

her humane and charitable service to the city of Birmingham, AL.

In 1944, Mrs. Hale and her husband, Jimmie Hale, cofounded the Downtown Jimmie Hale Mission in Birmingham. These two individuals founded this mission to help rescue scores of individuals from homelessness and addiction. On November 17, 1944, Jimmie Hale died, leaving his young wife widowed and expecting their first daughter in January of 1945.

The death of her husband left her with nothing, so Mrs. Hale was taken in by a friend, and 2 months later she gave birth to a daughter. Later, Jessie married a man who had been aided by the Jimmie Hale Mission, Joe Downs. Unfortunately, he never overcame his addiction and after 2½ years of marriage and the birth of a daughter, he left the family.

Nevertheless, Jessie Hale Downs remained resolve in her dedication to the Jimmie Hale Mission, and she refused to let her late husband's dream die. Mrs. Downs is gifted with a great sense of leadership and a spirit of love for humanity. She served as the executive director of the Mission for 46 years and even today travels to churches and civic meetings to share the story of the Jimmie Hale Mission and what they have to offer.

Because of her unwavering dedication to the Mission, which began as a lone storefront chapel ministering to the men on the streets of downtown Birmingham, the Mission has now expanded into a six-facility, holistic-approach ministry in central Alabama committed to helping people break the chains of addiction and homelessness.

While Jimmie Hale envisioned the ministry, Jessie Hale Downs saw the Mission to fruition. Now, at the age of 88, Mrs. Downs is the matriarch and heartbeat of the Jimmie Hale Mission. I would like to offer thanks for a life lived to serve the less fortunate. The community of Birmingham and the State of Alabama are better off because Mrs. Jessie Hale Downs has lived among us.●

#### STANDING SOUTH DAKOTANS

● Mr. THUNE. Mr. President, today I rise to congratulate two outstanding men from South Dakota, Staff Sergeant Eric Borah of New Underwood and Sergeant Daniel Iverson of Madison. Both men have been honored this year for their unwavering dedication to our country.

Eric, a Wheeled Vehicle Mechanic in the South Dakota Army Guard's 235th Military Police Company from Custer, has been named Non-Commissioned Officer of the Year.

Daniel, an Army Bandsman with the South Dakota Army Guard's 147th Army Band from Mitchell, was named Soldier of the year.

Eric and Daniel will be recognized in Washington, DC two of the Outstanding Soldiers and Airmen of the Year for the National Guard. It is with

great pleasure that I offer my congratulations to these two men not only for their admirable achievements but also for the great name that they bring to the State of South Dakota.●

#### HONORING THE ACCOMPLISHMENTS OF MR. MATTH TOEBBEN

● Mr. BUNNING. Mr. President, I pay tribute and congratulate Mr. Matth Toeppen of Northern Kentucky, who was recently honored with one of the "Movers and Shakers" awards for the Greater Cincinnati area. Mr. Toeppen's life accomplishments and dedication to Commonwealth of Kentucky have given me reason to be proud.

I believe Mr. Toeppen to be the embodiment of the American Dream. After immigrating to the United States from Borger, Germany in 1953 with only \$10 to his name, he used all of his money to buy a train ticket to Cincinnati. Upon arrival in the area, Mr. Toeppen took up not only one job, but two jobs as a carpenter for a Ft. Wright home builder in Northern Kentucky. He worked both night and day saving as much money as he could. This quickly paid off and by 1955, only 2 years after his arrival to the United States, Mr. Toeppen started his own business, Toeppen Builders and Developers.

The "Movers and Shakers" award of Northern Kentucky is an annual award presented to honor those within the Greater Cincinnati region who stand as an example for all. It is presented by the Kentucky Enquirer, the Sales and Marketing Council of Northern Kentucky, The Home Builders Association of Northern Kentucky and The Kentucky Post.

As a Senator from Kentucky, I commend Mr. Toeppen for his hard work and dedication. I hope that he will serve as an inspiration to the citizens of Kentucky.●

#### 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.)

#### MESSAGES FROM THE HOUSE

At 9:34 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, in which it requests the concurrence of the Senate:

H.R. 2566. An act to provide an extension of highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a law reauthorizing the Transportation Equity Act for the 21st Century.

At 4:16 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 167. Concurrent resolution providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate.

At 5:27 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. 810. An act to amend the Public Health Service Act to provide for human embryonic stem cell research.

H.R. 2520. An act to provide for the collection and maintenance of human cord blood stem cells for the treatment of patients and research, and to amend the Public Health Service Act to authorize the C.W. Bill Young Cell Transplantation Program.

H.R. 2528. An act making appropriations for military quality of life functions of the Department of Defense, military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2006, and for other purposes.

#### ENROLLED BILL SIGNED

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

H.R. 2566. An act to provide an extension of highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a law reauthorizing the Transportation Equity Act for the 21st Century.

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

At 7:00 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House disagrees to the amendment of the Senate to the bill (H. R. 3) to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes, and asks for a conference with 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: From the Committee on Transportation and Infrastructure, for consideration of the House bill (except title X), and the Senate amendment (except title V), and modifications committed to conference: Messrs. YOUNG of Alaska, PETRI, BOEHLERT, COBLE, DUNCAN, MICA, HOEKSTRA, LATOURETTE, BACHUS, BAKER, GARY C. MILLER of California,

HAYES, SIMMONS, BROWN of South Carolina, GRAVES, SHUSTER, BOOZMAN, OBERSTAR, RAHALL, DEFazio, COSTELLO, Ms. NORTON, Messrs. NADLER, MENENDEZ, Ms. CORRINE Brown of Florida, Mr. FILNER, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. TAYLOR of Mississippi, Ms. MILLENDER-MCDONALD, Messrs. CUMMINGS, BLUMENAUER, and Mrs. TAUSCHER.

From the Committee on the Budget, for consideration of sections 8001–8003 of the House bill, and title III of the Senate amendment, and modifications committed to conference: Messrs. NUSSLE, MARIO DIAZ-BALART of Florida, and SPRATT.

From the Committee on Education and the Workforce, for consideration of sections 1118, 1605, 1809, 3018, and 3030 of the House bill, and sections 1304, 1819, 6013, 6031, 6038, and 7603 of the Senate amendment, and modifications committed to conference: Messrs. KLINE, KELLER, and BARROW.

From the Committee on Energy and Commerce, for consideration of provisions in the House bill and Senate amendment relating to Clean Air Act provisions of transportation planning contained in sections 6001 and 6006 of the House bill, and sections 6005 and 6006 of the Senate amendment; and sections 1210, 1824, 1833, 5203, and 6008 of the House bill, and sections 1501, 1511, 1522, 1610–1619, 1622, 4001, 4002, 6016, 6023, 7218, 7223, 7251, 7252, 7256–7262, 7324, 7381, 7382, and 7384 of the Senate amendment, and modifications committed to conference: Messrs. BARTON of Texas, PICKERING, and DINGELL.

From the Committee on Government Reform, for consideration of section 4205 of the house bill, and section 2101 of the Senate amendment and modifications committed to conference: Messrs. TOM DAVIS of Virginia, PLATTS, and WAXMAN.

From the Committee on Homeland Security, for consideration of sections 1834, 6027, 7324, and 7325 of the Senate amendment, and modifications committed to conference: Messrs. COX, DANIEL E. LUNGREN of California, and THOMPSON of Mississippi.

From the Committee on the Judiciary, for consideration of sections 1211, 1605, 1812, 1832, 2013, 2017, 4105, 4201, 4202, 4214, 7018–7020, and 7023 of the House bill, and sections 1410, 1512, 1513, 6006, 6029, 7108, 7113, 7115, 7338, 7340, 7343, 7345, 7362, 7363, 7406, 7407, and 7413 of the Senate amendment, and modifications committed to conference: Messrs. SEN-SENRENNER, SMITH of Texas, and CONYERS.

From the Committee on Resources, for consideration of sections 1119, 3021, 6002, and 6003 of the House bill, and sections 1501, 1502, 1505, 1511, 1514, 1601, 1603, 6040, and 7501–7518 of the Senate amendment, and modifications committed to conference: Messrs. POMBO, WALDEN of Oregon, and KIND.

From the Committee on Rules, for consideration of sections 8004 and 8005 of the House bill, and modifications committed to conference: Mr. DREIER, Mrs. CAPITO, and Mr. MCGOVERN.

From the Committee on Science, for consideration of sections 2010, 3013, 3015, 3034, 3039, 3041, 4112, and title V of the House bill, and title II and sections 6014, 6015, 6036, 7118, 7212, 7214, 7361, and 7370 of the Senate amendment, and modifications committed to conference: Messrs. EHLERS, REICHERT, and GORDON.

From the Committee on Ways and Means, for consideration of title X of the House bill, and title V of the Senate amendment, and modifications committed to conference: Messrs. THOMAS, MCCRERY, and RANGEL.

For consideration of the House bill and Senate amendment, and modifications committed to conference: Mr. DELAY.

#### MEASURES REFERRED

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

H.R. 1224. An act to repeal the prohibition on the payment of interest on demand deposits, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 2528. An act making appropriations for military quality of life functions of the Department of Defense, military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; to the Committee on Appropriations.

#### MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 1127. A bill to require the Secretary of Defense to submit to Congress all documentation related to the Secretary's recommendations for the 2005 round of defense base closure and realignment.

#### MEASURES READ THE FIRST TIME

The following bill was read the first time:

H.R. 810. An act to amend the Public Health Service Act to provide for human embryonic stem cell research.

#### 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-2340. A communication from the Under Secretary of Defense, Acquisition, Technology, and Logistics, Department of Defense, transmitting, pursuant to law, a report relative to the Defense Base Closure and Realignment Act of 1990; to the Committee on Armed Services.

EC-2341. A communication from the Special Assistant to the Secretary of the Navy for Base Realignment and Closure, Department of the Navy, transmitting, pursuant to law, a report entitled "Supplemental Information to Volume IV of the Department of Defense Base Closure Report [Department of the Navy (DON) Analyses and Recommendations]"; to the Committee on Armed Services.

EC-2342. A communication from the Under Secretary of Defense, Acquisition, Technology, and Logistics, Department of Defense, transmitting, pursuant to law, a report relative to the Defense Base Closure and Realignment Act of 1990, as amended; to the Committee on Armed Services.

EC-2343. A communication from the Under Secretary of Defense, Acquisition, Technology, and Logistics, Department of Defense, transmitting, pursuant to law, a report entitled "Department of Defense Fiscal Year 2004 Purchases from Foreign Entities"; to the Committee on Armed Services.

EC-2344. A communication from the Under Secretary of Defense, Acquisition, Technology, and Logistics, Department of Defense, transmitting, pursuant to law, a report relative to amounts of staff-years of technical effort to be allocated for each defense Federally Funded Research and Development Center (FFRDC) during Fiscal Year 2006; to the Committee on Armed Services.

EC-2345. A communication from the Secretary of Energy, transmitting, a report of proposed legislation relative to amending the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005; to the Committee on Armed Services.

EC-2346. A communication from the Principal Deputy, Personnel and Readiness, Office of the Under Secretary of Defense, Department of Defense, transmitting, pursuant to law, a report relative to the status of female members of the Armed Forces for Fiscal Year 2004; to the Committee on Armed Services.

EC-2347. A communication from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Contractor Personnel Supporting a Force Deployed Outside the United States" (DFARS Case 2003-D087) received on May 23, 2005; to the Committee on Armed Services.

EC-2348. A communication from the Deputy Assistant Administrator, National Oceanic and Atmospheric Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "NOAA Climate and Global Change Program, FY 2006" (FRN, Docket No.: 000616180–5104–11) received on May 23, 2005; to the Committee on Commerce, Science, and Transportation.

EC-2349. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "NMFS is Opening Directed Fishing for Species that Comprise the Deep-water Species Fishery by Vessels using Trawl Gear in the Gulf of Alaska (GOA)" (Docket NO. 041126333–5040–02; I.D. 042105C) received on May 23, 2005; to the Committee on Commerce, Science, and Transportation.

EC-2350. A communication from the Acting Deputy Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "In the Matter of Federal-State Joint Board on Universal Service, Report and Order in CC Docket No. 96–45; FCC 05–46" received on May 23, 2005; to the Committee on Commerce, Science, and Transportation.

EC-2351. A communication from the Legal Advisor to the Bureau Chief, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations. (Cedarville, California)" (MB Docket No. 04–387) received on May 23, 2005; to the Committee on Commerce, Science, and Transportation.

EC-2352. A communication from the Legal Advisor to the Bureau Chief, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule