

local governments on a reimbursable or non-reimbursable basis for the purpose of carrying out this Act. The assignment of an employee of a State or local government under this subsection shall be consistent with subchapter VI of chapter 33 of title 5, United States Code.

(d) **DUAL COMPENSATION WAIVER FOR ANNUITANTS UNDER CIVIL SERVICE RETIREMENT SYSTEM AND FEDERAL EMPLOYEES RETIREMENT SYSTEM.**—Notwithstanding sections 8344(i) and 8468(f) of title 5, United States Code, the Secretary or the head of another executive agency, as authorized by the Secretary, may waive the application of subsections (a) through (h) of such section 8344 and subsections (a) through (e) of such section 8468 with respect to annuitants under the Civil Service Retirement System or the Federal Employees Retirement System who are assigned, detailed, or deployed to assist in stabilizing and reconstructing a country or region that is at risk of, in, or is in transition from, conflict or civil strife during the period of their reemployment.

(e) **INCREASE IN PREMIUM PAY CAP.**—The Secretary, or the head of another executive agency as authorized by the Secretary, may compensate an employee detailed, assigned, or deployed to assist in stabilizing and reconstructing a country or region that is at risk of, in, or is in transition from, conflict or civil strife, without regard to the limitations on premium pay set forth in section 5547 of title 5, United States Code, to the extent that the aggregate of the basic pay and premium pay of such employee for a year does not exceed the annual rate payable for level II of the Executive Schedule.

(f) **EXTENSION OF CERTAIN FOREIGN SERVICE BENEFITS.**—The Secretary, or the head of another executive agency as authorized by the Secretary, may extend to any individuals assigned, detailed, or deployed to carry out stabilization and reconstruction activities in accordance with this Act, the benefits or privileges set forth in sections 412, 413, 704, and 901 of the Foreign Service Act of 1980 (22 U.S.C. 972, 22 U.S.C. 3973, 22 U.S.C. 4024, and 22 U.S.C. 4081) to the same extent and manner that such benefits and privileges are extended to members of the Foreign Service.

(g) **COMPENSATORY TIME.**—Notwithstanding any other provision of law, the Secretary may, subject to the consent of an individual who is assigned, detailed, or deployed to carry out stabilization and reconstruction activities in accordance with this Act, grant such individual compensatory time off for an equal amount of time spent in regularly or irregularly scheduled overtime work. Credit for compensatory time off earned shall not form the basis for any additional compensation. Any such compensatory time not used within 26 pay periods shall be forfeited.

(h) **ACCEPTANCE OF VOLUNTEER SERVICES.**—

(1) **IN GENERAL.**—The Secretary may accept volunteer services for the purpose of carrying out this Act without regard to section 1342 of title 31, United States Code.

(2) **TYPES OF VOLUNTEERS.**—Donors of voluntary services accepted for purposes of this section may include—

(A) advisors;
(B) experts;
(C) consultants; and
(D) persons performing services in any other capacity determined appropriate by the Secretary.

(3) **SUPERVISION.**—The Secretary shall—

(A) ensure that each person performing voluntary services accepted under this section is notified of the scope of the voluntary services accepted;

(B) supervise the volunteer to the same extent as employees receiving compensation for similar services; and

(C) ensure that the volunteer has appropriate credentials or is otherwise qualified to

perform in each capacity for which the volunteer's services are accepted.

(4) **APPLICABILITY OF LAW RELATING TO FEDERAL GOVERNMENT EMPLOYEES.**—A person providing volunteer services accepted under this section shall not be considered an employee of the Federal Government in the performance of those services, except for the purposes of the following provisions of law:

(A) Chapter 81 of title 5, United States Code, relating to compensation for work-related injuries.

(B) Chapter 11 of title 18, United States Code, relating to conflicts of interest.

(5) **APPLICABILITY OF LAW RELATING TO VOLUNTEER LIABILITY PROTECTION.**—

(A) **IN GENERAL.**—A person providing volunteer services accepted under this section shall be deemed to be a volunteer of a non-profit organization or governmental entity, with respect to the accepted services, for purposes of the Volunteer Protection Act of 1997 (42 U.S.C. 14501 et seq.).

(B) **INAPPLICABILITY OF EXCEPTIONS TO VOLUNTEER LIABILITY PROTECTION.**—Section 4(d) of such Act (42 U.S.C. 14503(d)) does not apply with respect to the liability of a person with respect to services of such person that are accepted under this section.

(1) **AUTHORITY FOR OUTSIDE ADVISORS.**—

(1) **IN GENERAL.**—The Secretary may establish temporary advisory commissions composed of individuals with appropriate expertise to facilitate the carrying out of this Act.

(2) **INAPPLICABILITY OF FACA.**—The requirements of the Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the activities of a commission established under this subsection.

SEC. 11. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated \$80,000,000 for fiscal year 2007 for personnel, education and training, equipment, and travel costs for purposes of carrying out this Act and the amendments made by this Act.

COMMENDING THE KANSAS CITY, KANSAS, COMMUNITY COLLEGE DEBATE TEAM

Mr. FRIST. I ask unanimous consent the Senate now proceed to consideration of S. Res. 496, which was submitted earlier today.

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

The legislative clerk read as follows:

A resolution (S. Res. 496) commending the Kansas City, Kansas, Community College Debate Team for their national championship victories.

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

Mr. BROWNBACK. Mr. President, I rise today to voice my support for the Kansas City Kansas Community College Debate Team. The team, under the leadership of Head Coach Darren Elliot, recently won, for a third consecutive year, the three national championships in collegiate debate among community colleges. I congratulate Coach Elliot, along with each assistant coach and team member, on their tremendous success. Their dedication to education and intercollegiate debate is truly commendable.

Mr. FRIST. I ask unanimous consent 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. 496) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 496

Whereas, in 2006, the Kansas City Kansas Community College debate team won, for a third consecutive year, the 3 national championships in collegiate debate among community colleges;

Whereas the team won a third consecutive national championship at the Phi Rho Pi national tournament for community colleges in 2006;

Whereas, at the 2006 Phi Rho Pi national tournament for community colleges, the team achieved more debate victories per tournament than any other team in the esteemed history of the tournament;

Whereas the team won championship awards in the Policy Team Debate, Lincoln-Douglas Debate, and Overall Sweepstakes at the Phi Rho Pi national tournament for community colleges in 2006;

Whereas the team won a third consecutive national championship for community colleges at the Cross Examination Debate Association National Tournament in 2006; and

Whereas the State of Kansas is privileged to benefit from the dedication to education and intercollegiate debate of Kansas City Kansas Community College team head coach Darren Elliot, assistant coaches Skippy Flynn and Adrian Self, and team members Ashley-Michelle Bruce, Ryan Coyne, Clay Crockett, Peter Lawson, Candace Moore, Amanda Montee, Deandre Tolbert, and Garrett Tuck: Now, therefore, be it

Resolved, That the Senate—

(1) commends the extraordinary contributions of the Kansas City Kansas Community College debate team to the city of Kansas City, Kansas, and the State of Kansas;

(2) congratulates the team for their national championship victories; and

(3) offers its best wishes to the team for future success.

RELATIVE TO THE DEATH OF EDWARD ROY BECKER

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of S. Res. 497, which was submitted earlier today.

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

The legislative clerk read as follows:

A resolution (S. Res. 497) relative to the death of Edward Roy Becker, Chief Judge of the Court of Appeals for the 3rd Circuit.

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. 497) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 497

Whereas Edward Roy Becker was born on May 4, 1933, in Philadelphia, Pennsylvania;

Whereas Edward Roy Becker enjoyed an extraordinary career as a leading jurist in the United States;

Whereas Edward Roy Becker graduated Phi Beta Kappa from the University of Pennsylvania in 1954 and received his law degree from Yale Law School in 1957 with academic distinction;

Whereas, following his graduation from law school, Edward Roy Becker managed a distinguished law practice at the partnership of Becker, Becker, and Fryman with his father and brother-in-law;

Whereas Edward Roy Becker was active in politics, and followed his father as a Republican committeeman;

Whereas, at the age of 37, Edward Roy Becker was appointed to the United States District Court for the Eastern District of Pennsylvania in 1970, was then elevated to the Court of Appeals for the 3rd Circuit in 1982, was Chief Judge of the Court of Appeals for the 3rd Circuit from February 1998 until May 2003, and served as a Senior Judge until his passing on May 19, 2006;

Whereas, while serving as Chief Judge of the Court of Appeals for the 3rd Circuit, Edward Roy Becker authored many innovative and important opinions;

Whereas, in 2002, Edward Roy Becker received the coveted Edward J. Devitt Distinguished Service to Justice Award after being selected as the most distinguished Article III Judge in the United States "whose career has been exemplary, measured by [his] significant contributions to the administration of justice, the advancement of the rule of law, and the improvement of society as a whole";

Whereas, among his landmark decisions, the Supreme Court adopted 3 opinions rendered by Edward Roy Becker relating to cutting-edge issues, including the reliability of scientific evidence, the rationale of class action certification, and the standards of review relating to the Employee Retirement Income Security Act;

Whereas the University of Chicago Law Review has consistently recognized Edward Roy Becker as among the 3 circuit judges who are most often cited by the Supreme Court;

Whereas Edward Roy Becker handed down approximately 2,000 judicial opinions;

Whereas Edward Roy Becker devoted countless hours and a tremendous amount of effort for almost 3 years as an assistant to the Senate in drafting asbestos reform legislation, writing most of S. 852 (109th Congress) (commonly referred to as the "Fairness in Asbestos Injury Resolution Act of 2005"), and holding over 50 meetings in Washington, D.C., with stakeholders and Senators;

Whereas President George W. Bush inscribed a tribute to Edward Roy Becker on the face of S. 852 (109th Congress) by designating it as the "Becker Bill"; and

Whereas Edward Roy Becker undertook that arduous extra assignment in addition to his judicial duties, all while undergoing treatment for prostate cancer: Now, therefore, be it

Resolved, That the Senate—

(a) honors the life and accomplishments of Edward Roy Becker; and

(b) extends its condolences to the family and friends of Edward Roy Becker.

SIGNING AUTHORIZATION

Mr. FRIST. Mr. President, I ask unanimous consent that during the adjournment of the Senate, the majority leader and the senior Senator from Virginia be authorized to sign duly enrolled bills or joint resolutions.

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

APPOINTMENT AUTHORIZATION

Mr. FRIST. Mr. President, I ask unanimous consent that notwithstanding the upcoming recess or adjournment of the Senate, the President of the Senate, the President pro tempore, and the majority and minority leaders be authorized to make appointments to commissions, committees, boards, conferences, or interparliamentary conferences authorized by law, by concurrent action of the two Houses, or by order of the Senate.

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

MEMORIAL DAY

Mr. FRIST. Mr. President, on May 30, 1868, mourners placed flowers on the graves of Union and Confederate soldiers at Arlington National Cemetery in Washington, DC. This marked the first observance of Memorial Day.

On Monday, America will continue this tradition by honoring our Nation's fallen soldiers in ceremonies across the country.

Ever since GEN George Washington defeated the British at Yorktown, American soldiers have honorably defended the cause of liberty in conflicts at home and, indeed, around the world.

Today, our men and women in uniform are bravely waging the war on terror, taking the battle to the enemy so that the enemy does not do battle here at home.

America thanks our soldiers for their dedication, for their determination, and for their patriotism. We honor the 25 million living veterans who have served their country in past wars with honor and courage. And we remember those patriots who have given the ultimate sacrifice in service to their country.

Two years ago, I had the privilege of attending the dedication of the National World War II Memorial. It was the largest gathering of surviving veterans in 60 years and an experience I will never forget. One of the veterans was asked how did they do it, how did ordinary young men set aside their fear in the face of extraordinary odds against determined enemies. The veteran replied simply:

There's nothing else you can do but do your best and keep firing until the ammunition runs out.

One of the inscriptions on the monument is a quote by President Truman. It embodies the patriotic spirit of this annual remembrance. It reads:

Our debt to the heroic men and valiant women in the service of our country can never be repaid. They have earned our undying gratitude. America will never forget their sacrifices.

So on Monday, we remember, we honor, and we respect America's heroes, the men and women who did their best, and we repay in small measure the debt we owe them for their service and their sacrifice.

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: Nos. 443, 573, 590, 591, 592, 593, 595, 615, 629, 640, 664, 665, 615, 640, 666, 667, 668, 669, 671, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 694, 695, 696, 697, 698, 700, 701, 702, and 703 and all nominations on the Secretary's desk; provided further that the Commerce Committee be discharged from further consideration of four lists of Coast Guard nominations at the desk and the Senate proceed to their consideration; 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 ENERGY

Edward F. Sproat III, of Pennsylvania, to be Director of the Office of Civilian Radioactive Waste Management, Department of Energy.

Raymond L. Orbach, of California, to be Under Secretary for Science, Department of Energy. (New Position)

DEPARTMENT OF TRANSPORTATION

Roger Shane Karr, of the District of Columbia, to be an Assistant Secretary of Transportation.

Tyler D. Duvall, of Virginia, to be an Assistant Secretary of Transportation.

Nicole R. Nason, of Virginia, to be Administrator of the National Highway Traffic Safety Administration.

Thomas J. Barrett, of Alaska, to be Administrator of the Pipeline and Hazardous Materials Safety Administration, Department of Transportation. (New Position)

FEDERAL COMMUNICATIONS COMMISSION

Robert M. McDowell, of Virginia, to be a Member of the Federal Communications Commission for a term of five years from July 1, 2004.

DEPARTMENT OF TRANSPORTATION

Richard Capka, of Pennsylvania, to be Administrator of the Federal Highway Administration.

Susan Davis Wigenton, of New Jersey, to be United States District Judge for the District of New Jersey.

W. Ralph Basham, of Virginia, to be Commissioner of Customs, Department of Homeland Security.

DEPARTMENT OF HOMELAND SECURITY

David L. Norquist, of Virginia, to be Chief Financial Officer, Department of Homeland Security.

OFFICE OF GOVERNMENT ETHICS

Robert Irwin Cusick, Jr., of Kentucky, to be Director of the Office of Government Ethics for a term of five years.

EXECUTIVE OFFICE OF THE PRESIDENT

Robert J. Portman, of Ohio, to be Director of the Office of Management and Budget.

NUCLEAR REGULATORY COMMISSION

Gregory B. Jaczko, of the District of Columbia, to be a Member of the Nuclear Regulatory Commission for the term of five years expiring June 30, 2008.