

Commonwealth stronger than when she found it. Mrs. Trilby Whobrey Ball was 80 years old when she passed away in her Owensboro, KY, home this August 26.

Born in the Kentucky town of Semiway, in McLean County, Tribby—or Trib, to her friends—graduated from Calhoun High School in 1946. She married her husband, Dr. Coy “Eddie” Ball, in 1947 when they both were attending Western Kentucky University. The Balls moved to Owensboro in 1964, where they would stay until this day.

Trib became well known to her neighbors and friends as she became active in her community. She was a member of the Daviess County Medical Auxiliary/Alliance since 1964 and served on the boards of several important charitable causes, including the Ellis Park Foundation, the Alma Randolph Foundation and the H.L. Neblett Center.

In fact, I first became aware of the H.L. Neblett Center through Trib. The old building she showed me wasn’t good enough, and I was able to appropriate funds to construct a new H.L. Neblett Center for the community to focus on mentoring children and their families. That is directly due to Trib, and a room in the new building is appropriately named after her.

Since 2005, she was a member of the Kentucky State Legislative Ethics Commission. She joined Owensboro’s First Baptist Church and became an integral member of the New Ladies Sunday school class, a group of fast friends who were very supportive of the Ball family during Trib’s final years.

Trib also became involved in local politics and devoted a lot of time to serving her community and her country that way. Back in the days when Kentucky was very much dominated by one political party, she stood up for a competitive two-party system. She became active in the Republican Party of Daviess County and of Kentucky, and was chairperson of the 21-county Second District from 1968 to 1972. She co-chaired the Daviess County gubernatorial campaign for Kentucky Governor Louie B. Nunn.

Trib served on the party’s State Central Committee for more than 20 years, and represented Kentucky as either a delegate or a guest at the Republican National Convention three times. In fact, in my role as its temporary chairman, I selected her to be my honorary escort for the 2008 Republican Convention, just held last week. Sadly, she left us before that date, but I decided to let her appointment stand as I know Trib would have loved to be with us in St. Paul, MN.

May I add, that Trib was also a longtime, steadfast supporter of my own campaigns, and I remember her eagerness to help and to volunteer very well. Trib was very helpful to me back when no one knew who I was or if I could win a statewide election. I’m gratified that 24 years after the fact, she told a reporter at a Lincoln Day luncheon this

year that my first Senate race in 1984 was one of the sweetest campaigns she ever worked on. It was made all the sweeter by her presence.

Friends and family members will remember Trib’s love of boating, basketball and bluegrass music when they think of her long, well-lived life. She leaves behind her husband of nearly 61 years, Eddie; their two children, Bonnie Harris and her husband Jay as well as David Ball and his wife Christy; her grandchildren, Jack, Cal and Keeley Harris; her sister, Sylvia Gross; several nieces and nephews; and many other beloved family members.

Mrs. Trilby Whobrey Ball was a very special woman and one of Kentucky’s finest citizens. I extend my deepest sympathies to her family. She will be greatly missed by all who loved her.

#### HONORING OUR ARMED FORCES

SERGEANT BRIAN K. MILLER

Mr. BAYH. Mr. President, I rise today with a heavy heart to honor the life of SGT Brian K. Miller from Pendleton, IN. Brian was 37 years old when he lost his life on August 2, 2008, in Abd Allah, Iraq, from injuries sustained when his vehicle overturned. He was a member of D Company, 1st Battalion, 293rd Infantry Division, 76th Infantry Brigade, Army National Guard of Huntington, IN.

Today, I join Brian’s family and friends in mourning his death. Brian will forever be remembered as a loving husband, father, son, brother, friend, and soldier. He is survived by his wife, Becky Miller; his children, Nikki and Austin Miller; his mother, Donna Cook; his sister, Tammy Osalear; and his brother, Kevin Miller. Brian was preceded in death by his father, Glen Miller; and his brother, Kenny Miller.

A lifelong Hoosier, Brian was born in Indianapolis, IN, and graduated from Pendleton Heights High School in 1990. Driven to public service, he joined the Indiana Army National Guard as a metal worker in 1989, while still in high school. Brian was assigned to Company D (HM), 738th Maintenance Battalion in Indianapolis and later moved to 1413th Engineer Detachment in Edinburgh, Indiana, where he was a vehicle mechanic and a welder. He later served time with Company C (HM), 38th Main Support Battalion as a welder and vehicle mechanic.

For 19 years, Brian devoted himself to national service through the Indiana National Guard. He assisted in Hurricane Katrina recovery efforts in the Mississippi Valley and in security for the 1996 Olympics in Atlanta. In March, Brian was deployed to Iraq, serving as a truck commander for more than 20 combat logistics patrols and working full-time as a technician with the Indiana Army National Guard. His comrades remember Brian as a respected leader who brought both professionalism and humor to his service, and as a man who loved his family. For his exceptional service and sacrifice,

Brian was awarded the Army Achievement Medal, National Defense Service Medal, Humanitarian Service Medal, Army Reserve Component Achievement Medal with 5 Oak Leaf clusters, Armed Forces Reserve Medal, Iraqi Campaign Medal, Global War on Terrorism Service Medal, Army Service Ribbon, and the Joint Meritorious Unit Award.

While we struggle to express our sorrow over this loss, we can take pride in the example Brian set. Today and always, Brian will be remembered by family, friends, and fellow Hoosiers as a true American hero, and we cherish the sacrifice he made while dutifully serving his country.

As I search for words to do justice to this valiant fallen soldier, I recall President Abraham Lincoln’s words as he addressed the families of soldiers who died at Gettysburg:

We cannot dedicate, we cannot consecrate, we cannot hallow this ground. The brave men, living and dead, who struggled here, have consecrated it, far above our poor power to add or detract. The world will little note nor long remember what we say here, but it can never forget what they did here.

This statement is just as true today as it was nearly 150 years ago, as we can take some measure of solace in knowing that Brian’s heroism and memory will outlive the record of the words here spoken.

It is my sad duty to enter the name of Brian K. Miller in the RECORD of the U.S. Senate for his service to this country and for his profound commitment to freedom, democracy and peace. When I think about this struggle in which we are engaged, and the immeasurable pain that comes with so great a loss, I pray that Brian’s family can find comfort in the words of the prophet Isaiah who said:

He will swallow up death in victory; and the Lord God will wipe away tears from off all faces.

May God grant strength and peace to those who mourn, and may God be with all of you, as I know He is with Brian.

SERGEANT GARY M. HENRY

Mr. President, I also rise today with a heavy heart to honor the life of SGT Gary M. Henry from Indianapolis, IN. Gary was 34 years old when he lost his life on August 4, 2008, in Baghdad, Iraq, from injuries sustained from a roadside bomb that hit his vehicle. He was a member of the 38th Military Police Company, 38th Infantry Division, Army National Guard in Danville, IN.

Today, I join Gary’s family and friends in mourning his death. Gary will forever be remembered as a loving husband, devoted father, son, brother, friend, and soldier. He is survived by his wife, Regina Lynn; his children, Shelby Brooke, Gavin Michael, and Ashtyn Taylor; his father, Gary Henry; his mother and step-father, Marajo and Rick Castor; his sister, Jennifer Clark; his step-sister, Stevie Ewing; his step-brother, Jon Castor; and his grandparents, Margaret Hawkins, Orville Henry, and Pat Henry.

Gary Henry was one of Indianapolis' great public servants, and his passion was visible in every aspect of his life. He joined the Indiana National Guard in 1991 while he was a student at Whiteland High School. Gary retired from the Guard 12 years ago, but rejoined in 2007, hearing once again the call to national service. A 12-year veteran of the Indianapolis Fire Department, Gary was known to his peers as a team player, a dependable and upstanding leader who could be counted on during hard times. He served as a captain and coordinator of special operations, head of the crisis response team, a paramedic, and a Marion County Deputy.

While we struggle to express our sorrow over this loss, we can take pride in the extraordinary example Gary set. Today and always, Gary will be remembered by family, friends, and fellow Hoosiers as a true American hero, and we cherish the sacrifice he made while dutifully serving his country.

As I search for words to do justice to this valiant fallen soldier, I recall President Abraham Lincoln's words as he addressed the families of soldiers who died at Gettysburg:

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This statement is just as true today as it was nearly 150 years ago, as we can take some measure of solace in knowing that Gary's heroism and memory will outlive the record of the words here spoken.

It is my sad duty to enter the name of Gary M. Henry in the RECORD of the U.S. Senate for his service to this country and for his profound commitment to freedom, democracy, and peace. When I think about this struggle in which we are engaged, and the immeasurable pain that comes with so great a loss, I pray that Gary's family can find comfort in the words of the prophet Isaiah who said:

He will swallow up death in victory; and the Lord God will wipe away tears from off all faces.

May God grant strength and peace to those who mourn, and may God be with all of you, as I know He is with Gary.

SPECIALIST JONATHAN D. MENKE

Further, Mr. President, I rise today with a heavy heart to honor the life of SPC Jonathan D. Menke from Madison, IN. Jon was 22 years old when he lost his life on August 4, 2008, in Baghdad, Iraq, from injuries sustained from a roadside bomb that detonated near his vehicle. He was a member of the 38th Military Police Company, 38th Infantry Division, Army National Guard in Danville, IN.

Today, I join Jonathan's family and friends in mourning his death. Jonathan will forever be remembered as a loving son, brother, friend and soldier. He is survived by his mother, Debbie

Kay Estes Sizemore; his father and stepmother, Daniel and Paula Menke; his sisters, Kristen Pearson and Nichole Menke; and his brother, Matthew Eversole. Jon was preceded in death by his brother, Shane Pearson.

A lifelong Hoosier, Jon was born in Columbus, IN, and raised in Madison. A 2005 graduate of Madison Consolidated High School, Jon was a successful student with many talents. He was a member of the football and track teams, qualifying for a regional meet as a member of the 400-meter relay team. He was on the honor roll, was awarded for his art skills in sculpture, and had leading roles in school plays. A natural artist, Jon also played guitar and banjo.

In March of 2004, Jon answered the call to serve his country and joined the Indiana National Guard. He graduated from basic training at Fort Leonard Wood in 2005. Returning to his education, Jon attended Indiana University-Purdue University Indianapolis and Ivy Tech in Indianapolis. In February of 2008, Jon was called to active duty and deployed to Kuwait and later to East Baghdad, his last assignment. Jon was an exemplary soldier. For his outstanding service and sacrifice, Jon was awarded the Bronze Star Medal, the Purple Heart, Army Good Conduct Medal, National Defense Service Medal, Iraq Campaign Medal with Bronze Service Star, Global War On Terrorism Service Medal, Army Service Ribbon, Overseas Service Ribbon and the Combat Action Badge.

While we struggle to express our sorrow over this loss, we can take pride in the example Jon set. Today and always, Jon will be remembered by family, friends, and fellow Hoosiers as a true American hero, and we cherish the sacrifice he made while dutifully serving his country.

As I search for words to do justice to this valiant fallen soldier, I recall President Abraham Lincoln's words as he addressed the families of soldiers who died at Gettysburg:

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This statement is just as true today as it was nearly 150 years ago, as we can take some measure of solace in knowing that Jon's heroism and memory will outlive the record of the words here spoken.

It is my sad duty to enter the name of Jonathan D. Menke in the RECORD of the U.S. Senate for his service to this country and for his profound commitment to freedom, democracy, and peace. When I think about this struggle in which we are engaged, and the immeasurable pain that comes with so great a loss, I pray that Jon's family can find comfort in the words of the prophet Isaiah who said:

He will swallow up death in victory; and the Lord God will wipe away tears from off all faces.

May God grant strength and peace to those who mourn, and may God be with all of you, as I know He is with Jon.

#### REAUTHORIZATION OF THE ANIMAL DRUG USER FEE ACT, H.R. 6432

Mr. ENZI. Mr. President, I rise today in support of H.R. 6432, a bill that reauthorizes the Animal Drug User Fee Act, or ADUFA, and create a new user fee for the approval of generic animal drugs. This bill also addresses the use of antibiotics in animals, and technical corrections to last year's Food and Drug Administration Amendments Act.

Like human drugs, animal drugs must be shown to be safe and effective before they can be marketed. An animal drug can take 7 to 10 years to develop, at a cost of \$100 million or more. ADUFA supports the review of animal drugs by authorizing FDA to collect fees for animal drug applications, and for the establishments, products, and sponsors associated with these products.

This program is similar to the user fee programs for human drugs and medical devices which we renewed last year. Like those programs, ADUFA expires October 1. If we do not act on this bill, 60 valuable FDA employees could be laid off. Even if we simply delay renewal of this program, those employees will receive a "reduction in force," or RIF notice, indicating they might be let go. Many will make that possibility a reality, and leave the agency, taking their talent with them.

ADUFA has been a success. The program has eliminated the review backlog for new animal drugs, improved the timeliness and predictability of reviews, and improved communication between companies and the FDA throughout the process. The renewal of this program will continue to enhance FDA review capacity, including more support for increasingly complex reviews. Also, there is a growing backlog of premarket inspections of foreign animal drug producing facilities, which is a very timely issue. The renewal of ADUFA would better prioritize those inspections, and eliminate the backlog, helping to keep our animal drug supply safe.

The renewal of this important animal health program would nearly double funding levels to \$98 million over 5 years. I want to be clear that the renewal of this program does not speed up the review of new animal drugs. It holds FDA to the same performance goals for review times—it just keeps review times from getting slower.

The bill we are considering today contains another important advance for animal drugs. Under the Food, Drug and Cosmetic Act, FDA is required to review and act on generic animal drug applications within 180 days. Unfortunately, in fiscal year 2007, the average review time for generic animal drug applications was 570 days, and there was a backlog of 446 of these submissions. Without Congressional action,