

fees imposed by cellular telephone companies; to the Committee on Commerce, Science, and Transportation.

Whereas, the issue of early termination fees imposed by cellular phone companies is one of great importance to the citizens of the Commonwealth of Massachusetts; and

Whereas, lawsuits by customers adversely affected by early termination fees have been filed in courts in California, Florida and Illinois; and

Whereas, a "petition of the Cellular Telecommunications and Internet Association for an expedited declaratory ruling" has recently been filed with the Federal Communications Commission (FCC); and

Whereas, the major cellular phone companies are now mounting efforts to preempt strong State consumer protection statutes in an effort to circumvent legal challenges in a number of States by their petition to the FCC on March 15, 2005; and

Whereas, this petition from the cellular phone industry requests that early termination fees should not be defined as penalties designed to restrict consumer choice, but rather as part of the rates that the companies charge their customers for cellular phone services; and

Whereas, recent reports dispute the industry's claims and find that 89 per cent of consumers believe that early termination fees are used as penalties to prevent consumers from shopping for better, more fairly-priced service; now therefore be it

Resolved, that the Massachusetts General Court joins and asks the Federal Communications Commission to deny the "petition of the cellular telecommunications and internet association for an expedited declaratory ruling" and that the FCC not recognize early termination fees as part of a company's rate structure and allow for continued State action; and be it further

Resolved, that the Massachusetts Senate memorializes the Federal Communications Commission, the Bush Administration, and Congress of the United States not to take any steps requested by cellular phone companies of their industry representatives that are designed to prevent cellular phone companies from being held legally accountable at the local, State of Federal levels, for the negative impacts of early termination fees; and be it further

Resolved, that a copy of these resolutions be transmitted forthwith by the Clerk of the Senate to the Federal Communications Commission, President George W. Bush, and the members of the United States Congress from the Commonwealth of Massachusetts.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. COCHRAN, from the Committee on Appropriations:

Special Report entitled "Further Revised Allocation to Subcommittees of Budget Totals from the Concurrent Resolution for Fiscal Year 2006" (Rept. No. 109-184).

EXECUTIVE REPORT OF COMMITTEE

The following executive report of committee was submitted:

By Mr. ENZI for the Committee on Health, Education, Labor, and Pensions.

*Bruce Cole, of Indiana, to be Chairperson of the National Endowment for the Humanities for a term of four years.

*Nomination was reported with recommendation that it be confirmed sub-

ject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

DISCHARGED NOMINATIONS

The Senate Committee on Foreign Relations was discharged from further consideration of the following nominations and the nominations were confirmed:

Ronald L. Schlicher, of Tennessee, to be Ambassador to the Republic of Cyprus.

Nominee: Ronald Lewis Schlicher.

Post: Cyprus.

The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.

Contributions, amount, date, and donee:

1. Self: None.

2. Spouse: Not applicable.

3. Children and spouses: Not applicable.

4. Parents: Father, deceased; Mother, Thelma Schlicher, none.

5. Grandparents: Deceased.

6. Brothers and spouses: Brother, Michael Schlicher, none.

7. Sisters and spouses: Sister, Deborah Rankin, none.

Alejandro Daniel Wolff, of California, to be the Deputy Representative of the United States of America to the United Nations, with the rank and status of Ambassador, and the Deputy Representative of the United States of America in the Security Council of the United Nations.

Alejandro Daniel Wolff, of California, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Representative of the United States of America to the Sessions of the General Assembly of the United Nations, during his tenure of service as Deputy Representative of the United States of America to the United Nations.

Nominee: Alejandro Daniel Wolff.

Post: USUN.

The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.

Contributions, amount, date, and donee:

1. Self: Alejandro Wolff, none.

2. Spouse: Alexandra Wolff, none.

3. Children and spouses: Philip and Michael Wolff, none.

4. Parents: Gerard and Toni Wolff, none.

5. Grandparents: All deceased in Argentina, none.

6. Brothers and spouses: Claudio and Sarah Wolff, none; Richard and Susan Wolff, none.

Carol van Voorst, of Virginia, to be Ambassador to the Republic of Iceland.

Nominee: Carol van Voorst.

Post: Ambassador to Iceland.

The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.

Contributions, amount, date, and donee:

1. Self: Carol van Voorst, none.

2. Spouse: William A. Garland, none.

3. Children and spouses (stepchildren): Judith Garland, none; Karen Garland Fructuoso, none; Bernard Fructuoso, none;

Maura Garland, none; William Burns Garland, none.

4. Parents: Bruce van Voorst, Barbara van Voorst, (stepmother) (joint contributions): \$100, 3/16/05, Friends of Hillary Rodham Clinton; \$100, 7/11/05, Bill Nelson for Senate; \$100, 2/11/04, Democratic Congressional Campaign Committee; \$50, 2/11/04, Nelson for U.S. Senate; \$500, 3/12/04, John Kerry for President; \$1,000, 7/8/04, Kerry Victory 2004; \$200, 6/27/03, Bob Graham for President; \$500, 11/12/03, Dean for America; \$100, 2/25/02, Democratic Senatorial Campaign Committee; \$100, 5/7/01, Democratic Senatorial Campaign Committee; \$100, 5/7/01, Democratic Congressional Campaign Committee.

Marilyn van Voorst, deceased.

5. Grandparents: Dorothy van Voorst, deceased; Jacob van Voorst, deceased; Martin Van Hekken, deceased; Minnie Van Hekken, deceased.

6. Brothers and spouses: Mark van Voorst, none; Cindi van Voorst, none.

7. Sisters and spouses: Susan Prins, none; Michael Prins, none.

Kathryn Marchmont Robinson, Hugh Marchmont Robinson (jointly): \$300, 2000, Republican National Committee; \$150, 2000, Republican National Committee.

Ross Wilson, of Maryland, to be Ambassador to the Republic of Turkey.

Nominee: Ross Wilson.

Post: Ankara

The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.

Contributions, amount, date, and donee:

1. Self: none.

2. Spouse: Marguerite H. Squire, none.

3. Children and Spouses: C. Blake Wilson, none; Grady S. Wilson, none.

4. Parents: Winnidell Wilson, John Wilson, deceased.

5. Grandparents: All deceased 1974 or earlier, none.

6. Brothers and Spouses: Murray Wilson, none; Rebecca Wilson, none.

7. Sisters and Spouses: Joanne Lindahl, none; Duane Lindahl, none.

Donald M. Payne, of New Jersey, to be a Representative of the United States of America to the Sixtieth Session of the General Assembly of the United Nations.

Edward Randall Royce, of California, to be a Representative of the United States of America to the Sixtieth Session of the General Assembly of the United Nations.

Foreign Service nominations beginning with R. Nicholas Burns and ending with Charles E. Wright, which nominations were received by the Senate and appeared in the Congressional Record on October 17, 2005.

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. ROBERTS (for himself, Mr. NELSON of Nebraska, Mr. ISAKSON, and Mr. SANTORUM):

S. 2052. A bill to amend the Internal Revenue Code of 1986 to provide a credit to certain agriculture-related businesses for the cost of protecting certain chemicals; to the Committee on Finance.

By Mrs. CLINTON (for herself, Mr. DEWINE, Mr. OBAMA, and Mr. SMITH):

S. 2053. A bill to amend the Internal Revenue Code of 1986 to provide a tax credit for property owners who remove lead-based paint hazards; to the Committee on Finance.

By Mr. JEFFORDS:

S. 2054. A bill to direct the Secretary of the Interior to conduct a study of water resources in the State of Vermont; to the Committee on Energy and Natural Resources.

By Mr. KERRY:

S. 2055. A bill to amend titles 10 and 14, United States Code to provide for the use of gold in the metal content of the Medal of Honor; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. ALLEN (for himself and Mr. WARNER):

S. 2056. A bill to require the Secretary of the Treasury to redesign \$1 Federal reserve notes so as to incorporate the preamble of the Constitution of the United States, a list describing the Articles of the Constitution, and a list describing the Amendments to the Constitution, on the reverse side of such note; to the Committee on Banking, Housing, and Urban Affairs.

By Mrs. CLINTON (for herself, Mr. HARKIN, Mr. DURBIN, Mr. KENNEDY, Mr. KERRY, Ms. LANDRIEU, Mr. LAUTENBERG, and Mr. INOUYE):

S. 2057. A bill to establish State infrastructure banks for education, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. FEINGOLD:

S. 2058. A bill to promote transparency and reduce anti-competitive practices in the radio and concert industries; to the Committee on Commerce, Science, and Transportation.

By Mrs. CLINTON (for herself, Mr. LEAHY, Mr. SCHUMER, and Mr. JEFFORDS):

S. 2059. A bill to establish the Hudson-Fulton-Champlain 400th Commemoration Commission, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. VOINOVICH (for himself and Mr. AKAKA):

S. 2060. A bill to extend the District of Columbia College Access Act of 1999 and make certain improvements; to the Committee on Homeland Security and Governmental Affairs.

By Mr. NELSON of Nebraska (for himself, Mr. SESSIONS, and Mr. COBURN):

S. 2061. A bill to amend the Immigration and Nationality Act and other Act to provide for true enforcement and border security, and for other purposes; to the Committee on the Judiciary.

By Mr. VITTER:

S. 2062. A bill to amend the Internal Revenue Code of 1986 to provide that certain deductions of school bus owner-operators shall be allowable in computing adjusted gross income; to the Committee on Finance.

By Mr. VITTER:

S. 2063. A bill to amend the Higher Education Act of 1965 to require institutions of higher education to preserve the educational status and financial resources of military personnel called to active duty; to the Committee on Health, Education, Labor, and Pensions.

By Mr. LUGAR (for himself and Mr. BAYH):

S. 2064. A bill to designate the facility of the United States Postal Service located at 122 South Bill Street in Francesville, Indiana, as the Malcolm Melville "Mac" Lawrence Post Office; to the Committee on Homeland Security and Governmental Affairs.

By Mr. ENZI (for himself, Mr. ISAKSON, Mr. CRAIG, Mr. BURR, Mr. ROBERTS, Mr. SESSIONS, Mr. WARNER, and Mr. GREGG):

S. 2065. A bill to amend the Occupational Safety and Health Act of 1970 to further improve the safety and health of working environments, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. ENZI (for himself, Mr. ISAKSON, Mr. CRAIG, Mr. BURR, Mr. ROBERTS, Mr. SESSIONS, Mr. WARNER, Mr. GREGG, and Mr. DEMINT):

S. 2066. A bill to amend the Occupational Safety and Health Act of 1970 to further improve the safety and health of working environments, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. ENZI (for himself, Mrs. MURRAY, Mr. ISAKSON, Mr. BURR, Mr. SESSIONS, and Mr. GREGG):

S. 2067. A bill to assist chemical manufacturers and importers in preparing material safety data sheets pursuant to the requirements of the Hazard Communication standard and to establish a Commission to study and make recommendations regarding the implementation of the Globally Harmonized System of Classification and Labeling of Chemicals; to the Committee on Health, Education, Labor, and Pensions.

By Ms. COLLINS (for herself, Mr. VOINOVICH, and Mr. AKAKA):

S. 2068. A bill to preserve existing judgeships on the Superior Court of the District of Columbia; to the Committee on Homeland Security and Governmental Affairs.

By Mr. COLEMAN (for himself, Mr. DAYTON, and Mr. DEWINE):

S. 2069. A bill to improve the safety of all-terrain vehicles in the United States, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. SCHUMER:

S. 2070. A bill to provide certain requirements for hydroelectric projects on the Mohawk River in the State of New York; to the Committee on Energy and Natural Resources.

By Ms. SNOWE (for herself, Mr. BINGAMAN, Ms. COLLINS, Mr. DORGAN, and Mr. ROCKEFELLER):

S. 2071. A bill to amend title XVIII of the Social Security Act to clarify congressional intent regarding the counting of residents in the nonhospital setting under the medicare program; to the Committee on Finance.

By Mr. REID:

S. 2072. A bill to provide for the conveyance of certain public lands in and around historic mining townsites in Nevada, and for other purposes; to the Committee on Energy and Natural Resources.

By Mrs. CLINTON:

S. 2073. A bill to amend the Internal Revenue Code of 1986 to provide a tax credit for property owners who remove lead-based paint hazards; to the Committee on Finance.

By Mr. BINGAMAN (for himself, Mr. BAUCUS, Mr. DORGAN, Mrs. MURRAY, Ms. CANTWELL, and Mr. JOHNSON):

S. 2074. A bill to amend title XIX of the Social Security Act to provide for fair treatment of services furnished to Indians under the medicaid program, and for other purposes; to the Committee on Finance.

By Mr. DURBIN (for himself, Mr. HAGEL, Mr. LUGAR, Mr. KENNEDY, Mr. MCCAIN, Mr. LEAHY, Mr. COLEMAN, Mr. LIEBERMAN, Mr. CRAIG, Mr. FEINGOLD, Mr. DEWINE, Mr. OBAMA, and Mr. CRAPO):

S. 2075. A bill to amend the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 to permit States to determine State residency for higher education purposes and to authorize the cancellation of removal and adjustment of status of certain alien students who are long-term United States residents and who entered the United

States as children, and for other purposes; to the Committee on the Judiciary.

By Mr. LEAHY (for himself, Mr. HATCH, Ms. MIKULSKI, Mr. DURBIN, Mr. DEWINE, Mr. BIDEN, Mrs. FEINSTEIN, Mr. FEINGOLD, Mr. SMITH, Mr. DODD, Mr. CHAMBLISS, Mr. ROCKEFELLER, Mr. LIEBERMAN, Mrs. BOXER, Mr. WYDEN, Mr. NELSON of Florida, and Mr. CORZINE):

S. 2076. A bill to amend title 5, United States Code, to provide to assistant United States attorneys the same retirement benefits as are afforded to Federal law enforcement officers; to the Committee on Homeland Security and Governmental Affairs.

By Mr. SESSIONS:

S. 2077. A bill to amend the Internal Revenue Code of 1986 to allow income averaging for private forest landowners; to the Committee on Finance.

By Mr. McCAIN:

S. 2078. A bill to amend the Indian Gaming Regulatory Act to clarify the authority of the National Indian Gaming Commission to regulate class III gaming, to limit the lands eligible for gaming, and for other purposes; to the Committee on Indian Affairs.

By Mr. SMITH (for himself, Mr. THUNE, Mr. ALLARD, Mr. BURNS, and Mr. THOMAS):

S. 2079. A bill to improve the ability of the Secretary of Agriculture and the Secretary of the Interior to promptly implement recovery treatments in response to catastrophic events affecting the natural resources of Forest Service land and Bureau of Land Management land, respectively, to support the recovery of non-Federal land damaged by catastrophic events, to assist impacted communities, to revitalize Forest Service experimental forests, and for other purposes; to the Committee on Energy and Natural Resources.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. ENSIGN (for himself and Mr. DURBIN):

S. Res. 320. A resolution calling the President to ensure that the foreign policy of the United States reflects appropriate understanding and sensitivity concerning issues related to human rights, ethnic cleansing, and genocide documented in the United States record relating to the Armenian Genocide; to the Committee on Foreign Relations.

By Mr. DEWINE (for himself and Mr. HARKIN):

S. Res. 321. A resolution commemorating the life, achievements, and contributions of Alan A. Reich; to the Committee on the Judiciary.

By Mr. BIDEN (for himself, Mr. MCCAIN, and Mr. OBAMA):

S. Res. 322. A resolution expressing the sense of the Senate on the trial, sentencing and imprisonment of Mikhail Khodorkovsky and Platon Lebedev; considered and agreed to.

By Mr. COLEMAN (for himself, Mr. WARNER, Mr. PRYOR, Mr. SMITH, Mr. DEMINT, Mr. BENNETT, Mr. NELSON of Florida, Mr. KYL, Mr. ALLEN, Mr. MARTINEZ, Mr. BUNNING, and Mr. CHAMBLISS):

S. Res. 323. A resolution expressing the sense of the Senate that the United Nations and other international organizations should not be allowed to exercise control over the Internet; considered and agreed to.