

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal

WEDNESDAY, JANUARY 17, 2007

SESSION OF 2007 191ST OF THE GENERAL ASSEMBLY

No. 3

SENATE

WEDNESDAY, January 17, 2007

The Senate met at 10 a.m., Eastern Standard Time.

The PRESIDENT pro tempore (Joseph B. Scarnati III) in the Chair.

PRAYER

The Chaplain, Reverend DOUG WINNE, of Lancaster Evangelical Free Church, Lititz, offered the following prayer:

Let us pray.

God, our Heavenly Father, it is an honor to be in this place for every person here. The people of this Commonwealth have spoken and placed people here to whom they have given their trust. May there be no betrayal of trust.

I pray for every man and woman here, that they would live as unto You. When they receive the praises of men, may they be reminded that You are the judge of all the earth, and when they receive the criticisms of men, may they be reminded that You are the judge of all the earth.

Encourage them in their work. May they stand up for issues of justice and rightness, goodness and truth. Bless them and encourage them. May this be a good Session. These things we pray in the name of our Lord and Savior Jesus. Amen.

The PRESIDENT pro tempore. The Chair thanks Reverend Winne, who is the guest today of Senator Brubaker.

PLEDGE OF ALLEGIANCE

(The Pledge of Allegiance was recited by those assembled.)

GENERAL COMMUNICATION

STANDING COMMITTEES APPOINTED

The PRESIDENT pro tempore laid before the Senate the following communication, which was read by the Clerk as follows:

SENATE OF PENNSYLVANIA

To: The Honorable Mark R. Corrigan
Secretary of the Senate

From: Senator JOSEPH B. SCARNATI III
President Pro Tempore

Subject: Standing Committees of the Senate
Appointments - 2007-2008 Sessions

Date: January 2, 2007

Pursuant to Rule XV, as President Pro Tempore, I hereby appoint the following Senators to the Standing Committees of the Senate for the 2007-2008 Sessions of the Senate. The appointment of Minority members is based on the recommendation of the Minority Leader and the naming of Minority chairmen by designation of the Minority Leader.

STANDING COMMITTEES OF THE SENATE OF PENNSYLVANIA SESSIONS OF 2007-2008

AGING AND YOUTH

Vance, Chairman
Brubaker, Vice Chairman

Eichelberger	Wonderling	Stack
Folmer	Washington*	Williams, C.
Orie	O'Pake	Scarnati, <i>ex-officio</i>

AGRICULTURE AND RURAL AFFAIRS

Brubaker, Chairman
Vaugh, Vice Chairman

Eichelberger	Punt	Logan
Folmer	O'Pake*	Wozniak
Madigan	Kitchen	Scarnati, <i>ex-officio</i>

APPROPRIATIONS

Armstrong, Chairman
Tomlinson, Vice Chairman

Browne	Regola	Hughes
Corman	Rhoades	Logan
Gordner	Vance	Musto
Greenleaf	Waugh	Stack
Madigan	White, M.J.	Stout
Pippy	Fumo*	Tartaglione
Rafferty	Boscola	Wozniak
		<i>ex-officio members:</i>
		Scarnati
		Pileggi
		Mellow

BANKING AND INSURANCE

White, D., Chairman
Regola, Vice Chairman

Armstrong	Rafferty	Mellow
Corman	Robbins	Tartaglione
Greenleaf	Stack*	Williams, A.
Pippy	Boscola	Scarnati, <i>ex-officio</i>

COMMUNICATIONS AND TECHNOLOGY

Wonderling, Chairman
Gordner, Vice Chairman

Baker
Eichelberger
Erickson

Regola
Williams, C.*
Fumo

Washington
Wozniak
Scarnati,
ex-officio

COMMUNITY, ECONOMIC AND RECREATIONAL DEVELOPMENT

Earll, Chairman
Punt, Vice Chairman

Baker
Gordner
Orie
Piccola

Tomlinson
White, D.
LaValle*
Costa

Ferlo
Musto
Wozniak
Scarnati,
ex-officio

CONSUMER PROTECTION AND PROFESSIONAL LICENSURE

Tomlinson, Chairman
Corman, Vice Chairman

Erickson
Gordner
Greenleaf
Piccola

Rafferty
White, M.J.
Boscola*
Fumo

Kasunic
LaValle
Wozniak
Scarnati,
ex-officio

EDUCATION

Rhoades, Chairman
Piccola, Vice Chairman

Baker
Browne
Folmer

Tomlinson
Musto*
Dinniman

Hughes
LaValle
Scarnati,
ex-officio

ENVIRONMENTAL RESOURCES AND ENERGY

White, M.J., Chairman
Erickson, Vice Chairman

Brubaker
Greenleaf
Rhoades

White, D.
Musto*
Dinniman

Stout
Williams, A.
Scarnati,
ex-officio

FINANCE

Browne, Chairman
Earll, Vice Chairman

Armstrong
Corman
Eichelberger

Vance
Wozniak*
Ferlo

Williams, A.
Williams, C.
Scarnati,
ex-officio

GAME AND FISHERIES

McIlhinney, Chairman
Wonderling, Vice Chairman

Eichelberger
Pippy
Regola

Robbins
Fontana*
Boscola

Dinniman
Fumo
Scarnati,
ex-officio

JUDICIARY

Greenleaf, Chairman
White, M.J., Chairman

Browne
Earll

Piccola
Rafferty

Fontana
Stack

Gordner
Orie

Costa*
Boscola

Stout
Scarnati,
ex-officio

LABOR AND INDUSTRY

Gordner, Chairman
Madigan, Vice Chairman

Armstrong
Corman
Folmer

White, D.
Tartaglione*
Ferlo

Kasunic
Logan
Scarnati,
ex-officio

LAW AND JUSTICE

Rafferty, Chairman
Pippy, Vice Chairman

McIlhinney
Regola
Rhoades

Vance
Logan*
LaValle

Stack
Tartaglione
Scarnati,
ex-officio

LOCAL GOVERNMENT

Regola, Chairman
Eichelberger, Vice Chairman

Brubaker
Rafferty
Robbins

Waugh
Ferlo*
Dinniman

Fontana
Williams, C.
Scarnati,
ex-officio

PUBLIC HEALTH AND WELFARE

Erickson, Chairman
Vance, Vice Chairman

Baker
Orie
White, M.J.

Wonderling
Hughes*
Costa

Kitchen
Washington
Scarnati,
ex-officio

RULES AND EXECUTIVE NOMINATIONS

Pileggi, Chairman
Orie, Vice Chairman

Armstrong
Earll
Erickson
Madigan
Piccola

Punt
Robbins
Wonderling
Mellow*
Fumo

Kasunic
LaValle
Musto
O'Pake
Scarnati,
ex-officio

STATE GOVERNMENT

Piccola, Chairman
Folmer, Vice Chairman

Brubaker
Corman
McIlhinney

Punt
Williams, A.*
Fontana

Logan
Tartaglione
Scarnati,
ex-officio

TRANSPORTATION

Madigan, Chairman
White, D., Vice Chairman

Earll
McIlhinney
Pippy
Punt

Rhoades
Tomlinson
Stout*
Kasunic

LaValle
Washington
Williams, C.
Scarnati,
ex-officio

URBAN AFFAIRS AND HOUSING

Pippy, Chairman

Browne, Vice Chairman

Armstrong
Earl
McIlhinneyWaugh
Kitchen*
FerloFontana
Fumo
Scarnati,
*ex-officio***VETERANS AFFAIRS AND
EMERGENCY PREPAREDNESS**

Baker, Chairman

Robbins, Vice Chairman

Punt
Tomlinson
WaughWhite, D.
Dinniman*
KitchenStack
Washington
Scarnati,
ex-officio

*Minority Chairperson

**APPOINTMENTS BY THE
PRESIDENT PRO TEMPORE**

The PRESIDENT pro tempore. The Chair wishes to announce that he has made the following appointments:

Senator James Rhoades as a member of the Public School Building Authority and Higher Education Facilities Authority.

Senator Mary Jo White as a member of the Environmental Quality Board.

Mr. Todd Nyquist as Majority Staff Administrator.

The PRESIDENT (Lieutenant Governor Catherine Baker Knoll) in the Chair.

LEGISLATIVE LEAVES

The PRESIDENT. The Chair recognizes the gentleman from Delaware, Senator Pileggi.

Senator PILEGGI. Madam President, I request temporary Capitol leaves for Senator Don White and Senator Greenleaf.

The PRESIDENT. The Chair recognizes the gentleman from Berks, Senator O'Pake.

Senator O'PAKE. Madam President, I request a legislative leave for Senator Tartaglione.

The PRESIDENT. Senator Pileggi requests temporary Capitol leaves for Senator Don White and Senator Greenleaf.

Senator O'Pake requests a legislative leave for Senator Tartaglione.

Without objection, the leaves will be granted.

LEAVES OF ABSENCE

Senator PILEGGI asked and obtained leaves of absence for Senator PUNT, Senator WAUGH, and Senator TOMLINSON, for today's Session, for personal reasons.

Senator O'PAKE asked and obtained a leave of absence for Senator A.H. WILLIAMS for today's Session, for personal reasons.

SENATE CONCURRENT RESOLUTION**WEEKLY RECESS**

Senator PILEGGI offered the following resolution, which was read as follows:

In the Senate, January 17, 2007

RESOLVED, (the House of Representatives concurring), Pursuant to Article II, Section 14, of the Pennsylvania Constitution, that when the Senate recesses this week, it reconvene on Monday, January 22, 2007, unless sooner recalled by the President Pro Tempore of the Senate; and be it further

RESOLVED, Pursuant to Article II, Section 14, of the Pennsylvania Constitution, that when the House of Representatives recesses this week, it reconvene on Monday, January 22, 2007, unless sooner recalled by the Speaker of the House of Representatives.

On the question,

Will the Senate adopt the resolution?

The yeas and nays were required by Senator PILEGGI and were as follows, viz:

YEA-47

Armstrong	Folmer	Mellow	Stack
Baker	Fontana	Musto	Stout
Boscola	Fumo	O'Pake	Tartaglione
Browne	Gordner	Orie	Vance
Brubaker	Greenleaf	Piccola	Washington
Corman	Hughes	Pileggi	Waugh
Costa	Kasunic	Pippy	White, Donald
Dinniman	Kitchen	Rafferty	White, Mary Jo
Earl	LaValle	Regola	Williams, Constance
Eichelberger	Logan	Rhoades	Wonderling
Erickson	Madigan	Robbins	Wozniak
Ferlo	McIlhinney	Scarnati	

NAY-0

A majority of the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Secretary of the Senate present the same to the House of Representatives for concurrence.

LEAVE CANCELLED

The PRESIDENT. Senator Waugh has returned, and his personal leave is cancelled.

RECESS

The PRESIDENT. The Chair recognizes the gentleman from Delaware, Senator Pileggi.

Senator PILEGGI. Madam President, I request a recess of the Senate for the purpose of a meeting of the Committee on Rules and Executive Nominations.

The PRESIDENT. Without objection, for the purpose of a meeting of the Committee on Rules and Executive Nominations, the Senate will stand in recess.

AFTER RECESS

The PRESIDENT. The time of recess having expired, the Senate will come to order.

**RESOLUTION REPORTED AS ADOPTED
FROM COMMITTEE**

Senator PILEGGI, from the Committee on Rules and Executive Nominations, reported the following resolution:

SR 10 (Pr. No. 7) (Adopted as committed)

A Resolution consenting to the elimination of requirement to disclose nominees' Social Security numbers for purposes of Senate Nominations Questionnaire.

COMMUNICATIONS FROM THE GOVERNOR REPORTED FROM COMMITTEE ON RULES AND EXECUTIVE NOMINATIONS

Senator ROBBINS, from the Committee on Rules and Executive Nominations, reported communications from His Excellency, the Governor of the Commonwealth, recalling the following nominations, which were read by the Clerk as follows:

MEMBER OF THE STATE REAL ESTATE COMMISSION

January 10, 2007

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated December 18, 2006, for the appointment of Nina Tinari, 6401 Church Road, Philadelphia 19151, Philadelphia County, Seventh Senatorial District, as a member of the State Real Estate Commission, to serve for a term of five years or until her successor is appointed and qualified, but not longer than six months beyond that period, vice Rita M. Halverson, Somerset, whose term expired.

I respectfully request the return to me of the official message of nomination on the premises.

EDWARD G. RENDELL
Governor

MEMBER OF THE STATE BOARD OF OPTOMETRY

January 12, 2007

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated December 18, 2006 for the appointment of Stephanie Moore, (Public Member), 40 Red Barberry Drive, Etters 17319, York County, Fifteenth Senatorial District, as a member of the State Board of Optometry, to serve for a term of four years and until her successor is appointed and qualified, but not longer than six months beyond that period, vice Robert Wentzel, Halifax, whose term expired.

I respectfully request the return to me of the official message of nomination on the premises.

EDWARD G. RENDELL
Governor

NOMINATIONS RETURNED TO THE GOVERNOR

Senator ROBBINS. Madam President, I move that the nominations just read by the Clerk be returned to His Excellency, the Governor.

On the question,
Will the Senate agree to the motion?

LEGISLATIVE LEAVE CANCELLED

The PRESIDENT. Senator Greenleaf has returned, and his temporary Capitol leave is cancelled.

And the question recurring,
Will the Senate agree to the motion?

A voice vote having been taken, the question was determined in the affirmative.

The PRESIDENT. The nominations will be returned to the Governor.

SENATE RESOLUTIONS ADOPTED

Senator BOSCOLA, by unanimous consent, offered **Senate Resolution No. 11**, entitled:

A Resolution designating the month of January 2007 and 2008 as "Blood Donor Month" in Pennsylvania.

Which was read, considered, and adopted by voice vote.

Senator KITCHEN, by unanimous consent, offered **Senate Resolution No. 12**, entitled:

A Resolution designating the week of January 14 through 20, 2007, as "Martin Luther King, Jr., Holiday Week."

On the question,
Will the Senate adopt the resolution?

The PRESIDENT. The Chair recognizes the gentlewoman from Philadelphia, Senator Kitchen.

Senator KITCHEN. Madam President, Martin Luther King, Jr., was born on January 15, 1929, in Atlanta, Georgia. Like his father and grandfather, Dr. King became a Baptist minister after graduating from Morehouse College and Crozer Theological Seminary. He also received a doctorate degree from Boston University.

Throughout his adult life, Dr. King stood for equal rights. As a civil rights leader, Dr. King promoted the philosophy of nonviolence, passive resistance, and civil disobedience. In 1954, as pastor of the Dexter Avenue Baptist Church in Montgomery, Alabama, Dr. King organized a citywide boycott of the city's segregated busing system. This protest led to a United States Supreme Court decision to ban racial segregation on public transportation. Three years later, in 1957, Dr. King moved back to Atlanta, as an associate pastor of Ebenezer Baptist Church. He organized the Southern Christian Leadership Conference to fight segregation and discrimination.

Madam President, Dr. King's mission was ultimately successful, but was not without hardships. In his peaceful attempts to combat segregation, he was threatened, beaten, and jailed. Yet, that did not stop him. He led a massive voter registration drive in Selma, Alabama, and a freedom march to Montgomery. On August 28, Dr. King stood with a diverse mass of 250,000 civil rights supporters at the Lincoln Memorial in Washington, D.C., to proclaim, "I have a dream that one day this nation will rise up and live out the true meaning of its creed: 'We hold these truths

to be self-evident that all men are created equal." Dr. King's famous speech defines the American civil rights movement. These words are as powerful today as they were then. For his pursuit of peace and equality, Dr. King was rightfully awarded the Nobel Peace Prize in 1964.

We as a nation have come a long way in four decades. Sadly, Dr. King could not fully realize the impact that he has made on our country. While organizing a poor people's campaign, Dr. King was assassinated on April 4, 1968, in Memphis, Tennessee.

Madam President, no matter our race, ethnicity, religion, gender or age, we can all learn from Dr. Martin Luther King, Jr., and we can continue to follow his dream by respecting one another, by helping others and making our little part of the world a better, more peaceful place. On January 15, the nation honors Dr. King for his impact on America. Through our resolution, we Senators encourage all Pennsylvanians to remember Dr. Martin Luther King's commitment to peace and equality for all human beings during this week of remembrance.

Thank you, Madam President.

The PRESIDENT. The Chair recognizes the gentleman from Chester, Senator Dinniman.

Senator DINNIMAN. Madam President, I just want to rise because as a young kid growing up in Connecticut, Martin Luther King was my hero, and I know that so much of what I do in my own life has been influenced by Dr. King and his philosophy. As Senators, we have the ability to make so much of Dr. King's dream a reality by what we do. This Commonwealth has been blessed by God with an abundant harvest, but we will not be judged by history or ultimately by God about how wealthy we are; we will be judged as to whether we are a good and decent people, people of faith who understand that it is our responsibility, as Dr. King taught us, to share that harvest. If we understand, as Dr. King said, that we are all part of an inescapable network of mutuality and that we are all bound together into a single garment of destiny, and with that in mind, it is with great pride and emotion that I rise to support Senator Kitchen's resolution.

And the question recurring,

Will the Senate adopt the resolution?

A voice vote having been taken, the question was determined in the affirmative.

CONGRATULATORY RESOLUTIONS

The PRESIDENT laid before the Senate the following resolutions, which were read, considered, and adopted by voice vote:

Congratulations of the Senate were extended to Marcus W. Shand and to Andrew D. Schaefer by Senator Armstrong.

Congratulations of the Senate were extended to Peter Lawall by Senator Boscola.

Congratulations of the Senate were extended to Ruth Reiner by Senator Brubaker.

Congratulations of the Senate were extended to Rebekah Price, Kermit B. Harry, Donna Lee Clendenin, Barbara A. Shuey and to Jean M. Rice by Senator Corman.

Congratulations of the Senate were extended to David Emerson, Steven H. Collins, Duane E. Koons and to Mildred Fox by Senator Folmer.

Congratulations of the Senate were extended to Gloria Jozwiak, Dr. Mark H. Kryder and to Richard Kuhn by Senator Fontana.

Congratulations of the Senate were extended to Mr. and Mrs. Dale Sommers, Mr. and Mrs. Maurice M. Zechman, Mr. and Mrs. Robert Sones, Mr. and Mrs. Donald Mausteller, Mr. and Mrs. John R. Thrash and to Lisa Watson by Senator Gordner.

Congratulations of the Senate were extended to Gertrude M. Stansburg by Senator Greenleaf.

Congratulations of the Senate were extended to the Honorable Lawrence Roberts by Senator Kasunic.

Congratulations of the Senate were extended to Veronica Cook and to James K. Langan, Jr., by Senator Madigan.

Congratulations of the Senate were extended to Janet Delaney and to John, Joseph, William, David and the family of the late Michael Joyce by Senator Musto.

Congratulations of the Senate were extended to Francis Turner by Senator O'Pake.

Congratulations of the Senate were extended to John F. Leary III by Senator Pileggi.

Congratulations of the Senate were extended to the Thomas Jefferson High School Football Team by Senator Pippy.

Congratulations of the Senate were extended to Joan McFadden by Senator Punt.

Congratulations of the Senate were extended to Robin W. Govern by Senator Regola.

Congratulations of the Senate were extended to Mr. and Mrs. William Ronald Dixon by Senator Rhoades.

Congratulations of the Senate were extended to Robert Kenneth Zarecky by Senator Robbins.

Congratulations of the Senate were extended to Frances M. Scolese, James Howard Grant, Marian Bromeley, Fezell's Shop 'N Save of DuBois and to Simpson Communications, Inc., of DuBois by Senator Scarnati.

Congratulations of the Senate were extended to Robert B. Willison by Senator Stout.

Congratulations of the Senate were extended to Amato L. Berardi by Senator Tartaglione.

Congratulations of the Senate were extended to Mr. and Mrs. Lester Betz, Mr. and Mrs. Knovel Lamberti, Mr. and Mrs. Warren Walborn, Anthony J. Schiano and to the Cumberland Valley High School Ninth Grade Knowledge Master Open Team of Mechanicsburg by Senator Vance.

Congratulations of the Senate were extended to Stella Richards by Senator D. White.

Congratulations of the Senate were extended to Mr. and Mrs. Philip Lucas by Senator M.J. White.

Congratulations of the Senate were extended to the Reverend Jerome Cherry and to Gloria J. Jackson by Senator A.H. Williams.

Congratulations of the Senate were extended to Louis Gerald DiBello by Senator C. Williams.

Congratulations of the Senate were extended to Mr. and Mrs. Stanley Butz, Mr. and Mrs. Doyle Berkebile, Mr. and Mrs. Thomas P. Burns, Mr. and Mrs. Jack Murphy, Mr. and Mrs. William Boltz, Mr. and Mrs. Michael Hrabosky, Mr. and Mrs. Henry J. Furman, Mr. and Mrs. Elmer Horner, Mr. and Mrs. Harry Baker, Mr. and Mrs. Carman Keim, Mr. and Mrs. Virgil Faust,

Mr. and Mrs. Morris G. Frederick, Mr. and Mrs. John Horner, Mr. and Mrs. Frank Copenhagen, Mr. and Mrs. Allan B. Grenninger, Mr. and Mrs. Dean Gallagher and to Mr. and Mrs. William Gearhart by Senator Wozniak.

CONDOLENCE RESOLUTION

The PRESIDENT laid before the Senate the following resolution, which was read, considered, and adopted by voice vote:

Condolences of the Senate were extended to the family of the late Frances Williams by Senator A.H. Williams.

PETITIONS AND REMONSTRANCES

The PRESIDENT. The Chair recognizes the gentleman from Philadelphia, Senator Fumo.

Senator FUMO. Madam President, while yesterday was a great day of happiness and celebration here in Harrisburg, in Iraq it was a totally different kind of day. When I last spoke about Iraq on November 20 in this Chamber, 2,866 American soldiers had been killed by the fighting in George Bush's war. Since that date, another 158 brave but unfortunate Americans have lost their lives in combat there. The sacrifice of those 158 soldiers has pushed our nation beyond several sad important milestones in this begotten, unnecessary conflict.

On Christmas day of this year, December 25, 2006, we lost our 2,974th American soldier in Iraq. Thus, as of that date, George W. Bush has sent more Americans to their death than the terrorists killed on September 11 in New York, Washington, and Somerset, Pennsylvania, combined. By the most accurate count now possible, 2,973 men and women were victims of the terrorist hijackings. Now the death toll in Iraq has exceeded that number. In the process, and this is not my opinion but rather that of non-partisan intelligence experts and even retired generals, the war has made us less safe in the face of terrorism. We have managed to increase the threat of terrorism by invading a country that had nothing to do with September 11 and the terrorist attacks of that day. Instead, we all but forgot about Osama bin Laden and the terrorist training grounds in Afghanistan. We have lost approximately 10 times as many fighting men and women in Iraq as we have in Afghanistan, where we should have concentrated all of our efforts.

Then on the final day of 2006, we passed another milestone. The Pentagon announced the loss of two more Americans, pushing the total combat deaths in Iraq to above 3,000. Ironically, we crossed the 3,000 threshold on the same day that the body of Saddam Hussein was buried. His capture was among the many events that were supposed to be momentous steps toward peace and prosperity in Iraq, or so the neo-conservatives of the Bush administration tried to tell us.

When we defeated the regular Iraqi army with shock and awe, it was supposed to be the end of combat operations. Then we captured Saddam and it was supposed to be a major turning point. Then the Iraqis held their first provisional elections, it was supposed to be a major turning point. And when they adopted a constitution, it was supposed to be a major turning point. When they elected a government, it was supposed to be a major turning point. And when they killed terrorist al Zarqawi, it was supposed to be another major turning point.

None of it ever turned out to be true. The only meaningful markers that we actually pass as we travel down George Bush's road to disaster are the ones that tell us how many American lives are sacrificed to a mission that most Americans cannot even define anymore.

As I stand here today, the latest Defense Department casualty report list of our military death toll in Iraq is now at 3,024, and another 22,834 have been wounded. Since George Bush announced that, quote, "major combat operations in Iraq are over" unquote, while standing on an aircraft carrier in front of a "Mission Accomplished" banner, since that day, 2,885 American soldiers have died. Since July, 2003, when he said, with his charismatic smugness, quote, "bring 'em on," 2,817 Americans have died. Since we killed al Zarqawi, 564 Americans have died. Among the fallen, regrettably, are two more brave Pennsylvanians.

Private First Class Shelby J. Feniello, 25, of Connellsville, died on October 9 while conducting combat operations against enemy forces in Al Anbar province. PFC Feniello was assigned to the 1st Battalion, 6th Marine Regiment, 2nd Marine Division, 2nd Marine Expeditionary Force.

Corporal Carl W. Johnson II, 21, of Philadelphia, died on October 7 in Mosul from injuries suffered when an IED detonated near his vehicle. Corporal Johnson was assigned to the 2nd Battalion, 3rd Brigade, 2nd Infantry Division.

In addition to the soldiers who have been killed, also several hundred contractors from various countries have been killed in Iraq, of whom 147, by last count, were Americans. This war has now lasted 47 months, which is longer than America's involvement in World War II, from the date of the attack in Pearl Harbor to the surrender of Japan.

In the face of all this, George Bush responds by going on television to tell the American people that he is sending additional troops to Iraq, the same American people who sent a loud, clear message to him in the elections last November that they wanted our troops out of Iraq. George Bush should get past his ego, get over himself, and listen to the will of the people and common sense. He did admit in his television speech that mistakes had occurred on his watch. But in response, he proposes more and bigger mistakes, and the losses of more young American men and women. Members of his own party are already speaking out against his plan. Members of the Democratic Party will likewise oppose him.

There are moments in history when a nation is called upon to sacrifice lives and treasures to defend itself and its freedom. This is not one of those times. We are not defending ourselves, we are putting our nation and our fighting men and women deeper into jeopardy every day we stay in Iraq. It is time for George Bush to listen to reason and start bringing our troops home, and it is time for our people in Congress to stand up to him and tell him that the American people have had enough.

Thank you, Madam President.

The PRESIDENT. I ask the Members of the Senate and staff to please rise for a moment of silence for our two fallen soldiers from Pennsylvania, Private First Class Shelby J. Feniello, from Connellsville, and Corporal Carl W. Johnson II from Philadelphia.

(Whereupon, the Senate en bloc stood in a moment of silence in solemn respect to the memory of Private First Class SHELBY J. FENIELLO and Corporal CARL W. JOHNSON II.)

RECESS

The PRESIDENT. The Chair recognizes the gentleman from Delaware, Senator Pileggi.

Senator PILEGGI. Madam President, I move that the Senate do now recess until Monday, January 22, 2007, at 1 p.m., Eastern Standard Time.

The motion was agreed to by voice vote.

The Senate recessed at 10:52 a.m., Eastern Standard Time.