

Terry Little has devoted his adult life to improving the DOD acquisition process. He has inspired teamwork and efficiency in many venues, and he has trained the next generation of acquisition managers to continue his legacy. For these and his many other contributions, Americans owe Mr. Little a debt of gratitude for a lifetime of selfless service and for his profound contributions to our Nation and our security. Those of us in the Senate will miss his leadership and contributions. We wish him and his family all the best in the years ahead.●

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Thomas, 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 Committee on the Judiciary.

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

#### REPORT RELATIVE TO THE EXPORT OF ACCELEROMETERS TO THE PEOPLE'S REPUBLIC OF CHINA'S MINISTRY OF RAILWAYS—PM 33

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 Foreign Relations:

*To the Congress of the United States:*

In accordance with the provisions of section 1512 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105-261), I hereby certify that the export of 36 accelerometers to the People's Republic of China's Ministry of Railways, for use in a railroad track geometry measuring system, is not detrimental to the U.S. space launch industry, and that the material and equipment, including any indirect technical benefit that could be derived from such export, will not measurably improve the missile or space launch capabilities of the People's Republic of China.

GEORGE W. BUSH.

THE WHITE HOUSE, December 14, 2005.

#### MESSAGES FROM THE HOUSE

At 9:02 a.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House disagree to the amendment of the Senate to the bill (H.R. 2863) making appropriations for the Department of Defense for the fiscal year ending September 30, 2006,

and for other purposes, and agree to the conference asked by the Senate on the disagreeing votes of the two Houses thereon; and appoints the following members as the managers of the conference on the part of the House: Mr. YOUNG of Florida, Mr. HOBSON, Mr. BONILLA, Mr. FRELINGHUYSEN, Mr. TIAHRT, Mr. WICKER, Mr. KINGSTON, Ms. GRANGER, Mr. WALSH, Mr. ADERHOLT, Mr. LEWIS of California, Mr. MURTHA, Mr. DICKS, Mr. SABO, Mr. VISCLOSKY, Mr. MORAN of Virginia, Ms. KAPTUR, Mr. EDWARDS, and Mr. OBEY.

At 11:46 a.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 and joint resolution, in which it requests the concurrence of the Senate:

H.R. 972. An act to authorize appropriations for fiscal years 2006 and 2007 for the Trafficking Victims Protection Act of 2000, and for other purposes.

H.R. 2892. An act to amend section 255 of the National Housing Act to remove the limitation on the number of reverse mortgages that may be insured under the FHA mortgage insurance program for such mortgages.

H.R. 3508. An act to authorize improvements in the operation of the government of the District of Columbia, and for other purposes.

H.R. 4436. An act to provide certain authorities for the Department of State, and for other purposes.

H.R. 4473. An act to reauthorize and amend the Commodity Exchange Act to promote legal certainty, enhance competition, and reduce systemic risk in markets for futures and over-the-counter derivatives, and for other purposes.

H.R. 4508. An act to commend the outstanding efforts in response to Hurricane Katrina by members and employees of the Coast Guard, to provide temporary relief to certain persons affected by such hurricane with respect to certain laws administered by the Coast Guard, and for other purposes.

H.J. Res. 38. Joint resolution recognizing Commodore John Barry as the first flag officer of the United States Navy.

The message also announced that the House has passed the following bill, without amendment:

S. 335. An act to reauthorize the Congressional Award Act.

The message further announced that the House has agreed to the following concurrent resolutions, in which it requests the concurrence of the Senate:

H. Con. Res. 238. Concurrent resolution honoring the victims of the Cambodian genocide that took place from April 1975 to January 1979.

H. Con. Res. 252. Concurrent resolution expressing the sense of Congress that the Government of the United States should support democracy, the rule of law, and human rights in the Republic of Nicaragua and work cooperatively with regional and international organizations to bolster Nicaraguan efforts to establish the requisite conditions for free, fair, transparent, and inclusive presidential and legislative elections in 2006.

#### ENROLLED BILLS SIGNED

At 4:47 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 bills:

S. 335. An act to reauthorize the Congressional Award Act.

H.R. 327. An act to allow binding arbitration clauses to be included in all contracts affecting land within the Gila River Indian Community Reservation.

The enrolled bills were signed subsequently by the President pro tempore (Mr. STEVENS).

#### MEASURES READ THE FIRST TIME

The following bill was read the first time:

H.R. 2892. An act to amend section 255 of the National Housing Act to remove the limitation on the number of reverse mortgages that may be insured under the FHA mortgage insurance program for such mortgages.

#### ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, December 15, 2005, she had presented to the President of the United States the following enrolled bill:

S. 1047. An act to require the Secretary of the Treasury to mint coins in commemoration of each of the Nation's past Presidents and their spouses, respectively, to improve circulation of the \$1 coin, to create a new bullion coin, and for other purposes.

#### 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-4833. A communication from the Principal Deputy Associate Administrator, Federal Energy Regulatory Commission, transmitting pursuant to law, the report of a rule entitled "Repeal of the Public Utility Holding Company Act of 1935 and Enactment of the Public Utility Holding Company Act of 2005" received on December 2, 2005; to the Committee on Energy and Natural Resources.

EC-4834. A communication from the Chairman, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Repeal of the Public Utility Holding Company Act of 1935 and Enactment of the Public Utility Holding Company Act of 2005" received on December 12, 2005; to the Committee on Energy and Natural Resources.

EC-4835. A communication from the Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting, a draft of proposed legislation to amend Act of August 21, 1935 to extend the authorization for the National Park System Advisory Board and for other purposes; to the Committee on Energy and Natural Resources.

EC-4836. A communication from the Chairman, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report entitled "Repeal of the Public Utility Holding Company Act of 1935 and Enactment of the Public Utility Holding Company Act of 2005"; to the Committee on Energy and Natural Resources.

EC-4837. A communication from the Chief, Regulations Management, Office of Regulation Policy and Management, Department of

Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "Medical: Advance Health Care Planning" (RIN2900-AJ28) received on December 8, 2005; to the Committee on Veterans' Affairs.

EC-4838. A communication from the Director of Regulations Management, Veterans Benefits Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "Dependency and Idemnity Compensation: Surviving Spouse's Rate; Payments Based on Veteran's Entitlement to Compensation for Service-Connected Disability Rated Totally Disabling for Specified Periods Prior to Death" (RIN2900-AKL86) received on December 8, 2005; to the Committee on Veterans' Affairs.

EC-4839. A communication from the Regulatory Specialist, Office of the Comptroller of the Currency, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Fair Credit Reporting Medical Information Regulations (Part 41)" (RIN1557-AC85) received on December 5, 2005; to the Committee on Banking, Housing, and Urban Affairs.

EC-4840. A communication from the Secretary of the Treasury, transmitting, pursuant to the National Emergencies Act, the periodic report on the national emergency with respect to Burma that was declared in Executive Order 13047 of May 20, 1997; to the Committee on Banking, Housing, and Urban Affairs.

EC-4841. A communication from the Secretary of the Treasury, transmitting, pursuant to the National Emergencies Act, a report on the national emergency with respect to the Development Fund for Iraq that was declared in Executive Order 13303 of May 22, 2004; to the Committee on Banking, Housing, and Urban Affairs.

EC-4842. A communication from the Counsel for Legislation and Regulations, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled "Release in the Public Use Database of Certain Mortgage Data and Annual Housing Activities Report Information of the Federal National Mortgage Association and the Federal Home Loan Mortgage Corporation" (RIN2501-AD09) received on December 5, 2005; to the Committee on Banking, Housing, and Urban Affairs.

EC-4843. A communication from the Secretary, Office of the Chief Accountant, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled "Commission Guidance Regarding Accounting for Sales of Vaccines and Bioterror Countermeasures to the Federal Government for Placement into the Pediatric Vaccine Stockpile or the Strategic National Stockpile" (RIN3235-AJ49) received on December 6, 2005; to the Committee on Banking, Housing, and Urban Affairs.

EC-4844. A communication from the Counsel for Legislation and Regulations, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled "Manufactured Home Construction and Safety Standards" (RIN2502-AI12) received on December 6, 2005; to the Committee on Banking, Housing, and Urban Affairs.

EC-4845. A communication from the Director, Office of Legislative Affairs, Federal Deposit Insurance Corporation, transmitting, pursuant to law, the report of a rule entitled "One-Year Post-Employment Restriction for Senior Examiners" (RIN3064-AC92) received on December 6, 2005; to the Committee on Banking, Housing, and Urban Affairs.

EC-4846. A communication from the Director, Office of Legislative Affairs, Federal Deposit Insurance Corporation, transmitting, pursuant to law, the report of a rule entitled "Fair Credit Reporting Medical Information

Regulations" (RIN3064-AC81) received on December 6, 2005; to the Committee on Banking, Housing, and Urban Affairs.

EC-4847. A communication from the Assistant Secretary for Management and Chief Financial Officer, Department of the Treasury, transmitting, pursuant to law, the Fiscal Year 2004 Report on Acquisitions From Entities That Manufacture Articles, Materials, or Supplies Outside of the United States; to the Committee on Banking, Housing, and Urban Affairs.

EC-4848. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Flag Smut; Importation of Wheat and Related Products" (Doc. No. 02-058-3) received on December 5, 2005; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4849. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Bovine Spongiform Encephalopathy; Minimal-Risk Regions and Importation of Commodities; Unsealing of Means of Conveyance and Transloading of Products" (Doc. No. 03-080-8) received on December 5, 2005; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4850. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Importation of Whole Cuts of Boneless Beef From Japan" (Doc. No. 05-004-2) received on December 5, 2005 to the Committee on Agriculture, Nutrition, and Forestry.

EC-4851. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Importation of Fruits and Vegetables" (Doc. No. 03-048-2) received on December 5, 2005; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4852. A communication from the Administrator, Food and Nutrition Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Marketing and Sale of Fluid Milk in Schools" received on December 5, 2005; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4853. A communication from the Under Secretary, Food, Nutrition, and Consumer Services, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Food Stamp Program, Reauthorization: Electronic Benefit Transfer and Retail Food Stores Provisions of the Food Stamp Reauthorization Act of 2002"; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4854. A communication from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Acetic Acid; Pesticide Tolerance" (FRL7753-4) received on December 12, 2005; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4855. A communication from the Administrator, Housing and Community Facilities Programs, Department of Agriculture and Rural Development, transmitting, pursuant to law, the report of a rule entitled "Direct Single Family Housing Loans and Grants" (RIN0575-AC54) received on December 12, 2005; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4856. A communication from the Regulatory Analyst, Grain Inspection, Packers

and Stockyards Administration, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Export Inspection and Weighing Waiver for High Quality Specialty Grains Transported in Containers" (RIN0580-AA87) received on December 12, 2005; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4857. 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 "Notice: Section 901(l) Exception for Back Computer Software Licensing Arrangements" (Notice 2005-90) received on December 5, 2005; to the Committee on Finance.

EC-4858. 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 "Employee Relocation Costs" (Rev. Rul. 2005-74) received on December 5, 2005; to the Committee on Finance.

EC-4859. 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 "Timing of Adoption of Plan Amendments as a Result of Section 415" (Notice 2005-87) received on December 5, 2005; to the Committee on Finance.

EC-4860. 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 "Extension of Operational Date in Rev. Proc. 2005-23" (Rev. Proc. 2005-76) received on December 5, 2005; to the Committee on Finance.

EC-4861. 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 "Annual Pension Plan, etc., Cost-of-Living Adjustments for 2006" (Notice 2005-75) received on December 5, 2005; to the Committee on Finance.

EC-4862. 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 "Health Savings Account Eligibility During a Cafeteria Plan Grace Period" (Notice 2005-86) received on December 5, 2005; to the Committee on Finance.

EC-4863. 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 "Amendment to Withholding Foreign Partnership and Withholding Foreign Trust Agreements" (Rev. Proc. 2005-77) received on December 5, 2005; to the Committee on Finance.

EC-4864. 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 "2006 Annual Covered Compensation Table" (Rev. Rul. 2005-72) received on December 5, 2005; to the Committee on Finance.

EC-4865. 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 "Information Reporting Relating to Taxable Stock Transactions" ((RIN1545-BF18)(TD9230)) received on December 6, 2005; to the Committee on Finance.

EC-4866. 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 "2006 Standard Mileage Rates" (Rev. Proc. 2005-78) received on December 6, 2005; to the Committee on Finance.

EC-4867. 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 "Timing of Adoption of Plan Amendments on Retroactive Annuity Starting Date" (Notice 2005-95) received on December 6, 2005; to the Committee on Finance.

EC-4868. 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 "Sections 101 and 103 of Hurricane Katrina Emergency Relief Statute—Distributions, Loans, Recontributions" (Notice 2005-92) received on December 6, 2005; to the Committee on Finance.

EC-4869. 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 "Guidance on Passive Foreign Investment Company (PFIC) Purging Elections" ((RIN1545-BD33)(TD9232)) received on December 12, 2005; to the Committee on Finance.

EC-4870. 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 "Guidance on Passive Foreign Investment Company (PFIC) Purging Elections" ((RIN1545-BC49)(TD9231)) received on December 12, 2005; to the Committee on Finance.

EC-4871. 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 "Request for Public Comments on Possible Changes to Rev. Proc. 2002-9" (Notice 2005-97) received on December 12, 2005; to the Committee on Finance.

EC-4872. 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 "Guidance on Valuation of Stock-Based Compensation for Purposes of Qualified Cost Sharing Arrangements" (Notice 2005-99) received on December 12, 2005; to the Committee on Finance.

EC-4873. 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 "Suspension of Employer and Payer Reporting and Wage Withholding Requirements with Respect to Deferrals of Compensation under Section 409A for Calendar Year 2005; No Assertion of Penalties Against Service Providers in Certain Circumstances" (Notice 2005-94) received on December 12, 2005; to the Committee on Finance.

EC-4874. A communication from the Assistant Inspector General Communications and Congressional Liaison, Department of Defense, transmitting, pursuant to law, an audit report on the Defense Authorization Act for Fiscal Year 2005; to the Committee on Armed Services.

EC-4875. A communication from the Under Secretary of Defense, Acquisition, Technology, and Logistics, transmitting, pursuant to law, a report concerning the Space Based Infrared System; to the Committee on Armed Services.

EC-4876. A communication from the Under Secretary of Defense, Personnel and Readiness, transmitting, pursuant to law, a General Officer Frocking Request; to the Committee on Armed Services.

EC-4877. A communication from the Executive Director, U.S.-China Commission, transmitting, pursuant to law, a report on the national security implications of the U.S.-China relationship; to the Committee on Armed Services.

EC-4878. A communication from the Under Secretary of State for Political Affairs, transmitting, pursuant to law, a report relating to post-liberation Iraq; to the Committee on Foreign Relations.

EC-4879. A communication from the Assistant Legal Adviser 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.

EC-4880. A communication from the Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed license for the export of defense articles or defense services sold commercially under a contract in the amount of \$1,000,000,000 or more to Singapore; to the Committee on Foreign Relations.

EC-4881. A communication from the Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed license for the export of defense articles or defense services sold commercially under a contract in the amount of \$100,000,000 or more to Austria, Canada, France, Switzerland and the United Kingdom; to the Committee on Foreign Relations.

EC-4882. A communication from the Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed manufacturing license agreement for the manufacture of significant military equipment abroad to the United Kingdom and Sweden; to the Committee on Foreign Relations.

EC-4883. A communication from the Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed license for the export of defense articles or defense services sold commercially under a contract in the amount of \$50,000,000 or more to the Republic of Korea; to the Committee on Foreign Relations.

EC-4884. A communication from the Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed manufacturing license agreement for the manufacture of significant military equipment abroad and the export of defense articles or defense services in the amount of \$100,000,000 or more to United Kingdom; to the Committee on Foreign Relations.

EC-4885. A communication from the Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to law, the Report on the Fiscal Year 2005 Benjamin A. Gilman International Scholarship Program; to the Committee on Foreign Relations.

EC-4886. A communication from the Executive Secretary and Chief of Staff, United States Agency for International Development, transmitting, pursuant to law, the designation of acting officer for the position of Assistant Administrator, Bureau for Europe and Eurasia; to the Committee on Foreign Relations.

EC-4887. A communication from the Assistant Secretary of the Army (Civil Works), Department of Defense, transmitting, pursuant to law, a report relative to the Louisiana Coastal Area, Louisiana, Ecosystem Restoration Program; to the Committee on Environment and Public Works.

EC-4888. A communication from the Assistant Secretary of the Army (Civil Works), Department of Defense, transmitting, pursuant to law, a report recommending authorization of the Napa River Salt Marsh Restoration Project, California for the purposes of ecosystem restoration and recreation; to the Committee on Environment and Public Works.

EC-4889. A communication from the Assistant Secretary of the Army (Civil Works), Department of Defense, transmitting, pursuant to law a report relative to the flood damage reduction project for the Turkey Creek Basin, Kansas and Missouri; to the Committee on Environment and Public Works.

EC-4890. 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 "2-ethoxyethanol, 2-ethoxyethanol acetate, 2-methoxyethanol, and 2-methoxyethanol acetate; Significant New Use Rule" (FRL7740-7) received on December 5, 2005; to the Committee on Environment and Public Works.

EC-4891. 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 Jersey Architectural Coatings Rule" (FRL7999-8) received on December 5, 2005; to the Committee on Environment and Public Works.

EC-4892. 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; Indiana" (FRL7999-3) received on December 5, 2005; to the Committee on Environment and Public Works.

EC-4893. 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; California; Carbon Monoxide Maintenance Plan Update for Ten Planning Areas; Motor Vehicle Emissions Budgets; Technical Correction" (FRL8002-4) received on December 5, 2005; to the Committee on Environment and Public Works.

EC-4894. 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; CO; PM10 Designation of Areas for Air Quality Planning Purposes, Lamar; State Implementation Plan Correction" (FRL8004-9) received on December 6, 2005; to the Committee on Environment and Public Works.

EC-4895. 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; Texas; Revisions to Regulations for Control of Air Pollution by Permits for New Construction or Modification" (FRL8005-9) received on December 6, 2005; to the Committee on Environment and Public Works.

EC-4896. 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

“Control of Air Pollution from New Motor Vehicles and New Motor Vehicle Engines: Technical Amendments to Evaporative Emissions Regulations, Dynamometer Regulations, and Vehicle Labeling” (FRL8004-7) received on December 6, 2005; to the Committee on Environment and Public Works.

EC-4897. 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 “Control of Air Pollution From New Motor Vehicles and New Motor Vehicle Engines; Modification of Federal On-board Diagnostic Regulations for: Light-Duty Vehicles, Light-Duty Trucks, Medium Duty Passenger Vehicles, Complete Heavy Duty Vehicles and Engines Intended for Use in Heavy Duty Vehicles Weighing 14,000 Pounds GVWR or Less” (FRL8005-4) received on December 6, 2005; to the Committee on Environment and Public Works.

EC-4898. 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; Delegation of Authority to Oklahoma Department of Environmental Quality” (FRL8006-7) received on December 6, 2005; to the Committee on Environment and Public Works.

EC-4899. 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 “New Source Performance Standards and National Emission Standards for Hazardous Air Pollutants; Delegation of Authority to Albuquerque-Bernalillo County Air Quality Control Board” (FRL8006-2) received on December 6, 2005; to the Committee on Environment and Public Works.

EC-4900. 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 “Regulation of Fuels and Fuel Additives: Modifications to Standards and Requirements for Reformulated and Conventional Gasoline Including Butane Blenders and At-test Engagements” (FRL8006-5) received on December 6, 2005; to the Committee on Environment and Public Works.

EC-4901. 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 “Standards and Performance for New Stationary Sources and Emission Guidelines for Existing Sources: Other Solid Waste Incineration Units” (FRL8005-5) received on December 6, 2005; to the Committee on Environment and Public Works.

EC-4902. A communication from the Assistant Secretary for Fish, Wildlife and Parks, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled “Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for California Tiger Salamander, Sonoma District Population Segment; Final Rule” (RIN1018-AU23) received on December 6, 2005; to the Committee on Environment and Public Works.

EC-4903. 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; Texas; Memoranda of Understanding between Texas Department of

Transportation and the Texas Commission on Environmental Quality” (FRL8007-5) received on December 12, 2005; to the Committee on Environment and Public Works.

EC-4904. 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 “Exemption of Certain Area Sources from Title V Operating Permit Programs” (FRL8008-5) received on December 12, 2005; to the Committee on Environment and Public Works.

EC-4905. 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 “Effluent Limitations Guidelines, Pretreatment Standards, and New Source Performance Standards for the Iron and Steel Manufacturing Point Source Category” (FRL8007-8) received on December 12, 2005; to the Committee on Environment and Public Works.

EC-4906. 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 “Protection of Stratospheric Ozone: Process for Exempting Critical Uses of Methyl Bromide for the 2005 Supplemental Request” (FRL8007-9) received on December 12, 2005; to the Committee on Environment and Public Works.

EC-4907. A communication from the Deputy Director, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled “Inclusion of Alligator Snapping Turtle (*Macrochelys* [=*Macrochelys*] *temminckii*) and All Species of Map Turtle (*Graptemys* spp.) in Appendix III to the Convention on International Trade in Endangered Species of Wild Fauna and Flora” (RIN1018-AF69) received on December 12, 2005; to the Committee on Environment and Public Works.

EC-4908. A communication from the Assistant Attorney General, Department of Justice, transmitting, pursuant to law, a status report on the Bureau of Prisons’ compliance with the Revitalization Act’s privatization requirements; to the Committee on the Judiciary.

EC-4909. A communication from the Assistant Attorney General, Department of Justice, transmitting, a draft of proposed legislation on improving restitution for victims of crimes; to the Committee on the Judiciary.

EC-4910. A communication from the National President, American Gold Star Mothers, transmitting, pursuant to law, the independent auditors report for 2004 and 2005; to the Committee on the Judiciary.

EC-4911. A communication from the Office of General Counsel, Federal Bureau of Prisons, Department of Justice, transmitting, pursuant to law, the report of a rule entitled “Bureau of Prisons Central Office, Regional Offices, Institutions, and Staff Training Centers: Removal of Addresses From Rules” (RIN1220-AB36) received on December 5, 2005; to the Committee on the Judiciary.

EC-4912. A communication from the Rules Administrator, Office of General Counsel, Federal Bureau of Prisons, Department of Justice, transmitting, pursuant to law, the report of a rule entitled “Good Conduct Time: Aliens With Confirmed Orders of Deportation, Exclusion, or Removal” (RIN1220-AB12) received on December 5, 2005; to the Committee on the Judiciary.

EC-4913. A communication from the Office of General Counsel, Federal Bureau of Prisons, Department of Justice, transmitting,

pursuant to law, the report of a rule entitled “Civil Contempt of Court Commitments: Revision To Accommodate Commitments Under the D.C. Code” (RIN1220-AB13) received on December 5, 2005; to the Committee on the Judiciary.

EC-4914. A communication from the Deputy Assistant Attorney General, Department of Justice, transmitting, pursuant to law, the report of a rule entitled “Procedures to Promote Compliance with Crime Victims’ Rights Obligations” (RIN1105-AB11) received on December 6, 2005; to the Committee on the Judiciary.

EC-4915. A communication from the Director, Regulations and Rulings Division, Alcohol and Tobacco Tax and Trade Bureau, transmitting, pursuant to law, the report of a rule entitled “Santa Rita Hills Viticultural Area Name Abbreviation to Sta. Rita Hills” (RIN1513-AA50) received on December 2, 2005; to the Committee on the Judiciary.

EC-4916. A communication from the Director, Regulations and Rulings Division, Alcohol and Tobacco Tax and Trade Bureau, transmitting, pursuant to law, the report of a rule entitled “Establishment of the Texoma Viticultural Area” (RIN1513-AA77) received on December 12, 2005; to the Committee on the Judiciary.

EC-4917. A communication from the Director, Regulations and Rulings Division, Alcohol and Tobacco Tax and Trade Bureau, transmitting, pursuant to law, the report of a rule entitled “Establishment of the Ramonal Valley Viticultural Area” (RIN1513-AA94) received on December 12, 2005; to the Committee on the Judiciary.

EC-4918. A communication from the Director, Regulations and Rulings Division, Alcohol and Tobacco Tax and Trade Bureau, transmitting, pursuant to law, the report of a rule entitled “Establishment of the Wahluke Slope Viticultural Area” (RIN1513-AB01) received on December 12, 2005; to the Committee on the Judiciary.

EC-4919. A communication from the Assistant Attorney General for Administration, Justice Management Division, Department of Justice, transmitting, pursuant to law, the report of a rule entitled “Terrorist Screening Records System” received on December 12, 2005; to the Committee on the Judiciary.

EC-4920. A communication from the Acting Director, Mine Safety and Health Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled “Fees for Testing, Evaluation and Approval of Mining Products” (RIN1219-AB38) received on December 5, 2005; to the Committee on Health, Education, Labor, and Pensions.

EC-4921. A communication from the Deputy Executive Director, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled “Benefits Payable in Terminated Single-Employer Plans; Allocation of Assets in Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits” received on December 6, 2005; to the Committee on Health, Education, Labor, and Pensions.

EC-4922. A communication from the Deputy Assistant Secretary for Federal Contract Compliance, Department of Labor, transmitting, pursuant to law, the report of a rule entitled “Affirmative Action and Non-discrimination Obligations of Contractors and Subcontractors Regarding Protected Veterans” (RIN1215-AB24) received on December 6, 2005; to the Committee on Health, Education, Labor, and Pensions.

EC-4923. A communication from the Administrator, Employment and Training Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled “Labor Condition Applications and

Requirements for Employers Using Non-immigrants on H-1B Visas in Specialty Occupations and as Fashion Models and Labor Attestation Requirements for Employers Using Nonimmigrants on H-1B1 Visas in Specialty Occupations; Filing Procedures; Final Rule" (RIN1205-AB39) received on December 12, 2005; to the Committee on Health, Education, Labor, and Pensions.

EC-4924. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the annual report on the implementation of the Age Discrimination Act for Fiscal Year 2004; to the Committee on Health, Education, Labor, and Pensions.

#### 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. 109-207).

By Mr. MCCAIN, from the Committee on Indian Affairs, without amendment:

S. 1312. A bill to amend a provision relating to employees of the United States assigned to, or employed by, an Indian tribe, and for other purposes (Rept. No. 109-208).

By Ms. COLLINS, from the Committee on Homeland Security and Governmental Affairs:

Report to accompany S. 572, A bill to amend the Homeland Security Act of 2002 to give additional biosecurity responsibilities to the Department of Homeland Security (Rept. No 109-209).

#### EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. STEVENS for the Committee on Commerce, Science, and Transportation, \*Coast Guard nomination of Capt. Michael R. Seward to be Rear Admiral (Lower Half).

By Ms. COLLINS for the Committee on Homeland Security and Governmental Affairs.

\*Mary M. Rose, of North Carolina, to be a Member of the Merit Systems Protection Board for the term of seven years expiring March 1, 2011.

\*George W. Foresman, of Virginia, to be Under Secretary for Preparedness, Department of Homeland Security.

\*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

#### 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. COLEMAN:

S. 2105. A bill to amend the Internal Revenue Code of 1986 to modify the credit for nonbusiness energy property so that the amount of the credit is determined based on the amount of energy savings achieved by the taxpayer; to the Committee on Finance.

By Mrs. FEINSTEIN:

S. 2106. A bill to amend the Reclamation Wastewater and Groundwater Study and Fa-

cilities Act to authorize the Secretary of the Interior to participate in the Prado Basin Natural Treatment System Project, to authorize the Secretary to carry out a program to assist agencies in projects to construct regional brine lines in California, to authorize the Secretary to participate in the Lower Chino Dairy Area desalination demonstration and reclamation project, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. BAUCUS:

S. 2107. A bill to provide additional appropriations for the Low-Income Home Energy Assistance Act of 1981 for fiscal year 2006 and to amend the Internal Revenue Code of 1986 to provide a refundable tax credit for residential energy cost assistance, and for other purposes; to the Committee on Finance.

By Mr. CRAPO (for himself and Mr. CRAIG):

S. 2108. A bill to ensure general aviation aircraft access to Federal land and to the airspace over Federal land; to the Committee on Energy and Natural Resources.

By Mr. ENSIGN (for himself, Mr.

LIEBERMAN, Mr. LUGAR, Mr. DEWINE, Mr. ALLEN, Mr. BINGAMAN, Mr. ALEXANDER, Mr. CHAMBLISS, Mr. BAYH, Mr. NELSON of Florida, Mr. KOHL, Mr. CORNYN, Mr. ISAKSON, Mr. SMITH, Mr. LEAHY, and Mr. NELSON of Nebraska):

S. 2109. A bill to provide national innovation initiative; to the Committee on Finance.

By Mr. CRAPO (for himself, Mrs. LINCOLN, Mr. THOMAS, and Mr. ALLARD):

S. 2110. A bill to amend the Endangered Species Act of 1973 to enhance the role of States in the recovery of endangered species and threatened species, to implement a species conservation recovery system, to establish certain recovery programs, to provide Federal financial assistance and a system of incentives to promote the recovery of species, and for other purposes; to the Committee on Finance.

By Mr. BAYH:

S. 2111. A bill to amend the Internal Revenue Code of 1986 to provide a credit for small business employee training expenses, to increase the exclusion of capital gains from small business stocks to extend expensing for small businesses, and for other purposes; to the Committee on Finance.

By Mr. HARKIN:

S. 2112. A bill to provide for the establishment of programs and activities to increase influenza vaccination rates through the provision of free vaccines; to the Committee on Health, Education, Labor, and Pensions.

By Mr. DEMINT:

S. 2113. A bill to promote the widespread availability of communications services and the integrity of communication facilities, and to encourage investment in communication networks; to the Committee on Commerce, Science, and Transportation.

By Mr. TALENT:

S. 2114. A bill to establish the Confluence National Heritage Corridor in the States of Missouri and Illinois, and for other purposes; to the Committee on Energy and Natural Resources.

By Ms. STABENOW (for herself, Mr.

SMITH, Mr. LAUTENBERG, Mrs. MURRAY, Mr. MCCAIN, Mr. COLEMAN, and Mr. DAYTON):

S. 2115. A bill to amend the Public Health Service Act to improve provisions relating to Parkinson's disease research; to the Committee on Health, Education, Labor, and Pensions.

By Mr. LOTT:

S. 2116. A bill to transfer jurisdiction of certain real property to the Supreme Court; considered and passed.

By Mr. INHOFE:

S. 2117. A bill to clarify the circumstances under which a person born in the United

States is subject to the jurisdiction of the United States, to provide for criminal penalties for forging Federal documents, to establish a National Border Neighborhood Watch Program, and for other purposes; to the Committee on the Judiciary.

By Mr. SUNUNU (for himself, Mrs. FEINSTEIN, Mr. CRAIG, Mr. OBAMA, Ms. MURKOWSKI, Mr. HAGEL, and Mrs. CLINTON):

S. 2118. A bill to amend the USA PATRIOT Act to extend the sunset of certain provisions of the Act and the lone wolf provision of the Intelligence Reform and Terrorism Prevention Act of 2004 to March 31, 2006 and to combat methamphetamine abuse; to the Committee on the Judiciary.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. FRIST (for himself, Mr. REID,

Mr. KOHL, Mr. FEINGOLD, Mr. AKAKA, Mr. ALEXANDER, Mr. ALLARD, Mr. ALLEN, Mr. BAUCUS, Mr. BAYH, Mr. BENNETT, Mr. BIDEN, Mr. BINGAMAN, Mr. BOND, Mrs. BOXER, Mr. BROWNBACK, Mr. BUNNING, Mr. BURNS, Mr. BURR, Mr. BYRD, Ms. CANTWELL, Mr. CARPER, Mr. CHAFEE, Mr. CHAMBLISS, Mrs. CLINTON, Mr. COBURN, Mr. COCHRAN, Mr. COLEMAN, Ms. COLLINS, Mr. CONRAD, Mr. CORNYN, Mr. CORZINE, Mr. CRAIG, Mr. CRAPO, Mr. DAYTON, Mr. DEMINT, Mr. DEWINE, Mr. DODD, Mrs. DOLE, Mr. DOMENICI, Mr. DORGAN, Mr. DURBIN, Mr. ENSIGN, Mr. ENZI, Mrs. FEINSTEIN, Mr. GRAHAM, Mr. GRASSLEY, Mr. GREGG, Mr. HAGEL, Mr. HARKIN, Mr. HATCH, Mrs. HUTCHISON, Mr. INHOFE, Mr. INOUE, Mr. ISAKSON, Mr. JEFFORDS, Mr. JOHNSON, Mr. KENNEDY, Mr. KERRY, Mr. KYL, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LEAHY, Mr. LEVIN, Mr. LIEBERMAN, Mrs. LINCOLN, Mr. LOTT, Mr. LUGAR, Mr. MARTINEZ, Mr. MCCAIN, Mr. MCCONNELL, Ms. MIKULSKI, Ms. MURKOWSKI, Mrs. MURRAY, Mr. NELSON of Florida, Mr. NELSON of Nebraska, Mr. OBAMA, Mr. PRYOR, Mr. REED, Mr. ROBERTS, Mr. ROCKEFELLER, Mr. SALAZAR, Mr. SANTORUM, Mr. SARBANES, Mr. SCHUMER, Mr. SESSIONS, Mr. SHELBY, Mr. SMITH, Ms. SNOWE, Mr. SPECTER, Ms. STABENOW, Mr. STEVENS, Mr. SUNUNU, Mr. TALENT, Mr. THOMAS, Mr. THUNE, Mr. VITTER, Mr. VOINOVICH, Mr. WARNER, and Mr. WYDEN):

S. Res. 334. A resolution relative to the death of William Proxmire, former United States Senator from the State of Wisconsin considered and agreed to.

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

S. Con. Res. 70. A resolution urging the Government of the Russian Federation to withdraw the first draft of the proposed legislation as passed in its first reading in the State Duma that would have the effect of severely restricting the establishment, operations, and activities of domestic, international, and foreign nongovernmental organizations in the Russian Federation, or to modify the proposed legislation to entirely remove these restrictions; to the Committee on Foreign Relations.

By Mr. AKAKA (for himself, Mr. INOUE, and Mr. SALAZAR):

S. Con. Res. 71. A concurrent resolution expressing the sense of Congress that States