

been quietly reclassifying documents that were open for years. This program began in 1999 but has exploded under this administration, which has reclassified more than 55,000 pages. Even the Archivist of the United States said he knew “precious little” of the program until it was revealed by the press.

The examples go on and on. The Bush administration has displayed a near-total disdain for the free press and the public’s right to know.

Sunshine Week invites an inventory check on tools like the Freedom of Information Act that make real the public’s right to know. Attacks on these tools only erode that right. A free, open, and accountable democracy is what our forefathers fought and died for, and it is the duty of each new generation to protect this vital heritage and inheritance.

#### EXPRESSION OF SYMPATHY FOR KALOKO RESERVOIR VICTIMS

Mr. AKAKA. Mr. President, I rise today to express my sincere sympathy and deep concern for those affected by the collapse of the Kaloko Reservoir on the island of Kaua’i in Hawaii. This tragic flooding has caused loss of life and substantial property damage. The people of Hawaii have shown exceptional resolve in assisting their fellow citizens as emergency personnel and other volunteers have rushed to provide assistance to people in need. We continue to pray for those who are still missing and for those who are working tirelessly in search and rescue efforts and in additional emergency response.

As many of you know, several islands in my home State have been inundated by severe rainstorms over the past few weeks. Flooding has caused substantial disruptions of life as schools and business have been forced to close and many roads have been damaged or have been washed out because of high water. Property damage in cities and in rural areas has been severe.

Hawaii’s Governor Lingle has called upon the National Guard and many State agencies to assist those who have suffered losses and to respond to immediate needs. However, the damage caused by this flooding demonstrates the need to prepare in advance for adverse conditions and to be vigilant in examining vulnerable areas.

I stand ready to offer any assistance to the State of Hawaii that I can, including securing emergency Federal funding for the State.

Throughout this adversity, the people of Hawaii have shown the resolve that they are known for in times of crisis. I am proud of my constituents as they help their neighbors and work to restore conditions around their homes, schools, businesses, and places of worship. I know that their efforts will bring comfort and solace to those in need.

#### ADDITIONAL STATEMENT

##### TRIBUTE TO ROBERT MAXCY

• Ms. COLLINS. Mr. President, I rise today to honor the life of Robert Maxcy of Waldoboro, ME, who passed away this weekend at the age of 76. Bob served 56 years in the Waldoboro Fire Department, including the last 42 years as its chief, and I would like to recognize his lifelong devotion to public safety.

Chief Bob Maxcy was born on November 17, 1929, in Thomaston, ME, the son of the late Earl and Ruth Maxcy. At age 14 he began his service as a firefighter at the Thomaston Junior Fire Department. This was the beginning of his outstanding career in service to both Maine and the Nation.

Upon his graduation from Thomaston High School, Chief Maxcy served honorably with the U.S. Air Force from 1947 to 1950. During his service, Chief Maxcy attained the rank of gunnery sergeant.

When he returned to Maine in 1950, Chief Maxcy became a firefighter with the Waldoboro Fire Department. In that same year, he married his loving and devoted wife, Muriel. By 1964, Chief Maxcy had established himself as a leader in the department and was appointed chief of the Waldoboro Fire Department, a position in which he served for 42 years.

Beyond his dedication to his department, Chief Maxcy also was a leader in the community and the State, as evidenced through his participation in the Waldoboro Firemen’s Association, Knox County Firemen’s Association, Maine State Federation of Firefighters, and the Lincoln County Fire Chiefs.

Chief Maxcy was truly an honorable Maine man. In addition to his success as a community leader and firefighter, he will be remembered for his love of his family, the outdoors, and the Red Sox. Chief Maxcy is survived by five children, Deborah, Marcia, Marc, Dee, and Daryl; his brother, Harlan; his sister, Marilyn; his grandchildren, great grandchildren, nieces, and nephews.

Chief Bob Maxcy will be greatly missed. I offer my sincere condolences and prayers to Chief Maxcy’s family. •

#### 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

##### ENROLLED BILLS SIGNED

The following enrolled bills, previously signed by the Speaker of the House, were signed today, March 15, 2006, by the President pro tempore (Mr. STEVENS).

H.R. 1053. An act to authorize the extension of nondiscriminatory treatment (normal trade relations treatment) to the products of Ukraine.

H.R. 1691. An act to designate the Department of Veterans Affairs outpatient clinic in Appleton, Wisconsin, as the “John H. Bradley Department of Veterans Affairs Outpatient Clinic”.

At 3:12 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, without amendment:

S. 1184. An act to waive the passport fees for a relative of a deceased member of the Armed Forces proceeding abroad to visit the grave of such member or to attend a funeral or memorial service for such member.

S. 2064. An act 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.

S. 2363. An act to extend the educational flexibility program under section 4 of the Education Flexibility Partnership Act of 1999.

The message also announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 4826. An act to extend through December 31, 2006, the authority of the Secretary of the Army to accept and expend funds contributed by non-Federal public entities to expedite the processing of permits.

H.R. 4841. An act to amend the Ojito Wilderness Act to make a technical correction.

H.R. 4911. An act to temporarily extend the programs under the Higher Education Act of 1965, and for other purposes.

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. 350. Concurrent resolution permitting the use of the rotunda of the Capitol for a ceremony as part of the commemoration of the days of remembrance of victims of the Holocaust.

H. Con. Res. 354. Concurrent resolution expressing the continued support of Congress for requiring an institution of higher education to provide military recruiters with access to the institution’s campus and students at least equal in quality and scope to that which is provided to any other employer in order to be eligible for the receipt of certain Federal funds.

#### MEASURES REFERRED

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

H.R. 4841. An act to amend the Ojito Wilderness Act to make a technical correction; to the Committee on Energy and Natural Resources.

The following concurrent resolution was read the first and the second times

by unanimous consent, and referred as indicated:

H. Con. Res. 354. Concurrent resolution expressing the continued support of Congress for requiring an institution of higher education to provide military recruiters with access to the institution's campus and students at least equal in quality and scope to that which is provided to any other employer in order to be eligible for the receipt of certain Federal funds; to the Committee on Armed Services.

#### 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-6018. A communication from the Administrator, Environmental Protection Agency, transmitting, pursuant to law, the Agency's Fiscal Year 2005 Performance and Accountability Report; to the Committee on Homeland Security and Governmental Affairs.

EC-6019. A communication from the Director, Office of Personnel Management, transmitting, the Agency's 2006-2010 Strategic and Operational Plan; to the Committee on Homeland Security and Governmental Affairs.

EC-6020. A communication from the Chairman, United States Commission on Civil Rights, transmitting, pursuant to law, the Commission's Performance and Accountability Report for fiscal year 2005; to the Committee on Homeland Security and Governmental Affairs.

EC-6021. A communication from the Inspector General, General Services Administration, transmitting, pursuant to law, the Office of Inspector General Audit Report Register, including all financial recommendations, for the period ending September 30, 2005; to the Committee on Homeland Security and Governmental Affairs.

EC-6022. A communication from the Director, Strategic Human Resources Policy Division, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled "Notification of Post-Employment Restrictions" (RIN3206-AK60) received on March 13, 2006; to the Committee on Homeland Security and Governmental Affairs.

EC-6023. A communication from the U.S. Global AIDS Coordinator, Department of State, transmitting, pursuant to law, a certification related to the Global Fund to Fight AIDS, Tuberculosis and Malaria; to the Committee on Foreign Relations.

EC-6024. A communication from the Secretary of the Treasury, transmitting, pursuant to Executive Order 13313 of July 31, 2003, the semiannual report detailing payments made to Cuba as a result of the provision of telecommunications services pursuant to Department of the Treasury specific licenses; to the Committee on Foreign Relations.

EC-6025. A communication from the Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to law, a report concerning the International Labour Conference; to the Committee on Foreign Relations.

EC-6026. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 06-44—06-56); to the Committee on Foreign Relations.

EC-6027. 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 "Triflumizole; Pesticide Tolerance" (FRL No. 7765-3) received on March 13, 2006; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6028. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Irish Potatoes Grown in Colorado; Relaxation of Handling Regulation for Area No. 2" (Docket No. FV05-948-1 FRA) received on March 13, 2006; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6029. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Raisins Produced from Grapes Grown in California; Decreased Assessment Rate" (Docket No. FV06-989-1 IFR) received on March 13, 2006; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6030. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Pears Grown in Oregon and Washington; Establishment of Continuing Assessment Rates and Modification of the Rules and Regulations" (Docket No. FV05-927-1 FR) received on March 13, 2006; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6031. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Milk in the Pacific Northwest and Arizona-Las Vegas Marketing Area—Final Order" (Docket Nos. DA-03-04B; AO-368-A32 and AO-271-A37) received on March 13, 2006; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6032. A communication from the Acting Director, Directorate of Standards and Guidance, Occupational Safety and Health Administration, transmitting, pursuant to law, the report of a rule entitled "Occupational Exposure to Hexavalent Chromium" (RIN1218-AB45) received on March 13, 2006; to the Committee on Health, Education, Labor, and Pensions.

EC-6033. A communication from the Political Personnel and Advisory Communication Management Specialist, Department of Health and Human Services, transmitting, pursuant to law, (10) reports relative to vacancy announcements within the Department, received on March 13, 2005; to the Committee on Health, Education, Labor, and Pensions.

EC-6034. A communication from the Director, Regulations Policy and Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Microbiology Devices; Reclassification of Hepatitis A Virus Serological Assays" (Docket No. 2003P-0564) received on March 13, 2006; to the Committee on Health, Education, Labor, and Pensions.

EC-6035. A communication from the Director, Regulations Policy and Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medical Devices; Cardiovascular Devices; Classification of Implantable Intra-Aneurysm Pressure Measurement System" (Docket No. 2005N-0506) received on March 13, 2006; to the Committee on Health, Education, Labor, and Pensions.

EC-6036. A communication from the Secretary of Transportation, transmitting, pursuant to law, the Department's Fiscal Year

2005 Annual Report; to the Committee on Commerce, Science, and Transportation.

EC-6037. A communication from the Assistant Administrator for Procurement, National Aeronautics and Space Administration, transmitting, pursuant to law, the report of a rule entitled "Safety and Health—Alternate I to Major Breach of Safety or Security Clause" (RIN2700-AD12) received on March 13, 2006; to the Committee on Commerce, Science, and Transportation.

EC-6038. A communication from the Attorney Advisor, Office of the Secretary, Department of Transportation, transmitting, pursuant to law, the report of a nomination for the position of Assistant Secretary for Aviation and International Affairs, received on March 13, 2006; to the Committee on Commerce, Science, and Transportation.

EC-6039. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Non-Community Development Quota Pollock with Trawl Gear in the Chinook Salmon Savings Areas of the Bering Sea and Aleutian Islands Management Area" (I.D. No. 021406B) received on March 13, 2006; to the Committee on Commerce, Science, and Transportation.

EC-6040. A communication from the Under Secretary and Director, United States Patent and Trademark Office, transmitting, pursuant to law, the report of a rule entitled "Changes to Implement the Patent Search Fee Refund Provisions of the Consolidated Appropriations Act, 2005" (RIN0651-AB79) received on March 13, 2006; to the Committee on Commerce, Science, and Transportation.

#### EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. DOMENICI for the Committee on Energy and Natural Resources.

\*David Longly Bernhardt, of Colorado, to be Solicitor of the Department of the Interior.

\*Raymond L. Orbach, of California, to be Under Secretary for Science, Department of Energy.

\*Alexander A. Karsner, of Virginia, to be an Assistant Secretary of Energy (Energy Efficiency and Renewable Energy).

\*Dennis R. Spurgeon, of Florida, to be an Assistant Secretary of Energy (Nuclear Energy).

\*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 Ms. MIKULSKI:

S. 2415. A bill to amend title 38, United States Code, to increase burial benefits for veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BURNS (for himself and Mr. PRYOR):

S. 2416. A bill to amend title 38, United States Code, to expand the scope of programs