

Knowing how useful conservation easements are to ranchers and farmers across Colorado how much good they have done for preserving our open lands and rural way of life, I am troubled by proposals that would punish those who use conservation easements to protect their lands.

Our current tax law says that donated conservation easements can be claimed as a deduction. This is how it should be. If a rancher donates development rights to a nonprofit, to be held in trust, he or she should be able to claim a Federal tax deduction. This deduction, in conjunction with State and local incentives, is a valuable tool in protecting Colorado's natural heritage.

There have been some instances of fraud in the use of conservation easements. The IRS should punish those responsible and Congress should explore ways of tightening up our laws to avoid abuses of the system. But, by and large, those who place easements on their lands are like Randy Rusk, and they do so for the right reasons.

Mr. President, I am proud of the innovative ways that Coloradans are finding to protect open spaces, strengthen rural economies, and continue traditional ways of life. We have a common interest in supporting the work of ranchers like Mr. Rusk, whose stewardship of his lands yields benefits for all of us. I encourage this body to stand behind these wise conservation practices by protecting the Federal tax deduction for conservation easements.●

#### TRIBUTE TO COLONEL ROBERT J. DAVIS, JR.

● Mr. SARBANES. Mr. President, I wish to pay tribute today to COL Robert J. Davis, Jr., commander of the Baltimore District, U.S. Army Corps of Engineers. Colonel Davis is retiring after 26 years of distinguished service in the U.S. Army, and I take this opportunity to express my appreciation for his many years of dedicated service to our Nation.

Robert Davis graduated from the U.S. Military Academy at West Point in 1980 and was commissioned into the U.S. Army. He has served in numerous staff and command positions here in the United States and abroad including an associate professorship in the Department of Mechanics and Civil and Mechanical Engineering at West Point, commanding the C Company of the 14th Engineer Battalion in Fort Ord, CA, and directing public works for the 6th Area Support Group in Stuttgart, Germany. He also served as assistant to the commanding general of the U.S. Army Corps of Engineers and as commander of the Detroit District.

Since August, 2003, when Colonel Davis was selected as commander and district engineer for the Baltimore Engineer District, I have had the pleasure of working closely with him on numerous civil works and military construction projects vitally important to the State of Maryland. These included the

completion of the first phase of the rewatering of the C&O Canal in Cumberland, MD, the initiation of the Gwynns Falls Restoration Project in Baltimore, the dredging of St. Jerome Creek in Southern Maryland, the advancement of dredged material management plans for the Port of Baltimore and the opening of a new recreational trail at Jennings Randolph Lake. Colonel Davis has continued a long tradition of outstanding leadership of the Baltimore District, and the citizens of Maryland and the other States served by the Baltimore District will benefit from his leadership for years to come.

In recognition of his exceptional service, Colonel Davis has received numerous awards and commendations including the Defense Meritorious Service Medal, Army Meritorious Service Medal, the Army Commendation Medal, and the Army Medal of Achievement. But above all, Colonel Davis has exemplified a steadfast commitment to serving his fellow citizens and country with his very best, most dedicated efforts. In this most honorable mission, he has earned the admiration and high regard of everyone with whom he has worked. I extend my personal congratulations and thanks for his hard work and dedication and wish him the very best in the future.●

#### TRIBUTE TO RUSSELL AND BETTY BECK

● Mr. THUNE. Mr. President, today I wish to recognize Russell and Betty Beck of Pierre, SD. Russell and Betty Beck will celebrate their 50th wedding anniversary this year on December 22.

Russell and Betty met in June of 1956 at the Central States Fair in Rapid City, SD. Russell, a fly boy in the Air Force, was stationed at Ellsworth AFB, and Betty, who was just a few years out of high school, was working in Rapid City at the time. The couple was later married in their pastor's home with Nancy Gibson and William Clarkson as their witnesses. Russell and Betty eventually made their home in Murdo, SD, where they raised four children: Bernard, Bernardine, Darsey, and Robin.

I offer my congratulations to Russell and Betty on their 50th wedding anniversary and wish them many years of continued happiness.●

#### KRISTEN CHRISTENSEN

● Mr. THUNE. Mr. President, today I wish to thank Kristen Christensen, an intern in my Washington, DC office, for all of the hard work she has done for me, my staff, and the State of South Dakota this summer.

Kristen is a graduate of Yankton High School in Yankton, SD, and is currently a rising sophomore at the University of South Dakota where she is studying English and psychology. She is a hard worker and has been dedicated to getting the most out of her internship experience.

I would like to give my thanks to Kristen and wish her continued success in the years to come.●

#### CHRIS TIMMERMAN

● Mr. THUNE. Mr. President, today I wish to thank Chris Timmerman, an intern in my Washington, DC office, for all of the hard work he has done for me, my staff, and the State of South Dakota this summer.

Chris is a graduate of Lincoln High School in Sioux Falls, SD, and is currently a rising junior at Emory University where he is studying philosophy. He is a hard worker and has been dedicated to getting the most out of his internship experience.

I would like to give my thanks to Chris and wish him continued success in the years to come.●

#### AIMEE BREWSTER

● Mr. THUNE. Mr. President, today I wish to also thank Aimee Brewster, an intern in my Washington, DC office, for all of the hard work she has done for me, my staff, and the State of South Dakota this summer.

Aimee is a graduate of St. Thomas More High School in Rapid City, SD, and is currently a rising sophomore at the University of Notre Dame where she is studying political science and French. She is a hard worker and has been dedicated to getting the most out of her internship experience.

I would like to give my thanks to Aimee and wish her continued success in the years to come.●

#### 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 12:40 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. 5689. An act to amend the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users to make technical corrections, and for other purposes.

At 4:16 p.m., a message from the House of Representatives, delivered by

Ms. Niland, 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. 440. Concurrent resolution providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate.

At 5 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has agreed to the following bill, in which it requests the concurrence of the Senate:

H.R. 5672. An act making appropriations for Science, the Departments of State, Justice, and Commerce, and related agencies for the fiscal year ending September 30, 2007, and for other purposes.

#### ENROLLED BILLS SIGNED

At 6:31 p.m., a message from the House of Representatives, delivered by Mr. Hanrahan, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

H.R. 889. An act to authorize appropriations for the Coast Guard for fiscal year 2006, to make technical corrections to various laws administered by the Coast Guard, and for other purposes.

H.R. 4912. An act to amend section 242 of the National Housing Act to extend the exemption for critical access hospitals under the FHA program for mortgage insurance for hospitals.

The enrolled bills were subsequently signed by the Acting President pro tempore (Mr. McCONNELL).

#### MEASURES REFERRED

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

H.R. 5672. An act making appropriations for Science, the Departments of State, Justice, and Commerce, and related agencies for the fiscal year ending September 30, 2007, and for other purposes; to the Committee on Appropriations.

H.R. 5689. An act to amend the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users to make technical corrections, and for other purposes; to the Committee on Environment and Public Works.

#### MEASURES PLACED ON THE CALENDAR

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

S. 3590. A bill to amend title XIX of the Social Security Act to delay the effective date of the amendments made by the Deficit Reduction Act of 2005 requiring documentation evidencing citizenship or nationality as a condition for receipt of medical assistance under the Medicaid program.

The following concurrent resolution was read, and placed on the calendar:

H. Con. Res. 408. Commending the Government of Canada for its renewed commitment to the Global War on Terror in Afghanistan.

#### 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-7378. 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 "Postponement of Filing Date for Form 8898" (Notice 2006-57) received on June 18, 2006; to the Committee on Finance.

EC-7379. 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 "Application of the Federal Insurance Contributions Act to Payments Made for Certain Services" ((RIN1545-BE32)(TD 9266)) received on June 18, 2006; to the Committee on Finance.

EC-7380. 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 "Bureau of Labor Statistics Price Indexes for Department Stores—April 2006" (Rev. Rul. 2006-33) received on June 18, 2006; to the Committee on Finance.

EC-7381. 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 "Applicable Federal Rates—July 2006" (Rev. Rul. 2006-35) received on June 18, 2006; to the Committee on Finance.

EC-7382. 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 "Amounts Paid Pursuant to a Leave-Sharing Plan to Assist Employees Affected by a Major Disaster Declared by the President of the United States" (Notice 2006-59) received on June 21, 2006; to the Committee on Finance.

EC-7383. 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 "Pacific Gas and Electric Company v. United States" (AOD: TL-R-618-98) received on June 21, 2006; to the Committee on Finance.

EC-7384. 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 "Information Returns Required with Respect to Certain Foreign-Owned Domestic U.S. Corporations" ((RIN1545-BF49)(TD 9268)) received on June 21, 2006; to the Committee on Finance.

EC-7385. 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 "Safe Harbor Methods for Determining Casualty and Theft Loss Deductions for 2005 Gulf Hurricanes" (Rev. Proc. 2006-32) received on June 21, 2006; to the Committee on Finance.

EC-7386. 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 "Medicare Program; Identification of Backward Compatible Version of Adopted Standard for E-Prescribing and the Medicare Prescription Drug Program" (RIN 0938-AO42) received on June 22, 2006; to the Committee on Finance.

EC-7387. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed license for the export of firearms sold commercially under contract in the amount of \$1,000,000 or more to the Hashemite Kingdom of Jordan; to the Committee on Foreign Relations.

EC-7388. A communication from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Relief from Fingerprinting and Criminal History Records Check for Designated Categories of Individuals" (RIN3150-AH94) received on June 21, 2006; to the Committee on Environment and Public Works.

EC-7389. A communication from the Regulations Coordinator, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Child Support Enforcement Program; Reasonable Quantitative Standard for Review and Adjustment of Child Support Orders" (RIN0970-AC19) received on June 22, 2006; to the Committee on Health, Education, Labor, and Pensions.

EC-7390. A communication from the Deputy Archivist of the United States, National Archives and Records Administration, transmitting, pursuant to law, the report of the rule entitled "NARA Facility Location and Hours" (RIN3095-AB50) received on June 21, 2006; to the Committee on Homeland Security and Governmental Affairs.

EC-7391. A communication from the Director, Regulatory Management Division, Office of Executive Secretariat, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Affidavits of Support on Behalf of Immigrants" (RIN1615-AB45) received on June 22, 2006; to the Committee on Finance.

EC-7392. 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 "Myclobutanol; Pesticide Tolerances for Emergency Exemptions" (FRL No. 8068-2) received on June 22, 2006; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7393. 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 "Technical Amendments; Change of Address for the Office of Pesticide Programs" (FRL No. 8070-7) received on June 18, 2006; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7394. 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 "Spinosad; Pesticide Tolerance Technical Correction" (FRL No. 8073-9) received on June 18, 2006; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7395. A communication from the United States Trade Representative, Executive Office of the President, transmitting, pursuant to law, a report relative to the United States-Oman Free Trade Agreement; to the Committee on Finance.

EC-7396. 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 "Factoring of Receivables Audit Techniques Guide" received on June 27, 2006; to the Committee on Finance.

EC-7397. A communication from the Chief, Publications and Regulations Branch, Internal Revenue Service, Department of the