

developed the idea of extending his favorite pastime to underprivileged youths. Thanks to his generous support, the First Tee program, with locations in Little Rock and Fort Smith, promotes, character development and life-enhancing values through the game of golf.

Jack Stephens' giving spirit will live on in the many institutions he has supported over the years, and his legacy will continue to influence the State of Arkansas for a long time to come. I join all Arkansans in giving thanks for the life of a pioneer businessman and an eternal friend of his fellowman.●

#### THE 90TH ANNIVERSARY OF THE LINCOLN HIGHWAY

● Mr. SARBANES. Mr. President, I am pleased to commemorate the 90th anniversary of the Lincoln Highway, which was officially routed through Washington, DC, on July 27, 1915, making it a true national highway. The construction of the highway was not only an important milestone in our Nation's history, but it has also served as a significant link in the development of Maryland's highway system.

The highway was first conceived in 1912, when most roads were little more than deeply rutted wagon trails. But with the rise of the automobile, the need for a transcontinental road had become increasingly apparent and ambitious plans were laid for this enormous undertaking.

The original proposed route for the highway ran from New York to California, but did not pass through Maryland or the Nation's Capital. COL Robert Harper, who at the time was President of the DC Chamber of Commerce and chairman of the Lincoln Highway Feeder Committee, lead a campaign to have the route altered to pass by the Lincoln Memorial. He approached Maryland Senator Blair Lee, whose seat I am proud to occupy, asking for help in the rerouting of the thoroughfare. Senator Lee wrote to President Woodrow Wilson and arranged a meeting between the President and Colonel Harper. That meeting led President Wilson to lobby on behalf of the proposed change in the route.

Through the efforts of President Wilson, Senator Lee, and Colonel Harper, the President of the Lincoln Highway Association was convinced to change the course of the highway so that it could pass through the Nation's Capital. This change brought additional visitors to both the State of Maryland and Washington, DC. In addition, the change preserved the spirit of President Abraham Lincoln and united the west and east coasts of the United States of America.

I am pleased to commemorate the 90th anniversary of the Lincoln Highway a "Road of Character" and a "Perpetual Memorial" to President Lincoln which both commemorated a great leader and paved the way for the future of transportation in America.●

#### TRIBUTE IN HONOR OF MR. DARYL E. HARMS

● Mr. SHELBY. Mr. President, today I wish to pay tribute to a great entrepreneur, Mr. Daryl E. Harms. Daryl, who passed away on July 9, 2005, led a life of great purpose, from his childhood days in Illinois to his time as a businessman in Birmingham, AL. As the son of a farmer, Daryl learned the values of hard work, dedication and commitment, and he utilized these qualities throughout his life to dream big, conquer challenging tasks, and carry out innovative ideas.

He began his distinguished career, along with his business partner Terry W. Johnson, as an industry pioneer in cable television, cellular communication and home security in the 1980s and 1990s. At the time of his death, he was the chief executive officer of Birmingham-based Masada Resource Group. This most recent business venture developed, patented and applied new technologies to convert solid wastes to renewable biofuels.

Daryl was featured as the Door-to-Door Billionaire in Fortune Small Business magazine for his keen business sense and ability to transform a risky venture into success. His fearlessness in business was recognized by all who knew him.

While Daryl was focused on his business ventures, he was deeply committed to his community as well. He served at various times on the boards of the Alabama Republican Party, the American Cancer Society, Magic Moments, and Prescott House. He had a generous spirit and was determined to help others not only in his community but throughout the State of Alabama.

I should also say that Daryl distinguished himself in yet another way. He was a devoted family man who cherished his wife and children. He is survived by his wife Clarissa Busby Harms of Birmingham; his daughters Hannah Katherine Harms and Emily Elizabeth Harms of Birmingham; his father Walter Edward Harms of Quincy, IL; and his brothers, Don Harms of Ursa, IL and Ken Harms of Sutter, IL. He was preceded in death by his mother Pauline Eshom Harms of Quincy, IL.

I ask my colleagues to join me in paying special tribute to Mr. Daryl E. Harms. Daryl's entrepreneurial spirit and innovative mind distinguishes him as one of American's great businessmen. He will be greatly missed by all who knew him.●

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Evans, 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 3:17 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 22. An act to reform the postal laws of the United States.

H.R. 525. An act to amend title I of the Employee Retirement Income Security Act of 1974 to improve access and choice for entrepreneurs with small businesses with respect to medical care for their employees.

H.R. 2894. An act to designate the facility of the United States Postal Service located at 102 South Walters Avenue in Hodgenville, Kentucky, as the "Abraham Lincoln Birthplace Post Office Building".

H.R. 2977. An act to designate the facility of the United States Postal Service located at 306 2nd Avenue in Brockway, Montana, as the "Paul Kasten Post Office Building".

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

H.R. 3339. An act to designate the facility of the United States Postal Service located at 2061 South Park Avenue in Buffalo, New York, as the "James T. Molloy Post Office Building".

H.R. 3423. An act to amend the Federal Food, Drug, and Cosmetic Act with respect to medical device user fees.

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

S. 45. An act to amend the Controlled Substances Act to lift the patient limitation on prescribing drug addiction treatments by medical practitioners in group practices, and for other purposes.

S. 544. An act to amend title IX of the Public Health Service Act to provide for the improvement of patient safety and to reduce the incidence of events that adversely effect patient safety.

S. 1395. An act to amend the Controlled Substances Import and Export Act to provide authority for the Attorney General to authorize the export of controlled substances from the United States to another country for subsequent export from that country to a second country, if certain conditions and safeguards are satisfied.

#### ENROLLED BILLS SIGNED

The message further announced that the Speaker has signed the following enrolled bills:

H.R. 38. An act to designate a portion of the White Salmon River as a component of the National Wild and Scenic Rivers System.

H.R. 481. An act to further the purposes of the Sand Creek Massacre National Historic Site Establishment Act of 2000.

H.R. 541. An act to direct the Secretary of Agriculture to convey certain land to Lander County, Nevada, and the Secretary of the Interior to convey certain land to Eureka County, Nevada, for continued use as cemeteries.

H.R. 794. An act to correct the south boundary of the Colorado River Indian Reservation in Arizona, and for other purposes.

H.R. 1046. An act to authorize the Secretary of the Interior to contract with the city of Cheyenne, Wyoming, for the storage of the city's water in the Kendrick Project, Wyoming.

At 6:04 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

S. 544. An act to amend title IX of the Public Health Service Act to provide for the improvement of patient safety and to reduce the incidence of events that adversely effect patient safety.

#### MEASURES REFERRED

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

H.R. 525. An act to amend title I of the Employee Retirement Income Security Act of 1974 to improve access and choice for entrepreneurs with small businesses with respect to medical care for their employees; to the Committee on Health, Education, Labor, and Pensions.

H.R. 2894. An act to designate the facility of the United States Postal Service located at 102 South Walters Avenue in Hodgenville, Kentucky, as the "Abraham Lincoln Birthplace Post Office Building"; to the Committee on Homeland Security and Governmental Affairs.

H.R. 2977. An act to designate the facility of the United States Postal Service located at 306 2nd Avenue in Brockway, Montana, as the "Paul Kasten Post Office Building"; to the Committee on Homeland Security and Governmental Affairs.

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

H.R. 3339. An act to designate the facility of the United States Postal Service located at 2061 South Park Avenue in Buffalo, New York, as the "James T. Molloy Post Office Building"; to the Committee on Homeland Security and Governmental Affairs.

#### MEASURES PLACED ON THE CALENDAR

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

H.R. 1797. An act to provide for equitable compensation to the Spokane Tribe of Indians of the Spokane Reservation for the use of tribal land for the production of hydro-power by the Grand Coulee Dam, and for other purposes.

The following bill was read the first and second times by unanimous consent, and placed on the calendar:

H.R. 22. An act to reform the postal laws of the United States.

#### 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-3221. 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 "2,4-D; Pesticide Tolerance" (FRL No. 7726-8) received July 25, 2005; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3222. 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 "Lignosulfonates; Exemptions from the Requirement of a Tolerance" (FRL No. 7720-3) received July 25, 2005; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3223. 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 "Pinoxaden; Pesticide Tolerance" (FRL No. 7725-5) received July 25, 2005; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3224. 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 "Propiconazole; Pesticide Tolerances for Emergency Exemptions" (FRL No. 7727-1) received July 25, 2005; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3225. 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 "Pymetrozine; Pesticide Tolerance" (FRL No. 7724-5) received July 25, 2005; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3226. 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 "Spiromesifen; Pesticide Tolerance; Technical Correction" (FRL No. 7727-7) received July 25, 2005; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3227. 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; Indiana" (FRL No. 7930-9) received July 25, 2005; to the Committee on Environment and Public Works.

EC-3228. A communication from the Under Secretary of Defense for Acquisition, Technology, and Logistics, transmitting, pursuant to law, a report (9 subjects on 1 disc beginning with "COBRA Runs for Oceana-Cannon-Moody-Seymour Johnson") relative to the Defense Base Closure and Realignment Act of 1990, as amended; to the Committee on Armed Services.

EC-3229. A communication from the Under Secretary of Defense for Acquisition, Technology, and Logistics, transmitting, pursuant to law, a report (4 subjects on 1 disc beginning with "Inquiry Response Regarding C-130 Squadron Size") relative to the Defense Base Closure and Realignment Act of 1990, as amended; to the Committee on Armed Services.

EC-3230. A communication from the Under Secretary of Defense for Acquisition, Technology, and Logistics, transmitting, pursuant to law, a report (4 subjects on 1 disc beginning with "Inquiry Response Regarding NAS Brunswick") relative to the Defense Base Closure and Realignment Act of 1990, as amended; to the Committee on Armed Services.

EC-3231. A communication from the Administrator, National Aeronautics and Space Administration, transmitting, pursuant to

law, the Semiannual Report of the Inspector General of NASA for the period ending March 31, 2005; to the Committee on Homeland Security and Governmental Affairs.

EC-3232. A communication from the Deputy Director for Government Relations and Special Projects, Office of Government Ethics, transmitting, a proposal "To amend the Ethics in Government Act of 1978 to reauthorize the Office of Government Ethics" received on July 25, 2005; to the Committee on Homeland Security and Governmental Affairs.

EC-3233. A communication from the Secretary of Labor and the Secretary of Housing and Urban Development, transmitting, the report of a draft bill entitled "Youthbuild Transfer Act of 2005" received on July 25, 2005; to the Committee on Banking, Housing, and Urban Affairs.

EC-3234. A communication from the Assistant Secretary, Division of Investment Management, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled "Rulemaking for EDGAR System" (RIN3235-AH79) received on July 25, 2005; to the Committee on Banking, Housing, and Urban Affairs.

EC-3235. A communication from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Amendment to the Interim Final Regulation for Mental Health Parity" (RIN0938-AN22) received on July 25, 2005; to the Committee on Finance.

EC-3236. 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 "Section 457(b) Plans and Federal Credit Unions" (Notice 2005-58) received on July 25, 2005; to the Committee on Finance.

EC-3237. A communication from the Chief, Regulations and Administrative Law, United States Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Security Zones; Port of Port Lavaca-Point Comfort, Point Comfort, TX and Port of Corpus Christi Inner Harbor, Corpus Christi, TX" (RIN1625-AA87) received on July 25, 2005; to the Committee on Commerce, Science, and Transportation.

EC-3238. A communication from the Chief, Regulations and Administrative Law, United States Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Anchorage Grounds and Safety Zone; Delaware River" (RIN1625-AA00) received on July 25, 2005; to the Committee on Commerce, Science, and Transportation.

EC-3239. A communication from the Chief, Regulations and Administrative Law, United States Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Security Zone; Cleveland Harbor, Cleveland, Ohio, Change of Location" (RIN1625-AA87) received on July 25, 2005; to the Committee on Commerce, Science, and Transportation.

EC-3240. A communication from the Chief, Regulations and Administrative Law, United States Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Regulated Navigation Area; Chicago Sanitary and Ship Canal, Romeoville, IL" (RIN1625-AA11) received on July 25, 2005; to the Committee on Commerce, Science, and Transportation.

EC-3241. A communication from the Chief, Regulations and Administrative Law, United States Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special