

the proposed target for action in fiscal year 2009 is 700 days—nearly 2 years. This is an untenable position.

We all know that FDA is seriously underfunded. Like many of you, I would prefer that appropriations be used to fund the agency's activities. But that is simply not in the offing. An appropriated dollar is better than a user fee dollar, but a user fee dollar is better than no dollar at all. The Animal Generic Drug User Fee Act under consideration today would create a new program to fund the reviews of animal generic drugs. This program will lead to progressive improvements in performance, with the time for review and action on submissions decreasing each year.

If we do not proceed with this initiative, our farmers, ranchers, veterinarians and pet owners like you and me will not be able to capture the savings that result from generic animal drug use. I want to point out that even with the creation of this new user fee, the performance goals do not return animal generic drug review times to the statutory requirement of 180 days. By fiscal year 2013, the fifth year of the program, the proposed review target is 270 days. Once again, the best we can do is to keep things from getting much worse as quickly.

The bill before us today also includes a section expanding and streamlining the reporting of the amount of antibiotics that are used to treat animals that are sold annually and the label information about those antibiotics. This reporting language is a carefully crafted compromise between the farmer, rancher and veterinarian communities on one side and those who think the FDA has inadequate information to assess the potential public health impact of antibiotic use on the other. I appreciate the House Members and staff and outside groups who worked together to achieve this agreement.

Finally, this bill contains just two of several changes necessary to properly implement the Food and Drug Administration Amendments Act of 2007. As with any large piece of legislation, there are some technical corrections necessary to fix inadvertent errors in the law.

These technical corrections are critical to ensuring that key drug safety and transparency provisions in the bill work as intended. I am disappointed that we could not complete agreement on a package in time to attach the package to ADUFA. I am even more discouraged that the House chose to cherry-pick just the technical corrections they wanted and attach those instead.

But given the approaching deadline for renewing ADUFA, we cannot afford to hold this important program hostage to unrelated provisions. I intend to continue pressing for passage of a full package of technical corrections. I appreciate Chairman DINGELL's commitment to continuing to meet and work on this, and I look forward to pre-

paring a full package of technical corrections that can be accepted by both Houses and go into effect.

I thank my colleagues for their hard work on these proposals. We have some work still ahead of us, but the bill before us today contains much that is good. I strongly urge my colleagues to support final passage.

NAMING OF U.S. COURTHOUSE IN RICHMOND, VA

Mr. WARNER. Mr. President, I rise today to speak on S. 2403, a bill to name the new United States courthouse in Richmond, VA, for two distinguished jurists and sons of VA.

Senator WEBB and I introduced this bill together last year, and the bill passed the Senate on June 24, 2008. The House of Representatives is expected to pass this bill tonight, with a minor technical change. It is my hope that the Senate will accept this minor modification and pass this bill when the legislation returns to the Senate tonight or early tomorrow.

Our bill will recognize two of Virginia's outstanding jurists: Spotswood Robinson III and Robert Merhige, Jr. They were lawyers who throughout their careers adhered to the principle of "equal justice under law."

The first, Spotswood William Robinson, III, was born in Richmond, VA, on July 26, 1916. He attended Virginia Union University and then the Howard University School of Law, graduating first in his class in 1939 and serving as a member of the faculty until 1947.

Judge Robinson was one of the core attorneys of the NAACP Legal Defense and Educational Fund from 1948 to 1960, achieving national prominence in the legal community with his representation of the Virginia plaintiffs in the 1954 U.S. Supreme Court case *Brown v. Board of Education*. Brown outlawed public school segregation declaring "separate but equal" schools unconstitutional.

In 1964, Judge Robinson became the first African American to be appointed to the U.S. District Court for the District of Columbia and, in 1966, President Johnson appointed Judge Robinson the first African American to the United States Court of Appeals for the District of Columbia Circuit. Finally, on May 7, 1981, Judge Robinson became the first African American to serve as chief judge of the District of Columbia Circuit.

Our second jurist, Judge Robert R. Merhige, Jr., was born in 1919 and later attended High Point College in North Carolina. He subsequently earned his law degree from the T.C. Williams School of Law at the University of Richmond, from which he graduated at the top of his class in 1942.

From 1942 to 1945, Judge Merhige served in the U.S. Air Force, he practiced law in Richmond from 1945 to 1967, establishing himself as a formidable trial lawyer representing criminal defendants as well as dozens of insurance companies.

On August 30, 1967, Judge Merhige was appointed U.S. District Court Judge for the Eastern District of Virginia, Richmond Division by President Lyndon B. Johnson, serving as a Federal judge until 1998. In 1972, Judge Merhige ordered the desegregation of dozens of Virginia school districts. He considered himself to be a "strict constructionist" who went by the law as spelled out in precedents by the higher courts. In 1970, he ordered the University of Virginia to admit women. As evidence of Judge Merhige's groundbreaking decisions, he was given 24-hour protection by Federal marshals due to repeated threats of violence against him and his family. His courage in the face of significant opposition of the times is a testimony to his dedication to the rule of law.

As my colleagues may be aware, I have worked to name the new courthouse in Richmond for these two men for several years. I am proud that the Virginia Congressional delegation, the Virginia Bar Association, the mayor of Richmond, and many others decided that the best way to honor both men was to have them equally share the honor of having the courthouse so named.

With the ribbon cutting for this grand facility tentatively set for October 17 of this year, I can think of no better time than now to move this legislation in honor of Spotswood Robinson and Robert Merhige. I thank the committee for the consideration of this bill and look forward to working with my colleagues in seeking its passage.

COMMENDING OLYMPIAN SHAWN MACHEL JOHNSON

Mr. HARKIN. Mr. President, today I honor an Iowan who has shown tremendous strength of spirit, as well as a fierce determination and world-class talent. Olympic gymnast Shawn Machel Johnson has been and continues to be a model of character and fitness, as well as a source of inspiration for all Americans.

Shawn recently returned from Beijing, where she made us all very proud, competing in the 2008 Olympics and winning one gold and three silver medals. The gold medal was for her performance in the balance beam finals, while the silver medals were for the team competition, the women's all-around, and the floor individual finals.

Since Johnson was 3 years old, she has exhibited a love for gymnastics, and received constant support and encouragement from her parents Teri and Doug Johnson, and coaches Liang Qiao and Liwen Zhuang. She is greatly admired and respected by her fellow gymnasts at Chow's Gymnastics and Dance in West Des Moines, where she has been training since she joined the facility at age 6. Her training and her strong commitment to the sport have propelled her to success in the series of competitions that led her to the Beijing Summer Olympics.

In addition to her rigorous training of up to 25 hours per week, she has also excelled academically. She is now in her junior year at Valley High School in West Des Moines, and has been on the "A" Honor Roll. I believe very strongly that promoting fitness and providing quality education are both key factors in ensuring that children have a bright and successful future. Shawn Johnson is an inspiration to Iowa's young people to stay active, be studious, do what they love, and follow their dreams.

I would like to congratulate Johnson for bringing home four Olympic medals and commend her for her outstanding commitment to the sport of gymnastics. I hope that she continues to pursue her passion and that we will see her endearing smile and more of her amazing performances in London in 2012.

COMMENDING OLYMPIAN LOLO JONES

Mr. HARKIN. Mr. President, today I honor an Iowan who has courageously pursued her dreams through great adversity and who has displayed outstanding character and grace throughout her life. Lori "Lolo" Jones recently returned from Beijing, where she competed as a hurdler in the 2008 Olympic Games. Lolo made us all very proud as she represented the United States in Beijing. Although she did not come away from Beijing with a medal, she realized her dream of competing in the Olympics and was a model of athleticism, sportsmanship, and determination.

Lolo has had seemingly limitless energy, a positive attitude and an intense focus on running since she was a child. It is these characteristics that have allowed her to overcome what many would consider to be challenging circumstances, including the fact that her family relocated frequently throughout her childhood.

As a student at Roosevelt High School in Des Moines, she excelled at running as well as academics. After graduating from Roosevelt, Lolo became the first in her family to attend college when she enrolled at Louisiana State University, where she excelled on the LSU track team. She graduated with an economics degree and a minor in Spanish, yet deferred seeking a career in her field of study, determined to pursue her running career instead. She worked part-time jobs to support herself and to have free time to travel for competitions. After missing an opportunity to compete in Athens in 2004, her former LSU coach persuaded sponsors to recognize Lolo's great potential, allowing her to devote herself to becoming a world-class professional athlete.

Competing in and winning many races around the world in the years leading up to the 2008 Beijing Olympics, Lolo became a highly respected athlete, not only for her performances,

but for her exemplary sportsmanship and generosity.

And, through it all, Lolo never forgot where she began her journey. She returned to Roosevelt High School earlier this year to make a donation for improvements to the track, and also for new shoes and equipment for the track team. She also donated winnings from a recent race to a victim of the flooding that ravaged Iowa this spring.

I salute Lolo Jones for her extraordinary discipline and hard work, for her determination to improve and excel as an athlete, and also for her grace, generosity, and strength of character. She has been, and will continue to be, a wonderful role model for all athletes and for all young people seeking to excel in their field. I congratulate her on all of her achievements and on realizing her dream of competing in the Olympics. I hope and expect that we will see Lolo again in London in 2012, this time hurdling her way toward Olympic gold.

REMEMBERING BABE RUTH

Mr. DODD. Mr. President, I rise today to honor the life and career of Babe Ruth, one of America's greatest baseball players. The man we know as Babe Ruth, was born on February 6, 1895, as George Herman Ruth, Jr. and passed away 60 years ago on August 16, 1948. In his obituary, the New York Times called him "a figure unprecedented in American life. A born showman off the field and a marvelous performer on it, he had an amazing flair for doing the spectacular at the most dramatic moment." Although he played his last season in 1935, Ruth still holds the records for all-time highest slugging percentage. Ruth's 714 career homers and his consistent dominance in the batter's box rightly earned him the nickname, "The Sultan of Swat."

However, Babe Ruth was more than a superior ballplayer. Although his dramatically big swing earned him a place in the record books, Mr. Ruth was a figure of legendary proportions who permanently changed the game of baseball and made it a fixture in American life. His famous "called" shot in the 1932 World Series is so ingrained in our national memory and baseball lore that even our youngest children playing tee-ball in backyards across the country seek to emulate this iconic moment.

Mr. Ruth was also famous for his generosity, working for the Red Cross during World War II, organizing charity golf tournaments with longtime adversary Ty Cobb, appearing at benefits, and buying more than \$100,000 in war bonds. A year before his death, he established the Babe Ruth Foundation, which provided assistance to disadvantaged children. Linda Ruth Tosetti, Mr. Ruth's granddaughter, is a resident of Connecticut, and today I would like to remember her grandfather, one of the greatest sports legends in our Nation's history.

RECOGNIZING THE LA SALLE ACADEMY PLAYERS

Mr. REED. Mr. President, today I recognize the achievement of the La Salle Academy Players, the theater troupe from my high school alma mater, which recently gave four performances of "The Scottish Play: Macbeth" at the Edinburgh Fringe Festival. This prestigious event, the world's largest arts festival, is held annually in Scotland.

The La Salle Players were one of only 43 high school troupes chosen to perform from among hundreds of high school drama programs by the American High School Theatre Festival. La Salle Academy was the first Rhode Island private high school and only the second Rhode Island high school to have been selected in the 14 years that the American High School Theatre Festival has participated in the Fringe Festival.

I am especially pleased to share that, by all reports, the young men and women of the La Salle Players conducted themselves with great talent and poise, representing both their school and their country with distinction.

I want to individually recognize the cast and crew, faculty, and staff, who were instrumental to this effort: Brother Michael McKenery, the president of La Salle Academy, served as producer. The student cast and crew included Trisha Moise, Tiia Groden, Gabbie Whitney, John Pleasants, Dan Tracy, John Coletta, Nick Oliveira, Nick Montecalvo, Ryan Zins, Cam Burns, Matt Petrarca, Mark Sullivan, Valentina Szlashta, Michael Commendatore, Alex Schlageter, Sean Walsh, Kevin Cronin, Molly B. Allen, Katie Ryan, Emily Maher, Colin Whitney, Ashley Smith, Stephen Zukauskas, JR McKenzie, and Michael Gebhart. Faculty and staff included Thomas Haynes, Elissa Cerros, Margaret Hayes, and David Cabral.

RECOGNIZING THE 60TH ANNIVERSARY OF WUOM-FM

Mr. LEVIN. Mr. President, it is with pleasure that I, along with my Michigan colleague, Senator STABENOW, congratulate WUOM-FM on 60 years of successful broadcasting. Over the past six decades, WUOM-FM, the University of Michigan's flagship public radio station, has become a fixture in public broadcasting, distinguishing itself through the breath and depth of its programming and through its unwavering dedication and service to its many listeners throughout southeastern Michigan.

Since its inception as a small radio station broadcasting in the Ann Arbor area, WUOM-FM has been a consistent and important voice in public radio in Michigan. In 1950, WUOM broadcasted its first Michigan Football game, a tradition it would enjoy for the next 50 years, and in 1958, it broadcasted its