

an Oklahoma congressional race in 1994. I later became a federal prosecutor and eventually served as the United States Attorney for the Western District of Oklahoma, first through appointment by Attorney General Janet Reno and then through nomination by President Clinton.

I have known Jerome Holmes for over ten years through our work together in the United States Attorney's Office and now in private practice. I believe his intellect, experience and character make him an excellent choice for a position on the appellate court. I saw these qualities firsthand as Jerome carried out his many responsibilities as a prosecutor. One of the most important duties he performed was that of the office's legal ethics and professional responsibility counselor. Jerome acted ably in this capacity during a time of heightened scrutiny for federal prosecutors following the passage of the Hyde Act and the McDade Amendment. Since both of you are former prosecutors, I trust that you can appreciate the degree of confidence in Jerome's abilities and integrity that were required in order to be given such an assignment by me and other United States Attorneys.

Jerome's nomination has apparently triggered concern from groups that have focused on his writings on affirmative action. In this regard, I can offer three observations. First, I have known Jerome to be open-minded and respectful of different views. More importantly, I know Jerome to be respectful of the role of the courts, as opposed to the role of the advocates, and I believe this understanding to be partly the result of his three years of service as a law clerk for federal appellate and district judges. Finally, as noted above, I know Jerome to be a person of unwavering integrity. Therefore, when Jerome states under oath that he will put his personal views aside and follow the law, I believe he will do just that.

I hope these observations are helpful as you consider Jerome's nomination, which I hope you will act upon favorably. I respectfully request that this letter be made part of the committee record regarding his nomination. If I can be further assistance or if you or your staff have any questions, please do not hesitate to contact me.

Sincerely,

DANIEL G. WEBBER, Jr.

OKLAHOMA CITY, OK,
June 21, 2006.

Hon. ARLEN SPECTER,
Chairman, Committee on the Judiciary,
U.S. Senate, Washington, DC.

Hon. PATRICK J. LEAHY,
Ranking Member, Committee on the Judiciary,
U.S. Senate, Washington, DC.

DEAR SENATORS SPECTER AND LEAHY: I am writing in reference to the nomination of the Honorable Mr. Jerome A. Holmes, Esq.'s judicial appointment. I appreciate the concern that has been expressed about his nomination based upon his writings and positions on affirmative action. In all honesty I stand in a position that is contrary to the interpreted and most likely actual personal stance of Mr. Holmes, yet my relationship with him moved me to write and to express my support for him.

I have known Mr. Holmes for many years and believe that he does have a high regard for the views of those who maybe different from his own. That in and of itself is enough for me to believe that he would "hear" fairly. In addition, Mr. Holmes has displayed a level of integrity in all his dealings that I have been aware and has shown in our personal conversation willingness to listen and respect differing views. I trust Mr. Holmes and so in light of our differences I support his nomination.

I do realize the responsibility that is upon me as a Pastor, Community Leader and a concerned citizen. This is no light matter for me, indeed it is with much prayer and struggle that I searched out the right words to convey the right tone to reinforce my message. As a member of the NAACP, Urban League and many other organizations that fight for the rights of minorities, I am moved to ask your continued approval of this nomination.

Sincerely,

GEORGE E. YOUNG, Sr.,
Pastor, *Holy Temple Baptist Church*.

OKLAHOMA COUNTY DISTRICT ONE,
Oklahoma City, OK.

Re nomination of Jerome Holmes, 10th Circuit Court of Appeals.

Hon. ARLEN SPECTER, *Chairman*,
Hon. PATRICK J. LEAHY, *Ranking Member*,
U.S. Senate, *Judiciary Committee*,
Washington, DC.

DEAR DISTINGUISHED SENATORS: It is truly an honor to offer this Letter of Recommendation for your consideration on behalf of Jerome Holmes, a nominee for the 10th Circuit Court of Appeals.

I have known Jerome Holmes for several years, both professionally and personally, as I am also a member of the Oklahoma Bar Association. I know him to be a person of Integrity and Character and I have always appreciated Mr. Holmes' fairness in our dealings. What's more, I have witnessed Mr. Holmes' efforts in our local community to improve the lives of those around us: all people regardless of where they live, what they look like or how much money they have. He has an altruistic spirit that makes him a standout in this world.

I serve Oklahoma County as one of three elected County Commissioners, am a proud Democrat and consider Jerome Holmes to be a principled leader who demonstrates mutual respect for all people. In particular, he is respectful of views that differ from his own and he enjoys tremendous bipartisan support and respect.

If I can provide any further information or perspective, please do not hesitate to contact me at your convenience.

Respectfully yours,

JIM ROTH,
County Commissioner.

SAFE AND TIMELY PLACEMENT OF CHILDREN ACT

• Mr. ROCKEFELLER. Mr. President, I am delighted that the Safe and Timely Placement of Children Act was passed during the wrap-up session on Friday, June 23, 2006. I have worked with Senators DEWINE and DOMENICI on this issue for several years to help foster children to be placed with adoptive parents or family across State lines.

Currently it can take twice or three times as long for a child to be placed in a home, if that home happens to be in another State. This is sad, and it needs to be fixed.

The House bill, identical to our Senate legislation, will help fix this process and help these children. It provides a mix of incentives and timeframes for States to achieve the safe and timely placement of children between States.

This legislation was part of the WE CARE Kids Act, and it should help to deliver on the promises made in the Adoption and Safe Families Act of 1997 which stated that geographic barriers

should not delay or deny adoptions. When a child leaves foster care and goes out of State, half of the time the child is being adopted and gaining a permanent home. In about 20 percent of the cases, a child is being placed with a relative. These are good, permanent options for children, and it should not take twice as long to achieve such a placement.

In my view, this complements and builds upon actions by many States to update the 1960 Interstate Compact for the Placement of Children. The purpose of this legislation is to add specific timeframes and to provide Federal incentives to achieve the goal set in 1997 of reducing and eliminating geographic barriers.

As technology has vastly improved and more families seek to open their hearts and homes to children in foster care, we need improved regulations and policies to serve such families. This legislation is part of the DeWine-Rockefeller bill, called the We Care Kids Act. Thanks to the leadership of Chairman GRASSLEY, the major provisions of We Care Kids Act were included in the reconciliation package to invest in court training and data to help judges have insight and the information needed to care for the vulnerable children in foster care. But action could not be taken to improve interstate case planning within the reconciliation bill. In 2004, similar legislation passed the House of Representatives, and now it will finally become law.●

ADDITIONAL STATEMENTS

IN RECOGNITION OF LIEUTENANT COLONEL ROBERT J. RUCH

• Mr. CARPER. Mr. President, today I wish to honor LTC Robert J. Ruch, District Commander, Philadelphia District, U.S. Army Corps of Engineers on the occasion of his Change of Command Ceremony which will take place on Friday, July 10, 2006. At that time, Lieutenant Colonel Ruch will pass command of the Philadelphia District to LTC Gwen E. Baker after providing the State of Delaware and the region with 2 years of honorable and meritorious service in carrying out his duties.

As the 53rd Philadelphia District Engineer, LTC Robert J. Ruch has commanded a 500-person engineering organization since 2004 that provides national, economic, and environmental security in the heart of the Northeast Corridor. His responsibilities have included dredging waterways for navigation, protecting communities from flooding and coastal storms, responding to natural and declared disasters, regulating construction in the Nation's waters and wetlands, remediation of environmental hazards, restoring ecosystems, building facilities for the Army and Air Force, and providing engineering, contracting and project management services for other government agencies upon request.

Established in 1866, the U.S. Army Corps of Engineers' Philadelphia District encompasses the 13,000-square-mile Delaware River Basin and the Atlantic coast from New Jersey's Manasquan Inlet to the Delaware-Maryland line. Within its boundaries are more than 8 million people in eastern Pennsylvania, western and southern New Jersey, most of Delaware, New York's Catskills region and part of northeastern Maryland. It also includes two State capitals—Trenton, NJ, and Dover, DE—and the Delaware River ports complex from Philadelphia and Camden, NJ, to Wilmington, DE.

Just in the First State alone, Lieutenant Colonel Ruch's accomplishments during his 2-year tour of duty have been impressive. They include completion of major storm damage reduction projects at Rehoboth Beach, Dewey Beach and Fenwick Island, considerable progress on a new \$70 million air freight terminal complex at Dover Air Force Base, partnership in a promising program to restore oyster populations in the Delaware Bay, commencement of a long-awaited project to reduce flood damages in the town of Elsmere, development of a trail concept plan to provide recreational opportunities along the Chesapeake and Delaware Canal, and even removal of an old abandoned shipwreck from the historic Christina River—not to mention a host of other successful projects in New Jersey, New York and Pennsylvania, or the fact that all this was carried out while many of his Philadelphia district employees were deployed to Afghanistan and Iraq or helping out down south after the Nation's worst-ever hurricane season.

Commissioned as a second lieutenant in the Corps of Engineers in 1986, Lieutenant Colonel Ruch began his military career with the 7th Engineer Battalion, 5th Infantry Division, Mechanized, at Fort Polk, LA, as a platoon leader and company executive officer. Follow-on assignments included liaison officer and company commander with the 2nd Engineer Battalion, 2nd Infantry Division at Camp Castle, Republic of Korea, and the Live Fire Engineer Trainer for the National Training Center at Fort Irwin, CA. He then worked as an operations officer in the Pittsburgh District, U.S. Army Corps of Engineers, before moving on to Fort Riley, KS, as S3 of the 1st Engineer Battalion, and then of the 937th Engineer Group, Combat. And just before coming to Philadelphia, Lieutenant Colonel Ruch served with Supreme Headquarters Allied Powers Europe, Belgium, as the senior staff officer for NATO Infrastructure in Crisis Response Operations dealing with operations in Afghanistan and in the Balkans.

Lieutenant Colonel Ruch holds a bachelor of science in geo-environmental science from Shippensburg University and a master's in engineering management from St. Martin's College. He is a graduate of the Engineer Officer Basic and Advanced Courses and of the

U.S. Army Command and General Staff College. His military decorations include the Defense Meritorious Service Medal, the Army Meritorious Service Medal, four oak leaf clusters, the Army Commendation Medal, three oak leaf clusters, the Army Achievement Medal and the Army Superior Unit Award.

After turning over the command of the Philadelphia District to LTC Gwen Baker on July 7, 2006, Lieutenant Colonel Ruch will move on to Fort Hood, TX, as division engineer of the Army's 1st Cavalry Division.

I rise today to congratulate Lieutenant Colonel Ruch for a distinguished career and to offer my special thanks for his enthusiasm, competence and effectiveness in serving the State of Delaware and the Greater Philadelphia Region.

We will miss him in the Delaware Valley and on the Delmarva Peninsula. We wish him and his family all the best in the years to come, including, as we say in the Navy, "Fair winds and a following sea."•

TRIBUTE TO PALDEN GYATSO

• Mr. DAYTON. Mr. President today, in honor of the International Day in Support of Victims of Torture, one of my Minnesota constituents, Michael Pittman, has asked that I recognize Tibetan monk Palden Gyatso.

Palden Gyatso was born in a Tibetan village in 1922 and became a Buddhist monk by age 10. In 1959, during the Chinese invasion and occupation of Tibet, Mr. Gyatso was jailed for protesting along with thousands of religious Tibetans. Mr. Gyatso spent more than 30 years of his life in prisons and labor camps, where he was a victim to religious and class oppression. He was tortured by various methods, which included being beaten with a club ridden with nails, shocked by an electric probe, which scarred his tongue and caused his teeth to fall out, whipped while being forced to pull an iron plow, and starved.

Despite these inhumane conditions and cruel tortures, Palden Gyatso was able to survive with remarkable courage and resilience. During his torture sessions, he would practice a technique he learned while studying at a Buddhist monastery, the practice of tonglen, which is a method for connecting with suffering and awakening compassion. He would receive the anger and hatred of his torturer and would exchange it with love and compassion.

During his imprisonment, Palden Gyatso drew inspiration from elder prisoners, who told him that if he were ever to escape, he should take action to stop the torture. He has done exactly that: He has traveled to Europe and North America over 25 times and has written a book to tell his story. He has also testified before the U.N. Commission on Human Rights in Geneva and before the U.S. Congress.

Palden Gyatso's testimony helped secure passage of the International Religious

Freedom Act of 1998, which was sponsored by Representative FRANK WOLF and Senator JOSEPH LIEBERMAN and Don Nickles, and was signed into law by President Clinton. Palden Gyatso was also awarded the 1998 John Humphrey Freedom Award of the International Centre for Human Rights and Democratic Development.

The courage and dedication to freedom which Palden Gyatso has demonstrated serve as a powerful inspiration to everyone.●

TRIBUTE TO BG JAMES D. HITTLE

• Mr. INOUE. Mr. President, during most of our lives, we encounter an individual who lived a remarkably fine personal and professional life. Such is the case of BG James D. Hittle, USMCR, whose anniversary of his death, June 15, recently passed. General Hittle's death received very little press coverage at the time, and I would like to share with my colleagues what this man achieved in his life time in the words of a former Commandant of the Marine Corps, GEN P.X. Kelley, USMC (Ret.)

I ask that the eulogy given by General Kelley be printed in the CONGRESSIONAL RECORD.

The material follows.

A TRIBUTE TO BG JAMES D. HITTLE, USMC (RET)

(By Gen Paul X. Kelley, USMC (Ret))

BGen James Donald Hittle—devout Christian—great American—Marine officer—gentleman and gentle man—loving husband—caring father—always a friend indeed!

Commissioned a Marine second lieutenant in 1937, Don Hittle was a "plank owner" when MajGen Holland Smith activated the 1st Marine Division for World War II—was G-4 for the 3d Marine Division under MajGen Graves Erskine on Guam and at Iwo Jima—and after the war commanded 2d Battalion, 7th Marines in the occupation of North China.

After serving his Corps for 23 years, Don Hittle's future life could easily qualify him as a quintessential "Renaissance Man."

He was Director of National Security and Foreign Affairs for the Veterans of Foreign Wars, syndicated columnist for Copley News Service, commentator for Mutual Broadcasting System, Special Counsel for both the Senate and House Armed Services Committees, a founder and Director of the DC National Bank, Assistant Secretary of the Navy for Manpower and Reserve Affairs, Senior Vice President for Pan American Airways, consultant to the President of the Overseas Private Investment Corporation, advisor to several Secretaries of the Navy and Commandants of the Marine Corps—and the list goes on and on and on.

Col Don Hittle came into my life during the summer of 1956 when MajGen Jim Risely dragged me kicking and screaming from a cushy tour in what was then the Territory of Hawaii to the labyrinthian corridors of Headquarters Marine Corps. As many of those here today will recall, this was the long, hot summer of Ribbon Creek, and Don Hittle was Legislative Assistant to Randolph McCall Pate, our 21st Commandant. I was a young eager, starry-eyed captain, very naive in the arcane world at the Seat of Government—but I was soon to learn. My first lesson was negative one—that