

died in a plane crash in 1967, and a lot of Phil Walden's hopes and dreams died with him.

But Phil Walden didn't stop with just rhythm and blues bands. About the time that Otis Redding's plane went down, Phil Walden founded Capricorn Records and found another band in Macon, GA, called the Allman Brothers. He then promoted the Allman Brothers into superstar status, and the Allman Brothers became the heart and soul of southern rock and roll music.

Phil Walden hit hard times when heavy rock and roll hit hard times. Unfortunately, Duane Allman was killed in a motorcycle accident in 1971. Another star member of the band, Barry Oakley, was killed shortly thereafter. The Allman Brothers hit on hard times, and so did Phil Walden. He had problems with abuse and use of alcohol and drugs, like so many folks in the music industry.

Phil Walden hit a low point in his life, but Phil Walden rebounded from that, just like the music industry he knew and loved so well. He moved to Nashville and stayed for a time in Nashville.

While he was in Nashville, he discovered another band in Athens, GA, called Widespread Panic. They are a little beyond my generation, but my son has been to a number of Widespread Panic concerts around the Southeast, and I venture to say that the children of a lot of our Members likewise, if you mention Widespread Panic to them, their eyes light up.

Phil Walden was the kind of man who had the ability to bounce back, and he did so. He was an icon in his industry. He represented, I noticed in looking at the various obituaries, a number of folks, frankly, I did not know he represented in all the years I knew Phil. Here are several of the bands and acts Phil Walden either managed at Capricorn Records or promoted otherwise: I mentioned Otis Redding and the Allman Brothers, Percy Sledge, Boz Skaggs, the Charlie Daniels Band, the Marshall Tucker Band, Wet Willie, Kenny Chesney, 311, Cake, Lynyrd Skynyrd, Hank Williams, Jr., Billy Joe Shaver, and Stillwater.

Phil Walden hit on hard medical times also in recent years. Last Sunday, Phil lost his battle with cancer and, unfortunately, passed away. He had a burial last Thursday in Macon, GA, at Rose Hill Cemetery, where he was laid to rest in the same cemetery as Duane Allman and Barry Oakley.

Phil Walden was truly an unusual person in the music industry. In the 1960s, he took a Black man in Otis Redding, brought him to a White university, White universities all across the Southeast, without any major incidents whatsoever, and that was significantly unusual. As Peter Conlin, a promoter and longtime friend of Phil Walden, said:

If you look at a white guy from the south in the '60s trying to promote a black singer, that was a brave thing to do.

And it truly was. Phil Walden did it with class, he did it with style, and he did it with success. Phil Walden then took the Allman Brothers and did it with style, did it with class, did it with success. He was a true dream story, a true story of the American dream in the music industry. He is someone the music industry is going to miss.

Phil certainly lived an interesting life, and his wife Peggy, who stood by his side for so many years, deserves a lot of credit for the success Phil had, both in the music industry as well as in bringing his life back together. We are all going to miss Phil Walden.

I yield the floor, Mr. President.

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

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

#### MAKING EMERGENCY SUPPLEMENTAL APPROPRIATIONS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2006—Continued

##### AMENDMENT NO. 3597

Mr. COCHRAN. Mr. President, there are several amendments that have been cleared on both sides of the aisle.

I call up amendment No. 3597 on behalf of Senator LUGAR and others regarding the State Department personnel in Iraq and Afghanistan.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Mississippi [Mr. COCHRAN], for Mr. LUGAR, for himself, Mr. WARNER, Mr. CHAFEE, and Mr. ALLEN, proposes an amendment numbered 3597.

Mr. COCHRAN. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To provide certain authorities necessary to carry out foreign policy objectives in Iraq and Afghanistan)

On page 90, between lines 10 and 11, insert the following:

##### SEC. 1202. DEPARTMENT OF STATE AND USAID AUTHORITIES.

(a) WAIVER OF ANNUITY LIMITATIONS ON REEMPLOYED FOREIGN SERVICE ANNUITANTS.—Section 824(g) of the Foreign Service Act of 1980 (22 U.S.C. 4064(g)) is amended to read as follows:

“(g)(1) The Secretary of State may waive the application of subsections (a) through (d) on a case-by-case basis for an annuitant reemployed on a temporary basis, or grant authority to the head of an Executive agency to waive the application of subsections (a) through (d) on a case-by-case basis for an annuitant reemployed on a temporary basis—

“(A) if, and for so long as, such waiver is necessary due to an emergency involving a direct threat to life or property or other unusual circumstances; or

“(B) if the annuitant is employed in a position for which there is exceptional difficulty in recruiting or retaining a qualified employee.

“(2) The authority of the Secretary to waive the application of subsections (a) through (d) for an annuitant pursuant to subparagraph (B) of paragraph (1), or to grant authority to the head of an Executive agency to waive the application of such subsections to an annuitant under subparagraphs (A) or (B) of such paragraph, shall terminate on October 1, 2008. An annuitant reemployed pursuant to such authority prior to such termination date may be employed for a period ending not later than one year after such date.

“(3) The Secretary should prescribe procedures for the exercise of any authority under paragraph (1), including criteria for any exercise of authority and procedures for a delegation of authority.”

##### (b) WAIVER OF ANNUITY LIMITATIONS ON REEMPLOYED CIVIL SERVICE ANNUITANTS.—

(1) DEPARTMENT OF STATE.—Title I of the Department of State Basic Authorities Act of 1956 (22 U.S.C. 2651a et seq.) is amended by adding at the end the following new section: “SEC. 61. REEMPLOYMENT OF ANNUITANTS UNDER THE CIVIL SERVICE RETIREMENT SYSTEM AND FEDERAL EMPLOYEES' RETIREMENT SYSTEM.

##### “(a) AUTHORITY.—

“(1) IN GENERAL.—The Secretary of State may waive the application of the provisions of section 8344 or 8468 of title 5, United States Code, on a case-by-case basis for employment of an annuitant in a position in the Department of State for which there is exceptional difficulty in recruiting or retaining a qualified employee, or when a temporary emergency hiring need exists.

“(2) TERMINATION OF AUTHORITY.—The authority of the Secretary under paragraph (1) shall terminate on October 1, 2008. An annuitant reemployed pursuant to such authority prior to such termination date may be employed for a period ending not later than one year after such date.

“(b) PROCEDURES.—The Secretary should prescribe procedures for the exercise of any authority under subsection (a), including criteria for any exercise of authority and procedures for a delegation of authority.

“(c) ANNUITANTS NOT TREATED AS EMPLOYEES FOR PURPOSES OF RETIREMENT BENEFITS.—An employee for whom a waiver under this section is in effect shall not be considered an employee for purposes of subchapter III of chapter 83, or chapter 84 of title 5, United States Code.”.

(2) UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT.—Section 625 of the Foreign Assistance Act of 1961 (22 U.S.C. 2385) is amended by adding at the end the following new subsection:

“(j)(1)(A) The Administrator of the United States Agency for International Development may waive the application of the provisions of section 8344 or 8468 of title 5, United States Code, on a case-by-case basis for employment of an annuitant in a position in the United States Agency for International Development for which there is exceptional difficulty in recruiting or retaining a qualified employee, or when a temporary emergency hiring need exists.

“(B) The authority of the Administrator under subparagraph (A) shall terminate on October 1, 2008. An annuitant reemployed pursuant to such authority prior to such termination date may be employed for a period ending not later than one year after such date.

“(2) The Administrator should prescribe procedures for the exercise of any authority under this subsection, including criteria for any exercise of authority and procedures for a delegation of authority.

“(3) An employee for whom a waiver under this section is in effect shall not be considered an employee for purposes of subchapter III of chapter 83, or chapter 84 of title 5, United States Code.”.

(c) REPORT ON USE OF ANNUITY LIMITATION WAIVER AUTHORITY.—Not later than 1 year after the date of the enactment of this Act, the Secretary of State shall submit to the Committee on Foreign Relations and the Committee on Homeland Security and Government Affairs of the Senate and the Committee on International Relations and the Committee on Government Reform of the House of Representatives a report on the exercise of the waiver authorities provided under section 824(g) of the Foreign Service Act of 1980 (22 U.S.C. 4064(g)), as amended by subsection (a), section 61 of the State Department Basic Authorities Act of 1956, as added by subsection (b)(1), and section 625(j) of the Foreign Assistance Act of 1961, as added by subsection (b)(2). The report shall include the number and type of positions that have been filled under such waiver authority, and the retirement date, former job title, and new job title of each annuitant re-employed under such authority.

(d) HOME LEAVE PROVISIONS.—

(1) TRAVEL EXPENSES FOR REST AND RECOVERY TRAVEL.—Section 901(6) of the Foreign Service Act (22 U.S.C. 4081(6)) is amended by striking “unbroken by home leave” each place it appears.

(2) AUTHORITY TO REQUIRE LEAVES OF ABSENCE.—Section 903(a) of the Foreign Service Act (22 U.S.C. 4083) is amended by striking “18 months” and inserting “12 months”.

(e) AUTHORITY TO PROVIDE ACCOMMODATION AND SUBSISTENCE TO INDIVIDUALS SERVING IN IRAQ AND AFGHANISTAN.—The Secretary of State may provide during any fiscal year, with or without reimbursement, accommodation and subsistence to personnel in Iraq and Afghanistan for whom the Chief of Mission is responsible.

The PRESIDING OFFICER. Is there further debate on the amendment? If not, the question is on agreeing to amendment No. 3597.

The amendment (No. 3597) was agreed to.

AMENDMENT NO. 3661, AS MODIFIED

Mr. COCHRAN. Mr. President, I call up amendment No. 3661 on behalf of Senator LEAHY regarding notification requirements.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Mississippi [Mr. COCHRAN], for Mr. LEAHY, proposes an amendment numbered 3661.

Mr. COCHRAN. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To provide for notification to the Committees on Appropriations)

On page 121, line 5, after the colon, insert the following: *Provided further*, That funds made available under this heading shall be subject to the regular notification procedures of the Committees on Appropriations:

Mr. COCHRAN. Mr. President, I send a modification to the desk.

The PRESIDING OFFICER. Without objection, the amendment is so modified.

The amendment, as modified, is as follows:

(Purpose: To provide for notification to the Committees on Appropriations)

On page 121, line 5, after the colon, insert the following: *Provided further*, That funds made available under this heading in this Act shall be subject to the regular notification procedures of the Committees on Appropriations:

The PRESIDING OFFICER. Is there further debate on the amendment?

If not, the question is on agreeing to the amendment, as modified.

The amendment, as modified, was agreed to.

AMENDMENT NO. 3663, AS MODIFIED

Mr. COCHRAN. Mr. President, I call up amendment No. 3663 on behalf of Senator LEAHY regarding a technical correction.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Mississippi [Mr. COCHRAN], for Mr. LEAHY, proposes an amendment numbered 3663.

Mr. COCHRAN. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: Technical amendment)

On page 121, line 1, strike “in Iran” and insert in lieu thereof:

of which \$34,750,000 shall be made available to promote democracy in Iran and of which \$5,000,000 shall be made available for election assistance in the Democratic Republic of the Congo.

On page 121, line 2, after “heading” insert “for assistance for Iran”

Mr. COCHRAN. Mr. President, I send a modification to the desk.

The PRESIDING OFFICER. Without objection, the amendment is so modified.

The amendment, as modified, is as follows:

(Purpose: Technical amendment)

On page 120, line 25, strike “for programs and activities promoting democracy in Iran” and insert in lieu thereof:

of which \$34,750,000 shall be made available for programs and activities promoting democracy in Iran and of which \$5,000,000 shall be made available for election assistance in the Democratic Republic of the Congo

On page 121, line 4, strike “and” and insert in lieu thereof, and those funds made available to promote democracy in Iran

The PRESIDING OFFICER. Is there further debate on the amendment, as modified?

If not, the question is on agreeing to the amendment, as modified.

The amendment (No. 3663), as modified, was agreed to.

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

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

MORNING BUSINESS

Mr. COCHRAN. Mr. President, I ask unanimous consent that there now be a period for the transaction of morning business with Senators permitted to speak for up to 10 minutes each.

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

Mr. COCHRAN. 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. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be dispensed with.

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

Mr. DURBIN. Mr. President, I ask unanimous consent to be recognized to speak as if in morning business.

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

STRATEGY IN IRAQ

Mr. DURBIN. Mr. President, as we reflect on the Presidency of George W. Bush, there were moments of high drama. Certainly, the moment of highest drama in my recollection was when the President visited the site of the 9/11 attack. When he went to New York and walked through the smoke-filled rubble with the firefighters and the workmen still digging through, it was a moment that I am sure will endure. It will be remembered.

If you had to then select another moment in his Presidency that will be remembered, it was a moment 3 years ago today when the President of the United States boarded a Naval fighter plane and flew to land on the deck of USS *Abraham Lincoln*.

It was a time when America wasn’t certain about what had happened in Iraq. We had launched an invasion. Saddam Hussein had been deposed. There were still a lot of questions about the future of Iraq and what would happen in that country.

The President of the United States came to that aircraft carrier on that day, and as he landed and spoke to those who were assembled, behind him was a banner which read “Mission Accomplished.” It was on May 1, 2003, 3 years ago. The President said on that day:

In the battle of Iraq, the United States and our allies have prevailed. And now our coalition is engaged in securing and restructuring that country.

The President went on to say:

We have difficult work to do in Iraq. We’re bringing order to parts of that country that remain dangerous. We’re pursuing and finding leaders of the old regime, who will be held to account for their crimes. We’ve begun the search for hidden chemical and biological weapons and already know of hundreds of sites that will be investigated. We’re helping to build Iraq, where the dictator built palaces for himself instead of hospitals and schools. And we will stand with the new leaders of Iraq as they establish a government of, by, and for the Iraqi people.