

the reduction of the annual deductible and the required coinsurance and through the elimination of the coverage gap, cost-sharing above the annual out-of-pocket threshold, and the assets test for low-income beneficiaries;

(3) eliminate overpayments to Medicare Advantage plans under part C of such title, including through the elimination of the MA Regional Plan Stabilization Fund, through the extension of refinements to the health status adjustment to plan payments, and through requiring that the Medicare Advantage capitation rate be based on the fee-for-services rate;

(4) reduce costs by allowing the Secretary of Health and Human Services to negotiate discounted prices on prescription drugs offered under a drug plan under such part D; by the amount provided in such measure for those purposes.

(b) **REPEAL OF DIRECT SPENDING LIMITATION.**—Section 406 shall be null and void.

SA 3009. Mr. NELSON of Florida submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 83, setting forth the congressional budget for the United States Government for fiscal year 2007 and including the appropriate budgetary levels for fiscal years 2006 and 2008 through 2011; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. ____. **DEFICIT-NEUTRAL RESERVE FUND TO PROTECT MEDICARE BENEFICIARIES WHO ENROLL IN THE PRESCRIPTION DRUG BENEFIT DURING 2006.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations, aggregates, and other appropriate levels and limits in this resolution for a bill or joint resolution, or an amendment thereto or conference report thereon, that would—

(1) extend the annual open enrollment period under the Medicare prescription drug program under part D of title XVIII through all of 2006 without imposing a late enrollment penalty for months during such period; and

(2) allow a one-time change of plan enrollment under such program at any time during 2006;

by the amount provided in such measure for those purposes, provided that such legislation would not increase the deficit for the period of fiscal years 2006 through 2011.

SA 3010. Mr. KYL submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 83, setting forth the congressional budget for the United States Government for fiscal year 2007 and including the appropriate budgetary levels for fiscal years 2006 and 2008 through 2011; which was ordered to lie on the table; as follows:

On page 24, line 24, increase the amount by \$2,000,000,000.

On page 24, line 25, increase the amount by \$2,000,000,000.

On page 27, line 23, decrease the amount by \$2,000,000,000.

On page 27, line 24, decrease the amount by \$2,000,000,000.

SA 3011. Mr. TALENT (for himself, Mr. LIEBERMAN, and Mr. THUNE) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 83, setting forth

the congressional budget for the United States Government for fiscal year 2007 and including the appropriate budgetary levels for fiscal years 2006 and 2008 through 2011; which was ordered to lie on the table; as follows:

On page 9, line 20, increase the amount by \$3,000,000,000.

On page 9, line 21, increase the amount by \$3,000,000,000.

On page 27, line 23, decrease the amount by \$3,000,000,000.

On page 27, line 24, decrease the amount by \$3,000,000,000.

SA 3012. Mr. KENNEDY submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 83, setting forth the congressional budget for the United States Government for fiscal year 2007 and including the appropriate budgetary levels for fiscal years 2006 and 2008 through 2011; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. **SENSE OF THE SENATE CONCERNING AN INCREASE IN THE MINIMUM WAGE.**

It is the sense of the Senate that the levels in this resolution assume that Congress should enact legislation to amend the Fair Labor Standards Act of 1938 (29 U.S.C. 201 et seq.) to increase the Federal minimum wage by \$2.10, with a \$0.70 increase effective 60 days after the passage of this resolution, a \$0.70 increase effective 12 months after that 60th day, and a \$0.70 increase effective 24 months after that 60th day.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. GREGG. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on March 13, 2006, at 3 p.m. in closed session to receive a briefing from the Joint Improvised Explosive Device Defeat Organization.

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

PRIVILEGES OF THE FLOOR

Mr. BAUCUS. Mr. President, I ask unanimous consent that the following detailees and interns with the Senate Finance Committee be granted privileges of the floor during the Senate's consideration of the budget resolution: Mary Baker, Robin Burgess, Tiffany Smith, Tom Louthan, Margaret Hathaway, Laura Kellams, Leona Cuttler, Deidra Henry-Spires, David Schwartz, Richard Litsey, Stuart Sirkin, Zachary Henderson, Lesley Meeker, Britt Sandler, Lauren Shields, Jordan Murray, and Will Larson.

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

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate im-

mediately proceed to executive session to consider the following nominations on today's Executive Calendar: Calendar Nos. 549, 551, 552, 554, 555, 557, 558, 559, 560, 562, 563, 564, 565, and all nominations on the Secretary's desk.

I further 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:

DEPARTMENT OF JUSTICE

Terrance P. Flynn, of New York, to be United States Attorney for the Western District of New York for the term of four years.

DEPARTMENT OF EDUCATION

Michell C. Clark, of Virginia, to be Assistant Secretary for Management, Department of Education.

DEPARTMENT OF LABOR

Edwin G. Foulke, Jr., of South Carolina, to be an Assistant Secretary of Labor.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

Jean B. Elshtain, of Tennessee, to be a Member of the National Council on the Humanities for the remainder of the term expiring January 26, 2010.

Allen C. Guelzo, of Pennsylvania, to be a Member of the National Council on the Humanities for a term expiring January 26, 2012.

JAMES MADISON MEMORIAL FELLOWSHIP FOUNDATION

George Perdue, of Georgia, to be a Member of the Board of Trustees of the James Madison Memorial Fellowship Foundation for a term expiring November 5, 2006.

INSTITUTE OF MUSEUM AND LIBRARY SERVICES

Anne-Imelda Radice, of Vermont, to be Director of the Institute of Museum and Library Services.

DEPARTMENT OF EDUCATION

Craig T. Ramey, of West Virginia, to be a Member of the Board of Directors of the National Board for Education Sciences for a term of two years.

LEGAL SERVICES CORPORATION

Sarah M. Singleton, of New Mexico, to be a Member of the Board of Directors of the Legal Services Corporation for a term expiring July 13, 2008.

DEPARTMENT OF JUSTICE

Donald J. DeGabrielle, Jr., of Texas, to be United States Attorney for the Southern District of Texas for the term of four years.

John Charles Richter, of Oklahoma, to be United States Attorney for the Western District of Oklahoma for the term of four years.

Amul R. Thapar, of Kentucky, to be United States Attorney for the Eastern District of Kentucky for the term of four years.

Mauricio J. Tamargo, of Florida, to be Chairman of the Foreign Claims Settlement Commission of the United States for a term expiring September 30, 2009.

NOMINATIONS PLACED ON THE SECRETARY'S DESK

PUBLIC HEALTH SERVICE

PN936 Public Health Service nomination of Leah Hill, which was received by the Senate and appeared in the Congressional Record of September 28, 2005.

PN937 Public Health Service nominations (262) beginning Gregory A. Abbott, and ending Carl A. Huffman III, which nominations

were received by the Senate and appeared in the Congressional Record of September 28, 2005.

NOMINATION OF DONALD DEGABRIELLE, JR.

Mr. CORNYN. Mr. President, I rise to express my enthusiastic support for Don DeGabrielle, an outstanding attorney and committed public servant who has been nominated by the President to serve as the U.S. attorney for the Southern District of Texas.

The Southern District of Texas is home to Houston, our Nation's fourth largest city. The district extends from Houston to the U.S.-Mexico border, and includes the cities of Brownsville, McAllen, and Laredo—all of which are located on or near the border.

The position for which Don DeGabrielle is nominated has been vacant for some time now. As my colleagues know, the U.S. attorney is each district's chief Federal law enforcement officer. So it is critically important to the Department of Justice and to the people of the Southern District that this vacancy be filled as soon as possible.

Don DeGabrielle is an outstanding selection for this post. He brings extensive and praiseworthy prosecutorial experience. Don DeGabrielle has served the Southern District as an assistant U.S. attorney for the past 20 years—the last 4 as first assistant U.S. attorney. As first assistant, he was responsible for the day-to-day management of the district, supervising an extensive criminal, civil, and appellate docket.

Don DeGabrielle has unimpeachable credentials as a prosecutor. He has tried nearly 200 cases in both State and Federal courts, has been an instructor at the National Advocacy Center, and has provided legal instruction to Federal agents.

Don DeGabrielle's diverse experience includes a stint in 2001 as the Resident Legal Adviser to the Republic of South Africa, where he advised that nation's prosecutors and helped reorganize its Justice Ministry. Prior to his career as a prosecutor, he served as an FBI special agent in New Orleans and New York City.

In short, Don DeGabrielle's unique qualifications make this nomination a superb one. I am confident that he will serve this country with distinction. And I am proud to support his nomination.

NOMINATION OF AMUL R. THAPAR

Mr. MCCONNELL. Mr. President, it is my great honor and privilege today to speak on behalf of Amul R. Thapar, the President's nominee to be the next U.S. Attorney for the Eastern District of Kentucky. Mr. Thapar is an outstanding man of great credentials and character. He has many years of experience successfully prosecuting some of America's most wanted criminals, and his confirmation will lead to a safer, more just Kentucky.

Mr. Thapar has served as an Assistant U.S. Attorney in Cincinnati since 2002. In that position, he has managed the successful prosecution of a wide va-

riety of Federal crimes, with an emphasis on public corruption, homeland security, and violent crimes.

Mr. Thapar led the Southern Ohio Mortgage Fraud Task Force, which successfully prosecuted approximately 40 perpetrators of mortgage fraud. Last year, he led the successful investigation and prosecution of a conspiracy ring to provide illegal aliens with fraudulent drivers' licenses.

Mr. Thapar also served as an Assistant U.S. Attorney right here in Washington, DC, from 1999 to 2001. He went after violent criminals in the District, and had a role in prosecuting the notorious "Starbucks Homicides" that happened in Georgetown several years ago.

For his excellence in public service, Mr. Thapar has been recognized by the Department of Justice, which honored him with a special achievement award; by the Postal Inspection Service, for his many successful investigations of violent and white-collar crimes; by the Secret Service for his efforts to fight counterfeiting; and the FBI for his campaigns against bank fraud and election fraud.

Mr. Thapar is an accomplished attorney in private practice as well. He has worked as an associate at both the prestigious Squire, Sanders & Dempsey law firm of Cincinnati and the Williams & Connolly law firm of Washington, DC. In both of those jobs, he managed and litigated complex cases on behalf of major corporations in both Federal and State courts.

Mr. Thapar has served as an adjunct professor at Georgetown University Law Center, and until recently served as an adjunct professor at the University of Cincinnati College of Law, where he taught Federal criminal practice. He has clerked for Judge Nathaniel R. Jones of the U.S. Court of Appeals for the Sixth Circuit and Judge S. Arthur Spiegel of the U.S. District Court for the Southern District of Ohio.

Even while managing such an impressive career, Amul still finds time to volunteer in his community. In 1995, he founded the Cincinnati chapter of the well-respected Street Law program. Street Law sends law school students into underprivileged high schools to teach kids about the basic underpinnings of our legal system, and the rights and responsibilities inherent in being an American citizen. Hundreds of students have benefited from Amul's initiative, and the program is larger and more successful than ever after 11 years.

Amul graduated from the renowned Boalt Hall School of Law of the University of California after receiving his undergraduate degree with high honors from Boston College. In addition to his remarkable career accomplishments, Amul has a remarkable family, and I am sure his wife, Kimberly, and his children, Zachary, Carmen and Nicholas, are very proud of him and all he has achieved.

The President has made the right choice by calling on Amul to serve the

people of Kentucky as the chief law enforcement officer for the State's Eastern District. Amul's entire career has prepared him for this assignment. He has risen to the top of his field to become a stellar career prosecutor. He has gained valuable experience in handling all types of cases. And, most importantly, he is a man of integrity, intelligence, and spirit, who has a deep desire to seek out justice on behalf of those who deserve it.

I appreciate my fellow Senators' expeditious handling of Mr. Thapar's nomination, and I am confident he has the energy and the experience to excel as Kentucky's next U.S. Attorney.

LEGISLATIVE SESSION

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

GREEK INDEPENDENCE DAY: A NATIONAL DAY OF CELEBRATION OF GREEK AND AMERICAN DEMOCRACY

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of S. Res. 399, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 399) designating March 25, 2006, as "Greek Independence Day: A National Day of Celebration of Greek and American Democracy."

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

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

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

The resolution (S. Res. 399) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 399

Whereas the ancient Greeks developed the concept of democracy, in which the supreme power to govern was vested in the people;

Whereas the Founding Fathers of the United States drew heavily on the political experience and philosophy of ancient Greece in forming our representative democracy;

Whereas Greek Commander in Chief Petros Mavromichalis, a founder of the modern Greek state, said to the citizens of the United States in 1821 that "it is in your land that liberty has fixed her abode and . . . in imitating you, we shall imitate our ancestors and be thought worthy of them if we succeed in resembling you";

Whereas Greece played a major role in the World War II struggle to protect freedom and democracy through such bravery as was shown in the historic Battle of Crete, which provided the Axis land war with its first major setback, setting off a chain of events that significantly affected the outcome of World War II;