

monument honoring the civil rights movement on the grounds of a Southern State capitol. During the 40th anniversary of the desegregation, John came up with the idea for the sculpture. With approval from the Little Rock Nine Foundation, John created the work with his wife Kathy and studio partner Steve Scallion. The sculpture has been 7 years in the making and now stands proudly in Little Rock.

I would like to recognize John for this sculpture and his contributions to journalism and the arts. As the editorial cartoonist for the Arkansas Democrat-Gazette, John has earned numerous local and national accolades. He has been recognized by the Arkansas Press Association with the Best Editorial Cartoonist Award seven times in his career and in 1996 he won the illustrious Berryman Award from the National Press Foundation. His editorial cartoons are nationally syndicated, as is his comic strip "Strange Brew," allowing readers throughout the country to share in his humor.

But make no mistake, John is serious about his cartoons, and the artistry is as important to him as the jokes. His dedication to artistry has translated to other mediums, including painting and sculpture. John has works displayed throughout the country. "Testament" is not the first monument he has sculpted for Arkansas. In 1987, John created a life-size sculpture of an American soldier for the Arkansas Vietnam Veterans Memorial, which I consider both poignant and powerful.

When the "Testament" sculpture was unveiled, the Little Rock Nine once again stood together in solidarity. An emotional moment for those brave men and women, it was also a moving event for John as 7 years of private work was finally put on public display. As this sculpture stands on Arkansas' capitol grounds, it serves as a testament to the Little Rock Nine, as well as Arkansas' past and future. I applaud John for his valuable artistic contribution to Arkansas and the nation and I hope that this statue will serve as a lasting reminder of the difficulties and triumphs of the civil rights movement for generations to come.●

TRIBUTE TO JOHN H. JOHNSON

● Mr. PRYOR. Mr. President, today, I pay tribute to the life and legacy of John H. Johnson. John was a pioneer whose monumental works in publishing and generous acts of philanthropy have had profound influence on the lives of millions, both inside and outside Arkansas.

John's life story is one we can all learn from and admire. Raising himself up from poverty to the top of the business world, he is proof that hard work and determination can create success. Born the grandson of slaves in a one-room house in Arkansas City in 1918, John went on to become the first African American to be named to Forbes' list of the 400 wealthiest Americans.

The founder, publisher and chairman of Johnson Publishing company—the largest African-American owned publishing company in the world—John's magazines, *Ebony* and *Jet*, are the number one African-American magazine and newsweekly respectively. *Ebony* currently has a circulation of 1.7 million and a monthly readership of over 11 million, while *Jet* has a readership of over 8 million weekly, and both publications continue to lead the way in African-American journalism. Linda Johnson Rice, John's daughter, currently serves as President and CEO of her father's company and I wish her the best in building on her father's success.

Awarded the Presidential Medal of Freedom in 1996—the highest honor this Nation bestows on civilians—John's life was full of accomplishments and accolades. John was recognized with the Magazine Publisher's Association publisher of the year award, the Black Journalists' Lifetime Achievement Award and the Wall Street Journal/Dow Jones Entrepreneurial Excellence Award. He has been inducted into the Advertising Hall of Fame, the National Business Hall of Fame and, in 2001, he became the first African American inducted into the Arkansas Business Hall of Fame. During his life, John was also appointed to various posts by Presidents Kennedy, Johnson and Nixon and served on the boards of corporations ranging from Dillard Department Stores to the Chrysler Corporation to Twentieth Century Fox Film.

But John's influence extends beyond the business world. He helped change race relations in this country, both with his publications and activism. In 1955, John made history when he published the unedited photographs of the mutilated body of Emmett Till, the 14-year-old murder victim who was viciously beaten, shot and then drowned in Mississippi for allegedly whistling at a white woman. The pictures, intended to show the reality of the Jim Crow South, helped spark the Civil Rights Movement.

As far as John went in life, he was not one to forget his roots. Raised in poverty in Arkansas by his mother, John has spent much of life giving back to his community and state. John's dedication to education and improving the lives of children has been one of his greatest passions and the results of his work will be felt in Arkansas for decades to come. In May, Arkansas City and the University of Arkansas at Pine Bluff dedicated the John H. Johnson Cultural and Educational Museum. The museum contains memorabilia, printed materials and videos about John's life, which will serve as an inspiration to our children as they strive to succeed. There are also plans in the works for the John H. Johnson Delta Cultural and Entrepreneurial Learning Center in Arkansas City, as well as a related academic complex in Pine Bluff. These facilities

will undoubtedly be an asset to the university and provide valuable education opportunities for the students of Arkansas.

John H. Johnson's legacy will live on and continue to influence the State of Arkansas, and the Nation, for many years. Through his publications, activism and generosity, John has left an indelible mark on society. He was a trailblazer and his contributions to our Nation are immeasurable. I join all of Arkansas in saluting the memory of John H. Johnson.●

HONORING JUDGE CONSTANCE BAKER MOTLEY

● Mr. SALAZAR. Mr. President, I rise to honor and celebrate the remarkable life and legacy of Judge Constance Baker Motley, a trailblazer for civil rights who dedicated her life to advancing the American values of justice and equality for all.

Judge Motley was born and raised in New Haven, CT at a time when women and minorities were denied the right to an equal education, and employment, housing and voting rights. Despite remarkable odds, Judge Motley decided at the age of 15 that she would be an attorney. Although she was discouraged by many, Judge Motley remarked that she was "the kind of person who would not be put down."

Judge Motley graduated from Columbia Law School in 1946 and joined the legal staff of the NAACP Legal Defense and Education Fund, Inc. It was there that for nearly 20 years, Judge Motley orchestrated the legal challenge to the "separate but equal doctrine," culminating in the Supreme Court victory in *Brown v. Board of Education* that guaranteed equal educational opportunities for all Americans. In addition to the seminal decision in *Brown*, Judge Motley argued the 1957 school desegregation case in Little Rock, AR that led President Eisenhower to call in federal troops to protect nine black students at Central High School. During Judge Motley's tenure at the NAACP, she successfully argued numerous cases desegregating restaurants and recreational facilities in Southern cities and cases overturning the convictions of the Reverend Fred Shuttlesworth and countless others who engaged in nonviolent sit-ins and protests of discriminatory practices.

In 1965, Judge Motley became the first woman to be elected president of the Borough of Manhattan where she continued to advocate for the rights of women, minorities and the poor. In 1966, President Johnson appointed Judge Motley to the United States District Court for the Southern District of New York. With her appointment, Judge Motley became the first African-American woman appointed to the Federal judiciary, where she served until 1986 when she assumed senior status.

Judge Motley's dedication and commitment to justice and equality changed our Nation for the better and

paved the way for women, minorities and the poor to enjoy the rights and privileges guaranteed by our constitution. Judge Motley stood tall in the face of great adversary for what was right. We all stand taller because of her life and because she was the kind of person who would not be put down.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

NOTIFICATION REGARDING THE PROPOSED USE OF PUBLIC SAFETY FUNDS PROVIDED TO THE DISTRICT OF COLUMBIA PURSUANT TO TITLE I OF THE DISTRICT OF COLUMBIA APPROPRIATIONS ACT, 2005, PUBLIC LAW 108-335—PM 24

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Appropriations:

To the Congress of the United States:

Consistent with title I of the District of Columbia Appropriations Act, 2005, Public Law 108-335, I am notifying the Congress of the proposed use of \$10,151,538 provided in title I under the heading "Federal Payment for Emergency Planning and Security Costs in the District of Columbia." This will reimburse the District for the costs of public safety expenses related to security events and responses to terrorist threats.

The details of this action are set forth in the enclosed letter from the Director of the Office of Management and Budget.

GEORGE W. BUSH,
THE WHITE HOUSE, September 29, 2005.

MESSAGES FROM THE HOUSE

At 9:37 a.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bill, without amendment.

S. 1752. An act to amend the United States Grain Standards Act to reauthorize that Act.

ENROLLED BILLS SIGNED

The message also announced that the Speaker has signed the following enrolled bill:

H.R. 3864. An act to assist individuals with disabilities affected by Hurricane Katrina or Rita through vocational rehabilitation services.

The enrolled bill was signed subsequently by the President pro tempore (Mr. STEVENS).

The following enrolled bills, previously signed by the Speaker of the House, were signed yesterday, September 28, 2005, by the President pro tempore (Mr. STEVENS):

H.R. 2132. An act to extend the waiver authority of the Secretary of Education with respect to student financial assistance during a war or other military operation or national emergency.

H.R. 3200. An act to amend title 38, United States Code, to enhance the Servicemembers' Group Life Insurance program, and for other purposes.

H.R. 3667. An act to designate the facility of the United States Postal Service located at 200 South Barrington Street in Los Angeles, California, as the "Karl Malden Station".

H.R. 3767. An act to designate the facility of the United States Postal Service located at 2600 Oak Street in St. Charles, Illinois, as the "Jacob L. Frazier Post Office Building".

At 6:11 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

S. 1752. An act to amend the United States Grain Standards Act to reauthorize that Act.

At 7:19 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following joint resolution, in which it requests the concurrence of the Senate:

H.J. Res. 68. Joint resolution making continuing appropriations for the fiscal year 2006, and for other purposes.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 1802. A bill to provide for appropriate waivers, suspensions, or exemptions from provisions of title I of the Employee Retirement Income Security Act of 1974 with respect to individual account plans affected by Hurricane Katrina or Rita.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-4039. A communication from the Assistant Administrator and Chief Information Officer, Office of Environmental Information, Environmental Protection Agency, transmitting, pursuant to law, a report relative to reducing the burden and streamlining program operations of the Toxic Release Inventory (TRI) Program; to the Committee on Environment and Public Works.

EC-4040. A communication from the Inspector General, Nuclear Regulatory Commission, transmitting, pursuant to law, the Commission's Fiscal Year 2005 Commercial and Inherently Governmental Activities Inventories; to the Committee on Environment and Public Works.

EC-4041. A communication from the Principal Deputy Associate Administrator, Office

of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; State of Utah; Ogden City Revised Carbon Monoxide Maintenance Plan and Approval of Related Revisions" (FRL No. 7961-7) received September 18, 2005; to the Committee on Environment and Public Works.

EC-4042. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; State of Missouri, Correction" (FRL No. 7969-6) received September 18, 2005; to the Committee on Environment and Public Works.

EC-4043. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; New York; Revised Motor Vehicle Emissions Budgets for 1990 and 2007 using MOBILE6" (FRL No. 7968-1) received September 18, 2005; to the Committee on Environment and Public Works.

EC-4044. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plan; Minnesota" (FRL No. 7969-7) received September 18, 2005; to the Committee on Environment and Public Works.

EC-4045. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "National Priorities List for Uncontrolled Hazardous Waste Sites" (FRL No. 7968-3) received September 18, 2005; to the Committee on Environment and Public Works.

EC-4046. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes; Tennessee; Redesignation of the Montgomery County, Tennessee Portion of the Clarksville-Hopkinsville 8-Hour Nonattainment Area to Attainment" (FRL No. 7973-5) received on September 18, 2005; to the Committee on Environment and Public Works.

EC-4047. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes; Kentucky; Redesignation of the Christian County, Kentucky Portion of the Clarksville-Hopkinsville 8-Hour Ozone Nonattainment Area to Attainment for Ozone" (FRL No. 7972-9) received on September 18, 2005; to the Committee on Environment and Public Works.

EC-4048. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Designation of Areas for Air Quality Planning Purposes; Illinois; Lake Calumet PM-10 Redesignation and Maintenance Plan" (FRL No. 7973-2) received on September 18, 2005; to the Committee on Environment and Public Works.