities.

One time I teased him by saying I preferred to be told that my idea was unlikely to work rather than be asked "who came up with that crazy idea?"

Sonny was focused on getting things done. No task was ever too big or important or too small for him. Stories abound about his tackling impossible immigration cases and solving them. He met my plane when he could have assigned it to someone else. Those 20 minute trips gave us uninterrupted time to talk, to catch up, and to tease one another about one thing or another.

Then there is Sonny's passion. Everyone has a story about how strongly Sonny Foster felt about each and every cause. He didn't suffer foolishness. He possessed the ability to sort things out. Not bashful, he told you what he thought and sometimes in colorful terms. Most of those terms cannot be repeated here. Some thought Sonny lacked patience. I see it the other way around. His dedication, his devotion to his work, his dogged perseverance manifested itself in bold and bombastic ways. When he cared, you knew it!

Underneath the bombast and the passion was a deep well of compassion. Sonny had a soft, caring side. I think today of all those constituents who benefited from his good work in our office. How he cared about their problems! He left an indelible impression.

An e-mail from a young TV reporter who has left Omaha for another market

wrote, "A few years ago, Sonny took time out of his schedule to talk with me about working in politics. I walked away from that evening knowing Sonny loved his job meeting and working for all Nebraskans and representing Gov./Sen. NELSON. I'll never forget his guidance, career advice and passion for his job."

What was an everyday meeting for Sonny made a lasting impression on this young man. Sonny had that affect on people.

I will be the first to admit that I wouldn't be standing here today after 15 years in elective office without Sonny. He had a political sense unmatched in Nebraska. He heard the rumblings long before the storms. He didn't need to poll anyone to determine the mood of the people. He just knew. His instincts were right on. And that's why people sought his opinion and listened when he spoke.

Mrs. Foster described the last time she was with Sonny as being "jolly." Have I mentioned that laugh? Sonny filled the room with his presence and his persona. It overflowed when he laughed that unique, infectious belly laugh. No one enjoyed a practical joke more than Sonny, except maybe me! I think Mrs. Foster will forever keep that wonderful memory of Sonny and by sharing it with all of us has given us a gift we should cherish.

Thank you Sonny, for all you did for me, for my family, and most important, for the State of Nebraska. The "good life" will not quite be the same without you.●

CELEBRATING THE OPENING OF THE UNIVERSITY OF CALIFORNIA, MERCED CAMPUS

● Mrs. BOXER. Mr. President, I rise to recognize the opening of the University of California, Merced, the first new University of California campus in 40 years.

The University of California, Merced is the 10th campus in the University of California system, widely renowned as one of the finest public university systems in the world. Merced, located in the heart of the San Joaquin Valley in Central California, was selected as the site of the new campus in 1995 after a thorough and competitive screening process that took 7 years and involved more than 80 different locations.

The 1,000 students in the inaugural 2005 class are a shining example of the diversity that is a great strength of California. Students from Del Norte to San Diego, and from the Pacific Coast to the Sierra Nevada, make up the diverse student body population. A significant number of the students are the first in their families to attend college and come from underrepresented ethnic or racial minority groups in the Central Valley.

The University of California, Merced will grow steadily in the coming years. Initially, the university will offer major degrees in nine different majors

from three disciplines: engineering, natural sciences, and social sciences, arts and humanities. Graduate degrees in the three major disciplines will also be available. Total enrollment is expected to reach 5,000 in 5 years and reach 25,000 in 2035. The number of academic programs and degree offerings will increase accordingly as the university grows.

The students, faculty, and staff of the inaugural UC Merced class deserve special praise for their vision as they take on the responsibility of building and expanding the 10th University of California to one that will some day be steep in tradition, history, and excellence. In due time, the students, faculty, and the staff of the first UC Merced class will be rightfully seen as pioneers to those who will follow in their path in the years and decades to come.

The opening of the University of California, Merced is made possible by the tireless work and dedication of scores of committed public officials, hard-working professionals, and determined citizens. Every person who has lent a helping hand to the UC Merced campus can take great pride in knowing that their hard work has resulted in greater opportunities for future generations of California students.

I congratulate the University of California, Merced on its opening, and wish its faculty, students and the community a bright future as they help make the Central Valley and California an even better place to live.●

CHARLES CITY, IOWA, REVITALIZATION

● Mr. HARKIN. Mr. President, one of the greatest challenges we face—not just in Iowa but all across America—is preserving the character and vitality of our small towns. This is about economics, but it is also about our culture and identity. After all, you won't find the heart and soul of Iowa at Wal-Mart or Home Depot out in the strip malls. No, the heart and soul of Iowa is in our family farms, and on Main Street in small communities all across my State. That's why we need to be as generous as possible—and creative as possible—in keeping our downtowns not just alive but thriving.

As a member of the Senate Appropriations Committee, I am involved in funding many hundreds of programs every year. But the Main Street Iowa program—providing challenge grants to revitalize downtown buildings across my State—is in a class by itself. It's smart. It's effective. And it touches communities and people in very concrete ways.

For example, the citizens of Charles City, IA, are revitalizing their downtown and inspiring new interest in fine arts. Charles City received a Main Street Challenge Grant to construct an elevator addition to the Charles City arts center, which is housed in a historic, city-owned building that was

originally a Carnegie Library. This elevator installation is the first phase of a project called "Expanding Accessibility to the Arts," which aims to increase the number of people who can experience the programs and services offered by the arts center. The next steps in the plan are to refurbish the building's workshop and classroom areas to provide wheelchair access and eliminate sources of allergic reaction, and to expand the arts center exhibits and programs to meet the needs of the entire community.

This Carnegie Library building has been the cultural center of the Charles City community since it was opened to the public in 1904. When much of the downtown was devastated by a tornado in 1968, the Carnegie building was miraculously spared. In 2004, the Carnegie Library celebrated its centennial anniversary.

The addition of an elevator, plus other changes to improve access for people with disabilities, will help to equip the Carnegie Library building for its next 100 years. As the principal author of the Americans with Disabilities Act, I am heartened to see more and more of our old, historic buildings being retrofitted to improve access for citizens with disabilities.

The beauty of the Main Street Iowa program is that the ideas and initiatives come from our small towns and rural communities. I have been pleased to secure \$1.5 million in funding since 2002 for Main Street Iowa Challenge Grants. The Iowa Department of economic development provides technical assistance, but, as we have seen in Charles City, success itself comes from local leadership, local teamwork, and home-grown ideas and solutions.

This project is demonstrating how renovations of old buildings can serve to jumpstart broader civic improvements. When people see one of the anchors of Main Street being renovated or expanded, this can change the whole psychology of a town or community. It offers hope. It serves as a catalyst for a far-reaching ripple effect of positive changes.

So I congratulate the citizens of Charles City for putting together a winning proposal to secure a Main Street Challenge Grant. Their efforts to reinvigorate the city's historic downtown and improve access for people with disabilities are setting a terrific example for other small towns across America—and for that, I salute them.●

ADEL, IOWA, REINVIGORATION

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