

been called to serve this Nation by the administration. The confirmation of a judge to a lifetime appointment is a vital responsibility given to this body by the Constitution and one that I take very seriously.

Mr. Chagares has been nominated to replace the current Secretary of Homeland Security, Michael Chertoff, on the Third Circuit. No matter one's political persuasion, we all take pride in the honor that has been bestowed on a fellow New Jerseyan.

Mr. Chagares is a New Jersey native who graduated from Gettysburg College and Seton Hall School of Law, with honors. Upon graduation, he clerked for Judge Greenberg on the Third Circuit. Over the past 15 years, Mr. Chagares has served the public with distinction in the U.S. Attorney's Office for the District of New Jersey and has also worked in private practice.

In addition, he is a popular Professor of both appellate advocacy and civil trial practice at Seton Hall. I believe this popularity is a testament to his ability to both convey the essence of the subject matter and do it in a way that excites a new generation of lawyers.

The American Bar Association has rated Mr. Chagares as "well qualified" for the position that he has been nominated. It is a view that I share as well.

I am pleased that see that people of his quality are willing to serve our Nation in the administration of justice, and join Senator LAUTENBERG in commending him to the Senate.

Mr. President, I urge my colleagues to support the nomination of Mr. Chagares to be a judge on our Nation's Third Circuit Court of Appeals.

ADDITIONAL STATEMENTS

TRIBUTE TO LEE HUMPHREY AND COREY BREWER

• Mr. ALEXANDER. Mr. President, the University of Tennessee, Belmont University, and the University of Memphis men's basketball teams all deserve congratulations for qualifying for the men's NCAA tournament this year. The Lady Vols made it to the Sweet Sixteen in women's basketball for the 25th consecutive time. None of those teams made it all the way to the championship, but two Tennesseans who play for the University of Florida did. I want to congratulate them, especially since one is from my hometown, Maryville.

Lee Humphrey was Tennessee's Class AAA Mr. Basketball when he attended Maryville High School. He is the school's all-time leader in points and steals. His dad, Tony, a middle school teacher in Maryville, had the key to the gym. And on many nights, Lee and his dad would go to the gym and while Lee took shots his dad rebounded. Apparently, the practice paid off. Dick Vitale said that Lee was the "X factor" in the Final Four. In the championship

game he scored 15 points, making 4 of 8 shots from the field. Coincidentally, the game was played in the current home stadium of Lee's boyhood idol, Peyton Manning.

Lee's teammate Corey Brewer from Portland, TN, was 1 of 24 seniors named nationwide as a 2004 McDonald's All-American player. He scored 29.4 points a game and averaged 12.8 rebounds his senior season at Portland High. He received a lot of honors that year, including being named grand marshal of Portland's Strawberry Festival. Corey has credited his success to hard work in practice and a childhood spent playing sports with his older brother Jason and Jason's friends. He is a role model who returns to Portland and talks to elementary school kids, urging them to study and warning about the dangers of drugs. He follows the lessons he learned from his mother, Glenda, a teacher.

Recruited for his tenacious defense as well as his scoring ability, Corey has been a big game player for the University of Florida all year. In the championship game, he scored 11 points and grabbed 7 rebounds to go along with 4 assists and 3 steals.

Mr. President, we Tennesseans are proud of our State's basketball teams. We want them to win. But we are also proud of our young scholar-athletes who play for other teams. They are Tennesseans, too, and we want them to know we are proud of their accomplishments. •

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.)

MESSAGE FROM THE HOUSE

At 5:06 p.m., a message from the House of Representatives, delivered by Mr. Croatt, one of its reading clerks, announced that the House has passed the following joint resolutions, in which it requests the concurrence of the Senate:

H.J. Res. 81. Joint resolution providing for the appointment of Phillip Frost as a citizen regent of the Board of Regents of the Smithsonian Institution.

H.J. Res. 82. Joint resolution providing for the reappointment of Alan G. Spoon as a citizen regent of the Board of Regents of the Smithsonian Institution.

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

H. Con. Res. 355. Concurrent resolution recognizing the benefits and importance of

school-based music education, and for other purposes.

MEASURES REFERRED

The following concurrent resolution was read, and referred as indicated:

H. Con. Res. 355. Concurrent resolution recognizing the benefits and importance of school-based music education, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

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-6264. A communication from the Chairman, Office of General Counsel, Federal Election Commission, transmitting, pursuant to law, the report of a rule entitled "Internet Communications" ((11 CFR Parts 100, 110, and 114)(Notice 2006-8)) received on April 4, 2006; to the Committee on Rules and Administration.

EC-6265. A communication from the Chief, Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Announcement and Report Concerning Advance Pricing Agreements" (Announcement 2006-22) received on April 4, 2006; to the Committee on Finance.

EC-6266. A communication from the Assistant Attorney General, Civil Rights Division, Department of Justice, transmitting, a report of the Department's activities during Calendar Year 2005 pursuant to the Equal Credit Opportunity Act; to the Committee on the Judiciary.

EC-6267. A communication from the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Schedules of Controlled Substances: Exempt Anabolic Steroid Products" (RIN117-AA98) received on April 4, 2006; to the Committee on the Judiciary.

EC-6268. A communication from the Director, Office of Management Programs, Civil Division, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Minimum Qualifications for Annuity Brokers in Connection With Structured Settlements Entered Into by the United States" (RIN1105-AA82) received on April 4, 2006; to the Committee on the Judiciary.

EC-6269. A communication from the Administrator, Environmental Protection Agency, transmitting, pursuant to law, the Fiscal Year 2004 Superfund Five-Year Review Report to Congress; to the Committee on Environment and Public Works.

EC-6270. A communication from the Acting Director, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, a report that funding for the State of Oklahoma as a result of the emergency conditions resulting from the influx of evacuees from areas struck by Hurricane Katrina beginning on August 29, 2005, and continuing, has exceeded \$5,000,000; to the Committee on Banking, Housing, and Urban Affairs.

EC-6271. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a report entitled "Audit of the Exchange Stabilization Fund's Fiscal Years 2005 and 2004 Financial Statements; to the Committee on Banking, Housing, and Urban Affairs.

EC-6272. A communication from the Executive Director, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, a report relative to the amount of acquisitions made by the agency from entities that manufacture the articles, materials, or supplies outside of the United States for fiscal year 2004; to the Committee on Health, Education, Labor, and Pensions.

EC-6273. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the Department's Annual Surplus Property Report for Fiscal Year 2005; to the Committee on Health, Education, Labor, and Pensions.

EC-6274. A communication from the Administrator, General Service Administration, transmitting, a report relative to prospectuses that support the Administration's Fiscal Year 2007 Leasing Program; to the Committee on Homeland Security and Governmental Affairs.

EC-6275. A communication from the Deputy Director of Communications and Legislative Affairs, Equal Employment Opportunity Commission, transmitting, pursuant to law, the Commission's Annual Sunshine Act Report for 2005; to the Committee on Homeland Security and Governmental Affairs.

EC-6276. A communication from the Chief Executive Officer, NeighborWorks America, transmitting, pursuant to law, the Agency's Fiscal Year 2005 Annual Program Performance Report; to the Committee on Homeland Security and Governmental Affairs.

EC-6277. A communication from the Secretary of Energy, transmitting, a report of proposed legislation to extend for two years, until September 30, 2008, the Department of Energy's excepted service authority, which expires on September 30, 2006; to the Committee on Energy and Natural Resources.

EC-6278. A communication from the Secretary of Energy, transmitting, a report of proposed legislation to extend for two years the National Nuclear Security Administration's Facilities and Infrastructure Recapitalization Program; to the Committee on Energy and Natural Resources.

EC-6279. A communication from the Secretary of Energy, transmitting, a report of proposed legislation to increase the minor construction threshold for certain Department of Energy construction projects from \$5,000,000 to \$10,000,000; to the Committee on Energy and Natural Resources.

EC-6280. A communication from the Acting Assistant Secretary, Land and Minerals Management, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Oil and Gas Lease Acreage Limitation Exemptions and Reinstatement of Oil and Gas Leases" (RIN1004-AD83) received on April 4, 2006; to the Committee on Energy and Natural Resources.

EC-6281. A communication from the Assistant Secretary of the Army (Acquisition, Logistics and Technology), transmitting, pursuant to law, a report entitled "Annual Status Report on the Disposal of Chemical Weapons and Materiel for Fiscal Year 2005"; to the Committee on Armed Services.

EC-6282. A communication from the Director, Administration and Management, Office of the Secretary of Defense, transmitting, pursuant to law, a report relative to the total cost for the planning, design, construction and installation of equipment for the renovation of Wedges 2 through 5 of the Pentagon; to the Committee on Armed Services.

EC-6283. A communication from the Acting General Counsel, Office of General Counsel, Department of Defense, transmitting, a report of legislative proposals as part of the National Defense Authorization Bill for Fiscal Year 2007; to the Committee on Armed Services.

EC-6284. A communication from the Acting General Counsel, Office of General Counsel, Department of Defense, transmitting, the report of a proposed National Defense Bill for Fiscal Year 2007; to the Committee on Armed Services.

EC-6285. 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 "Pyraclostrobin; Pesticide Tolerances" (FRL No. 7772-8) received on April 4, 2006; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6286. 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 "Novaluron; Pesticide Tolerance" (FRL No. 7756-8) received on April 4, 2006; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6287. 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 "Emamectin; Pesticide Tolerance" (FRL No. 7765-4) received on April 4, 2006; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6288. 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 "FD&C Blue No. 1 PEG Derivatives; Exemptions from the Requirement of a Tolerance" (FRL No. 7765-1) received on April 4, 2006; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6289. A communication from the Executive Secretary and Chief of Staff, U.S. Agency for International Development, transmitting, pursuant to law, the report of a nomination for the position of Administrator, received on April 4, 2006; to the Committee on Foreign Relations.

EC-6290. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the criteria the Department of State is using to determine appropriate adjustments in post differentials and danger pay allowances; to the Committee on Foreign Relations.

EC-6291. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, the Department's Competitive Sourcing Activities Report for Fiscal Year 2005; to the Committee on Foreign Relations.

EC-6292. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, the quarterly report of obligations and outlays of fiscal years 2004 and 2005 funds under the President's Emergency Plan for AIDS Relief through September 30, 2005; to the Committee on Foreign Relations.

EC-6293. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed manufacturing license agreement involving the manufacture of significant military equipment and the export of defense articles or defense services sold commercially under a contract in the amount of \$50,000,000 or more to Russia; to the Committee on Foreign Relations.

EC-6294. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed retransfer of defense articles or

defense services involving major defense equipment in the amount of \$14,000,000 or more (TOW missiles to Egypt from the Royal Netherlands Army); to the Committee on Foreign Relations.

EC-6295. A communication from the Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to law, reports prepared by the Department of State and the National Security Council on progress toward a negotiated solution of the Cyprus question covering the periods December 1, 2005 through January 31, 2006; to the Committee on Foreign Relations.

EC-6296. A communication from the Secretary of Transportation, transmitting, pursuant to law, the Twenty-First Annual Report of Accomplishments under the Airport Improvement Program for Fiscal Year 2004; to the Committee on Commerce, Science, and Transportation.

EC-6297. A communication from the Acting Chairman, National Transportation Safety Board, transmitting, the report of proposed legislation entitled "National Transportation Safety Board Amendments Act of 2006" received on April 4, 2006; to the Committee on Commerce, Science, and Transportation.

EC-6298. A communication from the Vice President, Government Affairs, National Railroad Passenger Corporation, Amtrak, transmitting, pursuant to law, Amtrak's Grant and Legislative Request for Fiscal Year 2007; to the Committee on Commerce, Science, and Transportation.

EC-6299. 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; Pacific Cod by Catcher Vessels Using Trawl Gear in the Bering Sea and Aleutian Islands Management Area" (I.D. No. 030706A) received on April 4, 2006; to the Committee on Commerce, Science, and Transportation.

EC-6300. 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; Pacific Cod by Vessels Catching Pacific Cod for Processing by the Offshore Component in the Western Regulatory Area of the Gulf of Alaska" (I.D. No. 030106A) received on April 4, 2006; to the Committee on Commerce, Science, and Transportation.

EC-6301. 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; Reallocation of Pollock from the Aleutian Islands Subarea to the Bering Sea Subarea" (I.D. No. 030306A) received on April 4, 2006; to the Committee on Commerce, Science, and Transportation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. COCHRAN, from the Committee on Appropriations, with an amendment in the nature of a substitute:

H.R. 4939. A bill making emergency supplemental appropriations for the fiscal year ending September 30, 2006, and for other purposes (Rept. No. 109-230).