

peace," and Vel heeded his marching orders. She was arrested at a rally at the burned-out NAACP Freedom House, the site of a previous night's retaliatory firebombing. Two weeks before Dr. King's assassination, the Milwaukee Common Council passed the open housing bill.

In 1971, Vel Phillips was appointed Wisconsin's first African-American judge. In 1978, she again reached another milestone with her election as secretary of state, first statewide office held by an African American. Now, at 81, Vel continues to make a difference in Milwaukee, and it is a privilege to call her a friend.

Vel Phillips is a distinguished figure in the progress of the civil rights movement in Wisconsin. Her life of fights and steadfast determination to make a difference is an inspiration to me and a reminder of the need to advance and protect the civil rights of all Americans as we celebrate Black History Month.●

#### RECOGNIZING ERIC A. ORSINI

● Mr. ALLEN. Mr. President, I'm extremely proud to recognize a dedicated American who has retired after 64 years of service to the United States Army. This month, Mr. Eric A. Orsini of Stafford, VA, departed Government work at the age of 87.

Mr. Orsini began his service to country as a private in the Army in 1941. During World War II, he was highly decorated, earning the Bronze Star, the Silver Star and the Purple Heart in combat which included fighting in the Battle of the Bulge. Upon retiring from the military as a Colonel with 30 years of service, Mr. Orsini began working as a Senior Executive in the Department of the Army, where he would spend an additional 34 years, specializing in improving logistics support to our soldiers.

Today, I wish Mr. Orsini the best in his well-deserved retirement. I'm pleased to hear that he will now finally have the opportunity to improve his golf game, go fishing more often and spend more time with his family.

It is truly an honor to recognize a fellow Virginian for his distinguished service as both a soldier and a government civil servant. Mr. Orsini, your country thanks you for your courageous and meritorious work in the name of freedom.●

#### RECOGNIZING LTC DANIEL L. ROBEY

● Mr. ALLEN. Mr. President, I am pleased today to recognize LTC Daniel Lance Robey for his military service and leadership. LTC Robey recently retired after serving 19 years in the U.S. Army Reserve as a Judge Advocate and Civil Affairs Officer.

A Fairfax county native, Lieutenant Colonel Robey graduated from W.T. Woodson High School, received his B.A. degree from Lebanon Valley College

and then went on to receive his J.D. from George Mason University School of Law. During his military service, he has received numerous decorations and awards, including the Purple Heart after serving in the Vietnam War, the Bronze Star Medal, three Meritorious Service Medals and four Army Commendation Medals and recently, the Legion of Merit.

Earlier in his military judicial career, LTC Robey was deployed to Bosnia in support of Operation Joint Endeavor as an International Law Officer. Recently, he was a part of the U.S. Army Special Operations Command and was deployed to Baghdad in support of Operation Iraqi Freedom as a Civil Affairs Officer.

Lieutenant Colonel Robey currently works in Fairfax County as a litigator. He and his wife, Lisa, live in Reston. He has three sons, Brian, Kevin and Matthew. Among his military peers, the Lieutenant Colonel is regarded as a "legend" and surely will be missed in his retirement from the service. Today, I congratulate him on his outstanding performance of meritorious service to the Armed Forces of the United States and wish him well in his future endeavors.●

#### MESSAGE FROM THE PRESIDENT

A message from the President of the United States was communicated to the Senate by Ms. Evans, one of his secretaries.

#### EXECUTIVE MESSAGE REFERRED

As in executive session the Presiding Officer laid before the Senate a message from the President of the United States submitting nominations which was referred to the Committee on Armed Services.

(The nomination received today is printed at the end of the Senate proceedings.)

#### REPORT CONCERNING THE PLAN FOR SECURING NUCLEAR WEAPONS, MATERIAL, AND EXPERTISE OF THE STATES OF THE FORMER SOVIET UNION—PM 4

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 Armed Services:

*To the Congress of the United States:*

Consistent with section 1205 of the National Defense Authorization Act for Fiscal Year 2003 (Public Law 107-314), I am providing a report prepared by my Administration on implementation during 2003 of the plan for securing nuclear weapons, material, and expertise of the states of the former Soviet Union.

GEORGE W. BUSH.  
THE WHITE HOUSE, February 8, 2005.

#### MESSAGE FROM THE HOUSE

At 2:59 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House has passed the following bills in which it requests the concurrence of the Senate:

H.R. 315. An act to designate the United States courthouse at 300 North Hogan Street, Jacksonville, Florida, as the "John Milton Bryan Simpson United States Courthouse".

H.R. 548. An act to designate the Federal building and United States courthouse located at 200 West 2nd Street in Dayton, Ohio, as the "Tony Hall Federal Building and United States Courthouse".

#### MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 315. An act to designate the United States courthouse at 300 North Hogan Street, Jacksonville, Florida, as the "John Milton Bryan Simpson United States Courthouse"; to the Committee on Environment and Public Works.

H.R. 548. An act to designate the Federal building and United States courthouse located at 200 West 2nd Street in Dayton, Ohio, as the "Tony Hall Federal Building and United States Courthouse"; to the Committee on Environment and Public Works.

#### 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-644. A communication from the Regulation Coordinator, Centers for Beneficiary Choices, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare Program; Medicare Prescription Drug Benefit" (RIN0938-AN08) received on January 25, 2005; to the Committee on Finance.

EC-645. A communication from the Regulation Coordinator, Centers for Beneficiary Choices, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare Program; Medicare Prescription Drug Benefit" (RIN0938-AN08) received on January 25, 2005; to the Committee on Finance.

EC-646. A communication from the Federal Register Certifying Officer, Financial Management Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Offset of Tax Refund Payments to Collect States Income Tax Obligations" (RIN1510-AA78) received on January 25, 2005; to the Committee on Finance.

EC-647. A communication from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Look Through Certain Cases" (Rev. Rul. 5005-7) received on January 25, 2005; to the Committee on Finance.

EC-648. A communication from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Life Insurance Contract Defined" (Rev. Rul. 2005-6) received on January 25, 2005; to the Committee on Finance.

EC-649. A communication from the Acting Chief, Publications and Regulations Branch,

Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Bureau of Labor Statistics Price Indexes for Department Stores—November 2004" (Rev. Rul. 2005-5) received January 25, 2005; to the Committee on Finance.

EC-650. A communication from the Acting Chief, Publications and Regulations, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Applicable Federal Rates—February 2005" (Rev. Rul. 2005-8) received January 25, 2005; to the Committee on Finance.

EC-651. A communication from the Deputy Assistant Attorney General, Office of Legal Policy, Office of the Attorney General, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "DNA Sample Collection from Federal Offenders under the Justice for All Act of 2004" (RIN1105-AB09) received February 1, 2005; to the Committee on the Judiciary.

EC-652. A communication from the Assistant Chief, Regulations and Procedures Division, Alcohol and Tobacco Tax and Trade Bureau, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Establishment of the McMinnville Viticultural Area" (RIN1513-AA63) received February 7, 2005; to the Committee on the Judiciary.

EC-653. A communication from the Chief, Regulations and Procedures Division, Alcohol and Tobacco Tax and Trade Bureau, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Flavored Malt Beverages and Related Regulatory Amendments" (RIN1513-AA12) received on February 7, 2005; to the Committee on the Judiciary.

EC-654. A communication from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Final Amendments to 10 CFR Part 50, Appendix E Relating to (1) Nuclear Regulatory Commission Review of Changes to Emergency Action Levels, Paragraph IV.B. and (2) Exercise Requirements for Co-Located Licenses, Paragraph IV.F.2." (RIN3150-AH00) received on January 25, 2005; to the Committee on Environment and Public Works.

EC-655. A communication from the Acting Assistant Administrator, Office of Administration and Resources Management, Environmental Protection Agency, transmitting, pursuant to law, the Agency's 2004 Competitive Sourcing Report; to the Committee on Environment and Public Works.

EC-656. 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; Maine; Portable Fuel Containers" (FRL 7863-2) received February 2, 2005; to the Committee on Environment and Public Works.

EC-657. 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 for Florida: Citrus Juice Processing" (FRL 7869-2) received February 2, 2005; to the Committee on Environment and Public Works.

EC-658. 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" (FRL 7867-2)

received February 2, 2005; to the Committee on Environment and Public Works.

EC-659. 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 "Hazardous Waste Management System; Modification of the Hazardous Waste Manifest System" (FRL 7867-4) received February 2, 2005; to the Committee on Environment and Public Works.

EC-660. 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 Emission Standards for Hazardous Air Pollutants for Leather Finishing Operations" (FRL 7869-7) received February 2, 2005; to the Committee on Environment and Public Works.

EC-661. 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 Emission Standards for Hazardous Air Pollutants for Petroleum Refineries; Catalytic Cracking Units, Catalytic Reforming Units, and Sulfur Recovery Units" (FRL 7969-9) received February 2, 2005; to the Committee on Environment and Public Works.

EC-662. 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 "OMB Approvals Under the Paperwork Reduction Act; Amendment" (FRL 7869-5) received February 2, 2005; to the Committee on Environment and Public Works.

EC-663. A communication from the Assistant Legal Advisor for Treaty Affairs, Department of State, transmitting, pursuant to law, the report of the texts and background statements of international agreements, other than treaties; to the Committee on Foreign Relations.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. AKAKA (for himself, Mr. BINGAMAN, Mr. SARBANES, Mr. DAYTON, and Mr. DURBIN):

S. 324. A bill to provide additional protections for recipients of the earned income tax credit; to the Committee on Finance.

By Mr. LEVIN (for himself and Ms. COLLINS):

S. 325. A bill to amend title 23, United States Code, to establish programs to facilitate international and interstate trade; to the Committee on Environment and Public Works.

By Mr. SMITH (for himself, Ms. CANTWELL, Mrs. FEINSTEIN, and Mrs. MURRAY):

S. 326. A bill to reauthorize and revise the Renewable Energy Production Incentive program, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. SANTORUM (for himself and Mrs. LINCOLN):

S. 327. A bill to amend the Internal Revenue Code of 1986 to expand the tip credit to certain employers and to promote tax compliance; to the Committee on Finance.

By Mr. CRAIG (for himself, Mr. BAUCUS, Mr. ROBERTS, Mr. LUGAR, Mr. HAGEL, Mr. TALENT, Mr. ENZI, Mr.

CHAFEE, Mr. CRAPO, Mr. THUNE, Mrs. HUTCHISON, Mrs. MURRAY, Mr. BINGAMAN, Mrs. LINCOLN, Mr. DORGAN, Mr. NELSON of Nebraska, Mr. JOHNSON, Mr. PRYOR, Ms. LANDRIEU, and Mr. HARKIN):

S. 328. A bill to facilitate the sale of United States agricultural products to Cuba, as authorized by the Trade Sanctions Reform and Export Enhancement Act of 2000; to the Committee on Foreign Relations.

By Mr. ROCKEFELLER (for himself and Mr. LEAHY):

S. 329. A bill to amend title 11, United States Code, to increase the amount of unsecured claims for salaries and wages given priority in bankruptcy, to provide for cash payments to retirees to compensate for lost health insurance benefits resulting from the bankruptcy of their former employer, and for other purposes; to the Committee on the Judiciary.

By Mr. ENSIGN (for himself, Mr. REID, Mr. BURNS, Mrs. FEINSTEIN, Mr. NELSON of Florida, Mr. CHAFEE, Mr. SUNUNU, Mr. DURBIN, and Mr. DAYTON):

S. 330. A bill to amend the Help America Vote Act of 2002 to require a voter-verified permanent record or hardcopy under title III of such Act, and for other purposes; to the Committee on Rules and Administration.

By Mr. JOHNSON (for himself, Mr. NELSON of Nebraska, and Mr. DURBIN):

S. 331. A bill to amend title 38, United States Code, to provide for an assured adequate level of funding for veterans health care; to the Committee on Veterans' Affairs.

By Mr. DOMENICI (for himself and Mr. BINGAMAN):

S. 332. A bill to prohibit the retirement of F-117 Nighthawk stealth attack aircraft during fiscal year 2006; to the Committee on Armed Services.

By Mr. SANTORUM:

S. 333. A bill to hold the current regime in Iran accountable for its threatening behavior and to support a transition to democracy in Iran; to the Committee on Foreign Relations.

By Mr. DORGAN (for himself, Ms. SNOWE, Mr. GRASSLEY, Mr. KENNEDY, Mr. MCCAIN, Ms. STABENOW, Mr. CHAFEE, Mr. JEFFORDS, Mr. LOTT, Mr. DAYTON, Mrs. CLINTON, Mr. BINGAMAN, Mrs. BOXER, Mr. CONRAD, Mr. DURBIN, Mr. FEINGOLD, Mrs. FEINSTEIN, Mr. INOUE, Mr. JOHNSON, Mr. KOHL, Mr. LEAHY, Mr. LEVIN, Mr. NELSON of Florida, Mr. OBAMA, Mr. PRYOR, Mr. SALAZAR, Mr. SARBANES, Mr. SCHUMER, and Ms. COLLINS):

S. 334. A bill to amend the Federal Food, Drug, and Cosmetic Act with respect to the importation of prescription drugs, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. LIEBERMAN (for himself, Ms. COLLINS, and Mr. CRAIG):

S. 335. A bill to reauthorize the Congressional Award Act; to the Committee on Homeland Security and Governmental Affairs.

By Mr. SARBANES (for himself, Mr. WARNER, Mr. ALLEN, and Ms. MIKULSKI):

S. 336. A bill to direct the Secretary of the Interior to carry out a study of the feasibility of designating the Captain John Smith Chesapeake National Historic Watertrail as a national historic trail; to the Committee on Energy and Natural Resources.

By Mr. GRAHAM (for himself, Mrs. CLINTON, Mr. DEWINE, Mr. LEAHY, Mr. ALLEN, Ms. CANTWELL, and Mr. REID):