

SBA's disaster administrative funds into the account for disaster loans. Unfortunately, not only did SBA wait until the last minute to seek assistance, but the assistance it sought was not enough to keep the program running long—just enough to keep the program running from February 14 to maybe the end of the month. To make it through the year, the SBA needs an estimated \$1.3 billion.

Demonstrating yet another lapse in judgment, the administration did not plan to seek the entire amount to avoid another shutdown but instead decided to take a piecemeal approach. Their plan was to ask now for enough money to make it through July and then later in the year to seek the rest of the needed funding. I disagreed with this approach and urged the President and Senator Majority Leader FRIST to request the entire funding at one time and to move the funding measure as a freestanding bill so that it could pass before the Congress breaks for the Presidents Day recess. Waiting until Congress comes back on February 28 would be too risky given that SBA only has the \$100 million it requested to keep going.

Given all that is at stake for the families and businesses in the gulf, I am very glad that today, before we recess, the Senate is considering H.R. 4745, a bill to provide funding to the SBA's disaster loan program. I am glad that Congress has come to the administration's rescue to pass another emergency bill, one that is freestanding. I only wish the bill provided the full \$1.3 billion instead of \$712 million. This will only keep the program running through April. However, the House has already recessed, so we are not in the position to add more funding at this time.

I hope this bill gives some peace of mind to those in the gulf waiting for help, and I hope that when we come back we can be just as swift in approving a final measure to fully fund the disaster loan program.

In closing, I ask unanimous consent that letters from me and my colleagues to President Bush and Majority Leader FRIST be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE, COMMITTEE ON SMALL BUSINESS & ENTREPRENEURSHIP,

Washington, DC, February 10, 2006.

Re Averting Shutdown of SBA's Disaster Loan Program.

The PRESIDENT,  
The White House,  
Washington, DC.

DEAR MR. PRESIDENT: We have just received word that the Small Business Administration's (SBA) disaster loan program was on the brink of running out of money next week, on February 13, 2006. Our Committee was not notified until this week that the SBA needed more funding, and according to documents I have just received, not even the appropriators were notified until recently. Instead of waiting until the last minute to try and avoid a shutdown, further exacerbating the disaster loan program's failure to

meet the urgent needs of hurricane victims in the Gulf, the Administration should have notified Congress of this problem sooner. This is reminiscent of the way in which the Administration handled the shutdown of its largest small business lending program two years ago and the way it handled the shortage of funds to pay SBA's disaster loan staff during the 2004 Florida hurricanes.

Mr. President, your FY2007 budget was released on Monday, and you deployed your staff out to the various oversight Committees this week to promote your priorities for the various agencies and departments and to justify the requests. Among other key SBA employees, Committee staff met with the SBA's Chief Financial Officer. No one should be in a better position to know the Agency's fiscal standing in its accounts. Yet, not once did the CFO or anyone from the SBA mention a need for additional disaster loan funding.

For too long, you have ignored the mismanagement of the SBA. The draconian cuts to the SBA by this Administration have proven deleterious to the delivery of resources important to small businesses across the nation. The near-shutdown of the disaster loan program demonstrates the shortsightedness of these budget cuts.

It is time to get the SBA's disaster loan program running smoothly and remove the red tape that is keeping so many homeowners and business owners from getting much-needed disaster assistance. As of yesterday, SBA's data showed that almost six months after Hurricane Katrina hit, 50 percent of the loans requested by homeowners are waiting to be processed, and 35 percent of the business owners are waiting for their loan applications to be processed.

I understand that the Administration's reprogramming request of \$100 million approved yesterday by Congress will only provide enough funding to keep the program running for about 14 more days. To avoid a shutdown during Fiscal Year 2006, the SBA disaster loan program needs an estimated \$1.3 billion. Currently, your Administration is planning to request \$1 billion to be reallocated from the billions sitting idle at FEMA. Unfortunately this will only fund the disaster loan program through July, requiring an additional request for the remaining \$300 million in supplemental appropriations to make it through the end of the fiscal year in September. Rather than continue this piecemeal approach to budgeting, I urge you to request the full amount to operate the program properly now and make sure the needs of the Gulf and future disaster victims are met.

Sincerely,

JOHN F. KERRY.

U.S. SENATE, COMMITTEE ON SMALL BUSINESS & ENTREPRENEURSHIP

Washington, DC, February 14, 2006.

Re Passing Legislation To Prevent Shutdown of SBA's Disaster Loan Program.

Hon. WILLIAM H. FRIST, M.D.,

U.S. Senate Majority Leader, U.S. Senate,  
Washington, DC.

DEAR MR. MAJORITY LEADER: We are writing to ask your immediate attention in passing critical legislation to prevent the Small Business Administration's (SBA) Disaster Loan program from shutting down.

As you are aware, the SBA Disaster Loan program would have run out of money yesterday, February 13, 2006, if the Congress had not approved a last-minute request from the Administration to reprogram \$100 million. The SBA has told the Committee that the reprogrammed funding will only keep the program running for about 12 more days and estimates it will need an additional \$1.3 billion to avoid a shutdown in FY2006.

Instead of seeking the full amount, SBA has informed the Committee that the Administration intends to request only part of the needed money now, through a reallocation of \$1 billion from the unspent funds in the Federal Emergency Management Agency's (FEMA) Disaster Relief Fund. Unfortunately this will only fund the disaster loan program through July, requiring an additional request for the remaining \$300 million in supplemental appropriations to make it through the end of the fiscal year in September.

Rather than continue this piecemeal approach to budgeting, we believe the Congress should pass legislation with the entire estimated amount so that there is stability in the delivery of disaster relief to meet the needs of the Gulf victims, as well as any future disaster victims. We also believe that the request should move as a free-standing bill, rather than combining it with other bills that run the risk of delay because of unrelated controversies.

In summary, we seek your cooperation to immediately pass a free-standing bill in the Senate that would authorize FEMA to reallocate from its Disaster Relief Fund \$1.3 billion to the SBA's Disaster Loan program. And we request that any reallocated funds from the Disaster Relief Fund be restored as soon as possible through the next supplemental emergency funding bill that Congress enacts.

Sincerely,

JOHN F. KERRY.

CARL LEVIN.

MARK PRYOR.

MARY LANDRIEU.

MARIA CANTWELL.

TOM HARKIN.

Mr. FRIST. I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table, and any statements relating to the bill be printed in the RECORD.

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

The bill (H.R. 4745) was read the third time and passed.

RECOGNIZING KENNETH M. MEAD'S SERVICE AS INSPECTOR GENERAL OF THE DEPARTMENT OF TRANSPORTATION

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 382, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A resolution (S. Res. 382) recognizing Kenneth M. Mead's service as Inspector General of the Department of Transportation.

There being no objection, the Senate proceeded to consider the resolution.

Mr. STEVENS. Mr. President, I take this opportunity to commend Kenneth Mead's service as inspector general of the Department of Transportation. I am joined by Commerce Committee Co-chairman Senator INOUE and committee members Senators BURNS, MCCAIN, ROCKEFELLER, LOTT, LAUTENBERG, SUNUNU, PRYOR, and BILL NELSON.

On February 11, 2006, Mr. Mead announced his retirement as the inspector general of the Department of

Transportation after nearly 9 years of service in that position. In those 9 years of service, Mr. Mead and his staff conducted countless investigations in an independent, impartial, and professional manner regarding numerous issues affecting the Department.

Mr. Mead appeared before the committee as a witness on several occasions throughout his tenure, and the committee always found that he provided independent, thorough, and relevant commentary and recommendations concerning a wide range of Federal transportation policies and programs. His contributions to transportation safety are greatly appreciated by the current and former members of the committee.

On behalf of the Commerce Committee, I ask that the Senate recognize and commend Kenneth M. Mead for his more than 8 years of exemplary service to the Nation as the inspector general of the Department of Transportation, and we express our deep appreciation and gratitude for his long and outstanding service.

Mr. FRIST. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motion to reconsider laid upon the table.

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

The resolution (S. Res. 382) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

#### S. RES. 382

Whereas Kenneth M. Mead has announced his retirement as the Inspector General of the Department of Transportation after nearly 9 years of service in that position;

Whereas, Kenneth M. Mead and his staff conducted investigations independently, impartially, and with rigorous professionalism into myriad issues affecting transportation and transportation policy;

Whereas, Kenneth M. Mead and his staff provided independent, thorough, and relevant commentary and recommendations on a wide-range of Federal transportation policies and programs, including aviation operations and safety, highway, auto and truck operations and safety, transportation security, rail operations and safety, and pipeline and hazardous materials transportation safety;

Whereas, during Kenneth M. Mead's tenure as Inspector General, the events of September 11, 2001, had a dramatic impact on the Federal government's relationship with the aviation industry and posed significant challenges for ensuring the safety and security of public transportation in general and the United States aviation industry in particular;

Whereas Secretary of Transportation Norman Mineta recognized Kenneth M. Mead's contributions by describing him as "a tireless advocate for setting the highest possible standards of integrity, accountability, and performance" in the Department's efforts to make the Nation's transportation system as safe and efficient as possible: Now, therefore, be it

*Resolved*, That the United States Senate commends Kenneth M. Mead for his more than 8 years of faithful and exemplary service to the Nation as the Inspector General of

the Department of Transportation, and expresses its deep appreciation and gratitude for his long and outstanding service.

SEC. 2. The Secretary of the Senate shall transmit a copy of this resolution to Kenneth M. Mead.

### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate immediately proceed to executive session to consider the following nominations on today's Executive Calendar: Calendar Nos. 286, 294, 521, 522, 524, 526, 527, 528, 544, 545, and 546.

Finally, I ask unanimous consent that the nominations be confirmed en bloc, the motions to reconsider be laid upon the table, the President be immediately notified of the Senate's action, and the Senate then return to legislative session.

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

The nominations considered and confirmed en bloc are as follows:

#### IN THE NAVY

The following named officer for appointment in the United States Naval Reserve to the grade indicated under title 10, U.S.C., section 12203:

#### *To be rear admiral*

Rear Adm. (1h) Craig O. McDonald, 0000

The following named officer for appointment in the United States Naval Reserve to the grade indicated under title 10, U.S.C., section 12203:

#### *To be rear admiral (lower half)*

Capt. Raymond P. English, 0000

#### EXECUTIVE OFFICE OF THE PRESIDENT

Carol E. Dinkins, of Texas, to be Chairman of the Privacy and Civil Liberties Oversight Board.

Alan Charles Raul, of the District of Columbia, to be Vice Chairman of the Privacy and Civil Liberties Oversight Board.

Stephen C. King, of New York, to be a Member of the Foreign Claims Settlement Commission of the United States for the term expiring September 30, 2008.

#### DEPARTMENT OF DEFENSE

Preston M. Geren, of Texas, to be Under Secretary of the Army.

James I. Finley, of Minnesota, to be Deputy Under Secretary of Defense for Acquisition and Technology.

#### DEPARTMENT OF ENERGY

Thomas P. D'Agostino, of Maryland, to be Deputy Administrator for Defense Programs, National Nuclear Security Administration.

#### FEDERAL RESERVE SYSTEM

Randall S. Kroszner, of New Jersey, to be a Member of the Board of Governors of the Federal Reserve System for the unexpired term of fourteen years from February 1, 1994.

Kevin M. Warsh, of New York, to be a Member of the Board of Governors of the Federal Reserve System for the unexpired term of fourteen years from February 1, 2004.

#### EXECUTIVE OFFICE OF THE PRESIDENT

Edward P. Lazear, of California, to be a Member of the Council of Economic Advisers.

#### NOMINATION OF CAROL DINKINS

Mr. CORNYN. Mr. President, I rise today in support of the nomination of

Carol Dinkins of Houston, TX, to be the chair of the Privacy and Civil Liberties Oversight Board.

Congress recently created this important position based on the recommendation of the 9/11 Commission. The Privacy and Civil Liberties Oversight Board is designed to monitor and uphold our nation's commitment to defend civil liberties. Part of the board's responsibilities will be to provide honest, responsible, and fair review of the development and implementation of laws, regulations, and executive branch policies—specifically with respect to our Federal Government's commitment to protect America from the ongoing threat of terrorism.

The board will play an important role in ensuring that privacy and civil liberty concerns are appropriately considered. Such oversight is important because, as a Nation, we proudly revere our civil liberties. We must remain committed to vigorously defend them, in order to ensure that we remain a beacon of freedom to the rest of the world.

Congress strives to strike a careful and wise balance between national security and civil liberties. While this is not always easy, I believe we do so with the best interests of our Nation in mind—and do so in an honest and good faith manner.

Ms. Dinkins is the right person for this important position, as she has proven throughout her distinguished career to share these values. Her vast public service and private-sector experience will allow Carol Dinkins to offer unique perspectives to the privacy board. As Deputy Attorney General under President Reagan—the second-highest ranking position in the Department of Justice—Ms. Dinkins was responsible for the day-to-day management of the Justice Department's more than 60,000 employees. Moreover, she played a significant role in the development of the Reagan administration's criminal justice and anti-terrorism policies.

Ms. Dinkins has also been a long-time partner in the distinguished Texas law firm of Vinson & Elkins. She has devoted a substantial amount of her time to a variety of public service initiatives, including service on the American Bar Association, and has also donated significant time to activities designed to promote conservation and protect the environment.

I am proud to support Carol Dinkins for this position and am confident that she will serve the Nation with honor and distinction.

### LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now return to legislative session.

Mr. WARNER. Will the Senator yield for a moment?

Mr. FRIST. Yes.

Mr. WARNER. I thank the majority leader for working with the minority