

Ring with the harmonies of Liberty;
 Let our rejoicing rise
 High as the listening skies,
 Let it resound loud as the rolling sea.
 Sing a song full of the faith that the dark
 past has taught us,
 Sing a song full of the hope that the present
 has brought us,
 Facing the rising sun of our new day begun
 Let us march on till victory is won.
 Stony the road we trod,
 Bitter the chastening rod,
 Felt in the days when hope unborn had died;
 Yet with a steady beat,
 Have not our weary feet
 Come to the place for which our fathers
 sighed?
 We have come over a way that with tears
 have been watered,
 We have come, treading our path through
 the blood of the slaughtered,
 Out from the gloomy past,
 Till now we stand at last
 Where the white gleam of our bright star is
 cast.
 God of our weary years,
 God of our silent tears,
 Thou who has brought us thus far on the
 way;
 Thou who has by Thy might
 Led us into the light,
 Keep us forever in the path, we pray.
 Lest our feet stray from the places, Our God,
 where we met Thee;
 Lest, our hearts drunk with the wine of the
 world, we forget Thee;
 Shadowed beneath Thy hand,
 May we forever stand,
 True to our GOD,
 True to our native land.

—James Weldon Johnson.

Mrs. FEINSTEIN. Mr. President, I rise today in recognition of the first day designated to the conservation of the world's endangered species. I would like to take a moment to thank my Senate colleagues for unanimously designating this special day, and especially to my Senate cosponsors for helping to make this day possible.

Let me also commend my constituent Mr. David Robinson for suggesting the establishment of Endangered Species Day. I appreciate his hard work and dedication. Today's designation shows that individuals like Mr. Robinson do make a difference.

I am encouraged to learn that today many fine institutions across our country will use the opportunity of Endangered Species Day to bolster public awareness about the threats facing endangered species worldwide. From lectures at local zoos to birding trips with regional Audubon chapters, events are being held nationwide to commemorate this day. My hope is that Endangered Species Day will spark the wonder and interest among young people, students, and the general public about how they can become more involved in these conservation efforts.

In fact, I am proud to note that in my State of California, conservation and management efforts have helped significantly to restore California condor, winter run chinook salmon, and California gray whale populations. It is remarkable that even species once believed to have been extinct, such as the mount diablo buckwheat and the ventura marsh milk vetch, have been

newly found in our State. The dedicated conservation efforts of volunteers, organizations, businesses, private landowners, and government agencies have proved effective in rehabilitating many endangered species populations.

We can be encouraged by these developments. These instances demonstrate that with responsible management we can halt endangered species from continuing down the path towards extinction.

Such success stories also show that more needs to be done to ensure the survival of these species. There are more than 1,000 species in the U.S. and abroad that are designated as "at risk" of extinction. With awareness comes responsibility, and it is my hope that Endangered Species Day will inspire continued action in response to the precarious circumstances of endangered species.

Mr. President, I hope that communities across the country take advantage of this special day to discuss ways that they can participate in conservation efforts for endangered species in their State, throughout the country, and around the world.

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 BILL SIGNED

At 9:31 a.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 bill:

S. 1382. An act to require the Secretary of the Interior to accept the conveyance of certain land, to be held in trust for the benefit of the Puyallup Indian tribe.

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

At 12:31 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 bill, in which it requests the concurrence of the Senate:

H.R. 5143. An act to authorize the Secretary of Energy to establish monetary prizes for achievements in overcoming scientific and technical barriers associated with hydrogen energy.

MEASURES REFERRED

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

H.R. 5143. An act to authorize the Secretary of Energy to establish monetary prizes for achievements in overcoming scientific and technical barriers associated with hydrogen energy; to the Committee on Energy and Natural Resources.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 2791. A bill to amend title 46 and 49, United States Code, to provide improved maritime, rail, and public transportation security, and for other purposes.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, May 11, 2006, she had presented to the President of the United States the following enrolled bill:

S. 1382. An act to require the Secretary of the Interior to accept the conveyance of certain land, to be held in trust for the benefit of the Puyallup Indian tribe.

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-6809. A communication from the Secretary of the Senate, transmitting, pursuant to law, the report of the receipts and expenditures of the Senate for the period from October 1, 2005 through March 31, 2006; ordered to lie on the table.

EC-6810. A communication from the Chief Counsel, Office of Foreign Assets Control, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Global Terrorism Sanctions Regulations; Terrorism Sanctions Regulations; Foreign Terrorist Organizations Sanctions Regulations" (31 CFR Parts 594, 595, and 597) received on May 8, 2006; to the Committee on Banking, Housing, and Urban Affairs.

EC-6811. A communication from the Legal Counsel, Terrorism Risk Insurance Program, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Terrorism Risk Insurance Program; TRIA Extension Act Implementation" (RIN1505-AB66) received on May 8, 2006; to the Committee on Banking, Housing, and Urban Affairs.

EC-6812. 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 06-85-06-101); to the Committee on Foreign Relations.

EC-6813. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled "Report on Sales of Drugs and Biologicals to Large Volume Purchasers"; to the Committee on Finance.

EC-6814. A communication from the Secretary of Labor, transmitting, the report of a draft bill entitled "Unemployment Compensation Program Integrity Act of 2006"; to the Committee on Finance.

EC-6815. 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 "User Fees for Competent Authority Limitation on Benefits Determination" (Rev. Proc. 2006-26) received on May 8, 2006; to the Committee on Finance.

EC-6816. 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 "Coordinated Issue: Credit for Increasing Research Activities—Extraordinary Expenditures for Utilities" (UIL 41.51-01) received on May 11, 2006; to the Committee on Finance.

EC-6817. 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 "Revenue Ruling: Down Payment Assistance" (Rev. Rul. 2006-27) received on May 11, 2006; to the Committee on Finance.

EC-6818. 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 "Intercompany Transactions; Manufacturer Incentive Payments" ((RIN1545-BF32)(TD 9261)) received on May 11, 2006; to the Committee on Finance.

EC-6819. 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 "Weighted Average Interest Rate Update" (Notice 2006-49) received on May 11, 2006; to the Committee on Finance.

EC-6820. 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 "Sample, Discretionary Amendment to Section 401(k) Roth Plan" (Notice 2006-44) received on May 11, 2006; to the Committee on Finance.

EC-6821. 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 "Update of Rev. Proc. 2003-44—Employee Plans Compliance Resolution System" (Rev. Proc. 2006-27) received on May 11, 2006; to the Committee on Finance.

EC-6822. A communication from the Director, Regulations and Disclosure Law, Customs and Border Protection, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Establishment of a New Port of Entry in the Tri-Cities Area of Tennessee and Virginia and Termination of the User-Fee-Status of Tri-Cities Regional Airport" (CBP Decision 06-14) received on May 11, 2006; to the Committee on Finance.

EC-6823. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled "Development of a Strategic Plan Regarding Physician Investment in Specialty Hospitals"; to the Committee on Health, Education, Labor, and Pensions.

EC-6824. A communication from the Administrator, Office of Workforce Security, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "UIPL 14-05, Changes to UI Performs; UIPL 14-05, Change 1, Performance Criterion for the Overpayment Detection Measure; Clarification of Appeals Timeliness Measures; and Implementation of Tax Quality Measure Corrective Action Plans (CAPs)" received on May 11, 2006; to the Committee on Health, Education, Labor, and Pensions.

EC-6825. A communication from the General Counsel, Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, (3) reports on vacancies in the positions of Director and Deputy Director, Office of Management and Budget, and Administrator, Office of Federal Procurement Policy; to the Committee on Homeland Security and Governmental Affairs.

EC-6826. A communication from the Attorney, Office of Assistant General Counsel for Legislation and Regulatory Law, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Assistance Regulations" (RIN1991-AB72) received on May 11, 2006; to the Committee on Energy and Natural Resources.

EC-6827. A communication from the Senior Counsel, Office of Legal Policy, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Eligibility of Arriving Aliens in Removal Proceedings to Apply for Adjustment of Status and Jurisdiction to Adjudicate Applications for Adjustment of Status" (RIN1615-AB50 and RIN1125-AA55) received on May 11, 2006; to the Committee on the Judiciary.

EC-6828. 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; Alabama; Redesignation of the Birmingham, Alabama 8-Hour Ozone Nonattainment Area to Attainment for Ozone" (FRL No. 8169-4) received on May 11, 2006; to the Committee on Environment and Public Works.

EC-6829. 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 Operating Permits Program; State of Missouri" (FRL No. 8169-3) received on May 11, 2006; to the Committee on Environment and Public Works.

EC-6830. 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 "Air Quality Redesignation for the 8-Hour Ozone National Ambient Air Quality Standards; New York State" (FRL No. 8169-9) received on May 11, 2006; to the Committee on Environment and Public Works.

EC-6831. 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 "Hazardous Waste Management System; Identification and Listing of Hazardous Waste; Final Exclusion" (FRL No. 8169-5) received on May 11, 2006; to the Committee on Environment and Public Works.

EC-6832. 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 "Ocean Dumping; De-designation of Ocean Dredged Material Disposal Site and Designation of New Site near Coos Bay, Oregon" (FRL No. 8167-7) received on May 11, 2006; to the Committee on Environment and Public Works.

EC-6833. 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 "Revisions to the Arizona State Implemen-

tation Plan, Arizona Department of Environmental Quality, Pima County Department of Environmental Quality, and Pinal County Air Quality Control District" (FRL No. 8159-7) received on May 11, 2006; to the Committee on Environment and Public Works.

EC-6834. 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 "Tennessee: Final Authorization of State Hazardous Waste Management Program Revisions" (FRL No. 8168-4) received on May 11, 2006; to the Committee on Environment and Public Works.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. SPECTER for the Committee on the Judiciary.

Brett M. Kavanaugh, of Maryland, to be United States Circuit Judge for the District of Columbia Circuit.

Thomas L. Ludington, of Michigan, to be United States District Judge for the Eastern District of Michigan.

Sean F. Cox, of Michigan, to be United States District Judge for the Eastern District of Michigan.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

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. LOTT (for himself, Mr. MARTINEZ, and Ms. LANDRIEU):

S. 2783. A bill to amend the Federal Water Pollution Control Act to expand and strengthen cooperative efforts to monitor, restore, and protect the resource productivity, water quality, and marine ecosystems of the Gulf of Mexico; to the Committee on Environment and Public Works.

By Mrs. FEINSTEIN (for herself, Mr.

THOMAS, Mr. AKAKA, Mr. ALEXANDER, Mr. ALLEN, Mr. BAUCUS, Mr. BAYH, Mr. BIDEN, Mr. BINGAMAN, Mr. BOXER, Mr. BURNS, Mr. BYRD, Ms. CANTWELL, Mr. CARPER, Mr. CHAFEE, Mrs. CLINTON, Mr. COBURN, Mr. COCHRAN, Mr. COLEMAN, Ms. COLLINS, Mr. CRAIG, Mr. DAYTON, Mr. DEWINE, Mr. DODD, Mrs. DOLE, Mr. DORGAN, Mr. DURBIN, Mr. ENSIGN, Mr. FEINGOLD, Mr. GRASSLEY, Mr. HAGEL, Mr. HARKIN, Mr. HATCH, Mr. INOUE, Mr. JEFFORDS, Mr. JOHNSON, Mr. KENNEDY, Mr. KERRY, Mr. KOHL, Mr. KYL, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LEAHY, Mr. LEVIN, Mr. LIEBERMAN, Mrs. LINCOLN, Mr. LOTT, Mr. LUGAR, Mr. MARTINEZ, Mr. MCCAIN, Mr. MENENDEZ, Ms. MIKULSKI, Ms. MURKOWSKI, Mrs. MURRAY, Mr. NELSON of Florida, Mr. NELSON of Nebraska, Mr. OBAMA, Mr. PRYOR, Mr. REED, Mr. REID, Mr. ROCKEFELLER, Mr. SALAZAR, Mr. SANTORUM, Mr. SCHUMER, Mr. SESSIONS, Mr. SMITH, Ms. SNOWE, Mr. SPECTER, Ms. STABENOW, Mr. SUNUNU, Mr. TALENT, Mr. THUNE, Mr. VITTER, Mr. VOINOVICH, and Mr. WYDEN):

S. 2784. A bill to award a congressional gold medal to Tenzin Gyatso, the Fourteenth