

territories and Indian communities are eligible to receive the resources they need to fight methamphetamine use.

S. 877, Controlling the Abuse of Prescriptions Act of 2007—this bill seeks to crack down on performance-enhancing drugs by putting human growth hormone on the same list of controlled substances as anabolic steroids. Classifying human growth hormone, HGH, as a schedule III controlled substance would subject the drug to more Government regulation and stiffer penalties for illegal distribution.

S. 1027, PACT Act—this bill would help combat cigarette trafficking by updating existing antitrafficking laws and introducing new tools to combat illegal remote sales, such as those conducted over the Internet. The legislation closes loopholes in current tobacco trafficking laws, enhances penalties for violations, and provides law enforcement with new tools to combat the innovative new methods being used by cigarette traffickers to distribute their products. By strengthening criminal laws governing cigarette trafficking and empowering Federal, State, and local law enforcement with the powers to investigate and prosecute the cigarette traffickers of the 21st century, the PACT Act can help disrupt terrorist groups and other organized criminal enterprises.

S. 627, Safe Babies Act of 2007—this bill would amend the Juvenile Justice and Delinquency Prevention Act of 1974 to require the Office of Juvenile Justice and Delinquency Prevention to award a grant to a national early childhood development organization to establish a National Court Teams Resource Center. The goals of the Center would be to promote the well-being of maltreated infants and toddlers and their families, help prevent the recurrence of abuse and neglect of children, and promote timely reunification of families.

H.R. 5569, to extend for 5 years the EB-5 Regional Center Pilot Program, and for other purposes—this bill would extend the EB-5 Regional Center Program for 5 years. This program allows entrepreneurs from around the country to apply for Regional Center designation with the U.S. Citizenship and Immigration Services, which in turn allows project managers to attract foreign investment to discrete projects within specified geographic areas, many of which are rural areas in need of economic stimulation. Over the years, this program has resulted in foreign capital investment of billions of dollars and the creation of thousands of jobs in American communities. This important program is set to expire on September 30, 2008, and its reauthorization is critical for the many Americans who depend upon this program to make positive economic changes to their communities.

S. 442, John R. Justice Prosecutors and Defenders Incentive Act of 2007—this bill would establish a student loan repayment program for qualified attor-

neys who agree to remain employed for at least 3 years in certain public sector employment. This targeted student loan repayment assistance program will bolster the ranks of attorneys in the criminal justice system, enhancing the quality of that system and the public's confidence in it.

S. 3296, to extend the authority of the U.S. Supreme Court Police to protect court officials off the Supreme Court grounds and change the title of the Administrative Assistant to the Chief Justice—this bill would extend for 5 years the authority of the U.S. Supreme Court Police to protect Supreme Court Justices when they leave the Supreme Court grounds. In January of this year, the Court Security Improvement Act was signed into law to authorize additional resources to protect Federal judges, personnel, and courthouses. This additional legislation would extend the authority of the U.S. Supreme Court Police to protect the Supreme Court Justices on and off Court grounds. It would also change the title of the Chief Justice's senior advisor from "Administrative Assistant" to "Counselor."

S. 3106, a bill to amend chapter 13 of title 17, United States Code, relating to the vessel hull design protection, to clarify the definitions of a hull and a deck—this bill would give the Department of Defense full assurance that Government and defense designs will not be subject to unwarranted restrictions. In 1998, Congress passed the Vessel Hull Design Protection Act to recognize the significant time, effort, and innovation that figure into ship design. Recent action in the courts has made it clear that in order to be effective, this law needs to be clarified and refined. This bill does exactly that by clarifying the definition of "hull" and "deck," to ensure that the intellectual property rights of vessel hull designers would be protected.

H.R. 6344, Responsive Government Act of 2008—this bill would provide the Federal courts and the Director of the Patent and Trademark Office, PTO, with needed emergency authority to delay judicial proceedings or statutory deadlines in the event of a natural disaster or other emergency situation which makes it impractical for parties, including the United States, to comply with certain filing conditions or to protect the rights and privileges of people affected by certain emergencies or a major disaster. We have recently observed how the ravages of natural disasters disrupt the lives of our fellow citizens, which can impede the ability to comply with strict statutory deadlines. Thus the Responsive Government Act provides critical flexibility to the courts and the PTO to help ameliorate the practical difficulties caused by these emergency situations.

S. 621, Wartime Treatment Study Act—this bill would establish two fact-finding commissions to supplement the work done in the 1980s by the Commission on Wartime Relocation and In-

ternment of Civilians, which studied the treatment of Japanese Americans during World War II. The act would create one commission to review the U.S. Government's treatment of German Americans, Italian Americans, and European Latin Americans during World War II, and another commission to review the U.S. Government's treatment of Jewish refugees fleeing Nazi persecution during World War II.

S. 2942, a bill to authorize funding for the National Advocacy Center—this bill would authorize the National District Attorneys Association to use the National Advocacy Center in Columbia, SC, for a national training program to improve the professional skills of State and local prosecutors and to enhance the ability of Federal, State, and local prosecutors to work together.

I hope that those Republican Senators who are holding up these measures will work with me by coming forward and letting me know what it is in the bill that they find objectionable. That way, we might be able to work something out to accommodate them. But when they object anonymously and do not come forward to work with us, it seems they are only interested in obstruction.

#### NOMINATION OF JAMES A. WILLIAMS

Mr. GRASSLEY. Mr. President, today I rise to express my opposition to the nomination of Mr. James A. Williams to be the Administrator of the General Services Administration, GSA. My concerns are based on my investigation of a dubious GSA contract with Sun Microsystems. In 2006 and 2007, my oversight staff conducted a thorough inquiry into the GSA Multiple Award Schedule contract with Sun Microsystems for computer products and services. GSA inspector general, IG, auditors had alerted GSA's top management of alleged fraud on this contract as early as 2005.

In 2006, Mr. Williams became the Commissioner of the GSA Federal Acquisition Service, FAS. His office was directly responsible for this questionable contract with Sun Microsystems. He and Administrator Doan were alerted to the alleged fraud and the referral of the matter to the Department of Justice, DOJ.

I previously made the findings of my inquiry known in a floor statement on October 17, 2007.

In a nutshell, all the evidence developed in my oversight investigation appears to indicate that top-level GSA management, including Administrator Doan and FAS Commissioner Williams, may have improperly interfered in the ongoing contract negotiations with Sun Microsystems in May–September 2006; and Administrator Doan and Mr. Williams pressured the GSA contracting officer to approve the new Sun contract even though they both knew that the IG had detected alleged fraud on the existing Sun contract and had

referred the matter to the DOJ for possible prosecution/litigation. This case is now pending in Federal court.

The facts appear to show Mr. Williams, as FAS Commissioner, failed to act in the best interest of the American taxpayer. He had the opportunity to put an end to or bring into compliance a contract that was allegedly fraudulent, but in the end he could not do it. Instead, he sided with former Administrator Doan by taking steps to remove the GSA contracting officer. When the final contract was signed with Sun Microsystems by a newly appointed contracting officer, he chose to look the other way. He didn't even try to have the IG audit or examine the terms of the proposed contract. At the very least, this was a very poor management decision by Mr. Williams. It was a deplorable error in judgment that he probably regrets today.

We need a strong leader at GSA. The responsibilities of GSA Administrator require an individual who will stand up to anyone to protect the financial interests of hard-working American taxpayers. Although I agree he is well qualified and a devoted civil servant, I don't believe Mr. Williams has the bureaucratic and intestinal fortitude to make the tough decisions at GSA when it matters.

Reports of alleged fraud on the Sun contract surfaced on his watch. He knew about the alleged fraud. The taxpayers may have been cheated out of tens of millions of dollars. As FAS Commissioner, he was the top GSA official responsible for making the tough calls, and he chose not to protect the taxpayers. He made the wrong choice. He is now accountable for that decision. Because he failed to protect the taxpayers at a crucial moment, we should not elevate Mr. Williams to high office.

For all these reasons, I oppose his nomination to be GSA Administrator.

Mr. Williams's nomination is now before the Homeland Security and Governmental Affairs Committee. On July 22, I wrote to the chairman, Senator LIEBERMAN, laying out the reasons behind my opposition to this nomination.

I ask unanimous consent to have that letter 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 FINANCE,  
Washington, DC, July 22, 2008.

Hon. JOSEPH I. LIEBERMAN,  
Chairman, Committee on Homeland Security  
and Governmental Affairs, U.S. Senate,  
Washington, DC.

DEAR SENATOR LIEBERMAN, I am writing to express opposition to the nomination of Mr. Jim Williams to be the Administrator of the General Services Administration (GSA).

My opposition to Mr. Williams' nomination is rooted in an in-depth oversight investigation conducted by my staff in 2006-2007. This investigation focused on the re-negotiation of a Multiple Award Schedule contract with Sun Microsystems, Inc. for computer products and services. The contract was initially awarded to the company in 1999. Sales on this contract totaled \$268,987,689.00.

The results of this investigation were presented in three separate reports in October 2007. These reports were provided to your committee, Administrator Doan, the House Oversight Committee, the White House Chief of Staff, and GSA Inspector General (IG). In addition, there was a follow-up report issued by the U.S. Postal Service in May 2008. None of these reports have been released to the public. However, on October 17, 2007, I spoke about the findings in these reports in very general terms on the floor of the Senate. My remarks appear on pages S12952-12954 of the Congressional Record.

At the time of my investigation, Mr. Williams was the Commissioner of GSA's Federal Acquisition Service (FAS).

In a nutshell, all the evidence developed in my oversight investigation appears to indicate that: 1) top-level GSA management, including Administrator Doan and FAS Commissioner Williams, may have improperly interfered in the ongoing contract negotiations with Sun Microsystems in May-September 2006; and 2) Administrator Doan and Mr. Williams pressured the GSA contracting officer to approve the new Sun contract even though they both knew that the IG had detected alleged fraud on existing Sun contract and had referred the matter to the Department of Justice (DOJ) for possible prosecution/litigation.

The IG auditors first blew the whistle on alleged fraud on the Sun contract in 2005—at least a year before Mr. Williams became FAS Commissioner.

The GSA IG auditors had the Sun contract under a microscope for several years. They had uncovered extensive contract violations, including potential civil and criminal fraud. These problems were first reported to GSA acquisition management in February 2005. The IG auditors briefed DOJ on the alleged fraud on April 20, 2006. In April 2007, DOJ charged Sun in a False Claims Act suit. That case is now pending in the Arkansas Federal Court District (Norman Rille and Neal Roberts vs Sun Microsystems, Inc.).

The GSA IT Acquisition Center staff was briefed on these issues on May 2, 2006. FAS Commissioner Williams "grilled" the IG auditors about the alleged fraud and DOJ referral during the contract "Impasse" briefing on August 14, 2006. On August 29, 2006, Administrator Doan was briefed by the IG audit team on the decision to refer the Sun contract to DOJ for possible prosecution/litigation. Mr. Williams and Ms. Doan discussed the alleged fraud on the Sun contract on several different occasions in August 2006.

Despite the red warning flags raised by the IG auditors, according to my findings, Administrator Doan and Mr. Williams pressured the GSA contracting officer to sign the contract. When that person refused to sign the contract, they had the contracting officer removed and replaced under duress.

The record shows that Mr. Williams played a key role in the removal of the contracting officer as follows:

A high-level meeting—known as the "Baltimore Conference Call"—was held on August 31, 2006. All the key players participated, including Commissioner Williams. According to interviews with a number of participants, Mr. Williams made it very clear that the Sun contract was of "strategic importance" in Administrator Doan's view, and it had to be awarded. Still, the contracting officer refused to back down in the face of mounting pressure from the very top. He had dug in his heels and refused to sign what he considered a bad contract. During interviews, the contracting officer told my staff that he thought the price reduction clause, discounts, and maintenance deals offered by Sun were "essentially worthless," and he said he was equally concerned about the al-

leged fraud referral to DOJ. Mr. Williams then asked the contracting officer if he wished to step down, and the contracting officer accepted the offer.

Under standard GSA procedures, contracting officers make the final decision on whether or not to sign a contract. They have "Go No Go" authority. No other person is authorized to preempt or otherwise interfere with that authority. So when the contracting officer said "No" on the Sun contract, why didn't that mean "No"? Why didn't the story end there?

One of Mr. Williams' directors suggested that the "Impasse" in the negotiations was caused by the intimidation of the contracting officer by IG auditors. On September 5, 2006, in response to that complaint, Mr. Williams lodged a quasi-formal complaint with the IG, alleging that the IG auditors had made threatening statements to GSA contracting officers.

Mr. Williams' complaint of IG auditor intimidation came just five days after the contracting officer was removed and four days before the new contract was signed. Mr. Williams also passed these allegations to Administrator Doan.

Mr. Williams' allegations of IG auditor intimidation were examined in detail by the GSA IG, by my staff, and by the U.S. Postal Service IG. There is not one shred of evidence to support those allegations. They appear to have been bogus allegations. A senior official in the IG's office suggested that Mr. Williams' allegations regarding IG auditor intimidation were "a smokescreen for things going on in the agency itself."

After forcing the contracting officer to step down, GSA management appointed a new one. It took her just nine days to negotiate a final deal with Sun. In interviews, the new contracting officer claimed that she did not need to talk to the IG auditors who had years of knowledge on the contract. She said that she could solve the impasse in the negotiations by listening to the contractor. Many of the provisions she accepted were ones steadfastly opposed by the previous contracting officer—the very same terms that led to the so-called "impasse" and the removal of the previous contracting officer. She even admitted during questioning that she did not fully understand key provisions in the contract she signed. She admitted making "big oversights" in some of the contract terms. I found these revelations very disturbing. They raised questions about the motives behind her appointment. She later received a \$1,400 cash award for signing off on the Sun contract.

Following my staff's interview of the new contracting officer, I had grave concerns about the new contract. Was Sun continuing to cheat on government discounts mandated by the price reduction clause—as feared by the IG auditors? I thought I would be remiss in not asking more questions. Consequently, on June 5, 2007, I asked the IG to conduct an audit of the new contract. Since Sun claimed it was such a "good deal for America," I felt sure the company would rush to cooperate. How wrong I was! For three months straight, Sun stonewalled and procrastinated. Sun withheld information. Sun fought the audit tooth and nail every step of the way. They even lashed out at the GSA IG. Then suddenly and unexpectedly, on September 13, 2008, Sun canceled the contract. What happened? Why would Sun cancel a contract it had fought so hard to get? Was Sun trying to avoid the audit? Did Sun have something to hide? Something about this just does not smell right.

Mr. Chairman, Mr. Williams was the Commissioner of GSA's Federal Acquisition Service at the time of the Sun/GSA contract debacle. That made him the top dog overseeing and managing the procurement of

computer equipment and services for the whole government. The Sun Microsystems contract was being re-negotiated right under his nose. He was the top official accountable for that contract. When he was informed in August 2006 by IG auditors about the alleged fraud on the Sun contract and the DOJ referral decision, he should have brought the Sun contract negotiations to a screeching halt. He should have called for a comprehensive, independent review and/or audit and assessment of Sun's corrective action plan. He should have carefully weighed the gravity of the fraud allegations before proceeding any further.

Mr. Chairman, instead of heeding all the IG's warning signals, Mr. Williams pushed the throttle to the firewall at Administrator Doan's direction. The record shows pressure was put on the contracting officer to sign a potentially bad contract. When the contracting officer refused to bend under pressure, Mr. Williams involved himself directly in the contracting process. He participated in the decision to remove that contracting officer from the Sun contract negotiations. His actions eliminated the last standing barrier to contract approval. In doing these things, he may have improperly interfered in the contracting process and hurt the taxpayers.

The alleged contract violations and alleged fraud on the Sun contract, which supposedly occurred over a long period of time, may have wasted tens of millions of dollars in taxpayer money. Mr. Chairman, there must be more accountability in the government contracting process. Elevating those who have been detrimental to this process would certainly be anti-accountability and anti-taxpayer. That would clearly send the wrong message to the whole contracting community.

For these reasons, I intend to oppose the nomination of Mr. Williams to be the next Administrator at GSA, and would expect your Committee to do so, too.

Your careful consideration of my concerns would be appreciated.

Sincerely,

CHARLES E. GRASSLEY,  
*Ranking Member.*

#### CYPRUS

Mr. MENENDEZ. Mr. President, on July 20, 1974, Turkey invaded Cyprus. Thirty four years later, Turkish troops continue to occupy 37 percent of the land on Cyprus. During the occupation, some 180,000 Cypriots became refugees and over 5,000 Cypriots were murdered.

The European Court of Human Rights recently found Turkey guilty of violating the European Convention on Human Rights. Notably, 26 year-old Solomos Solomou, was killed on August 14, 1996 after being shot three times by Turkish snipers while trying to climb a pole in order to remove a Turkish flag from its mast. The killing happened after the funeral of his cousin, Tassos Isaak, who was himself beaten to death on August 11, 1996 by a Turkish mob while taking part in an anti-occupation demonstration.

On March 12th of this year, I sent a congratulatory letter to the newly elected Cypriot President Christofias. In addition to a new President in the Republic of Cyprus, his election represents a new direction for the Republic of Cyprus. I commend President Christofias for the intensification of ef-

forts to reach a just, viable, and functional solution to the Cyprus problem. I believe this is a unique time to capitalize on the commitment made to find a solution and I am optimistic that the working groups and technical committees will prepare the necessary groundwork for full-fledged negotiation. However, I also believe that any solution that will reunite the island, its people, its institutions and its economy and must come from the Cypriots themselves.

On September 25, 2007, I introduced S. Res. 331, which calls on the United States Government to initiate a new effort to help Turkey understand the benefits that will accrue to it as a result of ending its military occupation of Cyprus. In addition, the resolution urges the Government of Turkey to immediately begin the withdrawal of its military occupation forces. Ultimately, it is on their shoulders to prove their good will and I hope they do so promptly.

As Cypriot-Americans join with Cypriots from throughout the world to help to rebuild their homeland, and as they seek to secure an economically prosperous state free of illegal occupation, I will stand by them. I will work to ensure that the Turkish occupation comes to an end.

This week, we remember those who perished on Cyprus, and honor those who survived and who continue to live under Turkish occupation. We have not forgotten and our thoughts and prayers are with them and their families.

Remembering together the events of July 20, 1974 in solidarity gives reverence to historical events we cannot afford to forget as we move forward to a peaceful, just solution and a hopeful tomorrow.

#### REMEMBERING SENATOR JESSE HELMS

Mr. CORKER. Mr. President, today we remember and celebrate the life of the great Senator from North Carolina, Jesse Helms.

Senator Helms dedicated much of his life to serving his country and the people of North Carolina. He developed a lasting legacy as a man who held to his convictions and championed the causes he believed in so deeply.

He began his career in the U.S. Navy during World War II, where he was assigned as a recruiter. After the war, he became involved in North Carolina politics and campaigned for Senator Willis Smith, later serving on his staff. Senator Helms continued to establish himself, working as a political commentator for local Raleigh newspapers and radio stations. In 1957, Senator Helms was elected to the Raleigh city council, where he served with the same conviction that he would later bring to the Senate.

He was first elected to the Senate in 1972 and was reelected four more times, making him the longest serving U.S. Senator in North Carolina history. He

quickly became known for his unfailing dedication to uphold traditional American values and protect freedom. He said, "The challenge is always before us. Whenever we lose sight of the principles that mattered to our founders we run into trouble."

During his tenure in the Senate, Helms served on the Senate Foreign Relations Committee and was chairman from 1995 to 2001. Under his leadership, the committee played a powerful role in setting U.S. foreign policy.

Senator Helms will be greatly missed and remembered as one of the most influential Senators of his time.

#### TRIBUTE TO DON MITCHELL

Mr. BOND. Mr. President, last week marked the end of a distinguished and honorable career in Government service for one of the most widely respected professional staff members on the Senate Select Committee on Intelligence. Today, I wish to pay tribute to this gentleman—Mr. Don Mitchell.

For over 24 years, Don Mitchell devoted his life to public service. Remarkably, except for a 2-year period when he served as the Director of Intelligence Programs for the National Security Council, 22 of those years were spent here in the Senate, first as a national security legislative assistant for Senator John Glenn and then as a professional staff member for the Intelligence Committee. Senator Glenn knew a good thing when he saw it, so in 1989, he asked Don to move to the Intelligence Committee staff. As they say, the rest is history.

In a world where politics often seems to define who we are and with whom we associate, Don transcended those barriers. He earned the respect of Members and colleagues on both sides of the aisle. His work ethic—often evidenced by long days and late nights—was admired by all. It comes as no surprise that Don's reputation is well known not only here in the Senate but throughout the intelligence community with whom he worked so closely through the years. During my tenure on the Intelligence Committee, and in particular since becoming the vice chairman, I have benefited from Don's expertise and seasoned judgment in analyzing some of our most sensitive national security programs. We have been fortunate to have him for so many years.

We all know that the demands of working here in Congress often take the greatest toll on those who support us and sustain us in life—our families. For selflessly giving Don to us for so many years, his wife Grace, son Logan, and daughter Ella deserve our gratitude. We thank them for their sacrifices through these many years.

Ensuring our great Nation's security is a high calling and one of tremendous responsibility. Through his service to the Intelligence Committee, the Senate, and the United States of America, Don Mitchell has answered this call