

to law, the report of a rule entitled “Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries; Temporary Rule; Inseason Retention Limit Adjustment” (RIN0648-XC23) received on September 25, 2007; to the Committee on Commerce, Science, and Transportation.

EC-3418. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Temporary Rule; Closure (Massachusetts 2007 Summer Flounder Commercial Fishery)” (RIN0648-XC05) received on September 11, 2007; to the Committee on Commerce, Science, and Transportation.

EC-3419. A communication from the Administrator, Environmental Protection Agency, transmitting, pursuant to law, a report entitled, “Newtown Creek/Greenpoint Oil Spill Study”; to the Committee on Environment and Public Works.

EC-3420. A communication from the Director, Regulations and Disclosure Law, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “NAFTA: Merchandise Processing Fee Exemption and Technical Correction” (RIN1505-AB58) received on September 25, 2007; to the Committee on Finance.

EC-3421. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Tier II Issue: Contractual Allowances” (LMSB-04-0807-056) received on September 25, 2007; to the Committee on Finance.

EC-3422. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “2008 Transition Relief and Additional Guidance on the Application of Section 409A to Nonqualified Deferred Compensation Plans” (Notice 2007-78) received on September 12, 2007; to the Committee on Finance.

EC-3423. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Insurance Company Proration Rules; Company Owned Life Insurance” (Rev. Proc. 2007-61) received on September 12, 2007; to the Committee on Finance.

EC-3424. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Aggregation of Reverse 704(c) Gain” (Rev. Proc. 2007-59) received on September 12, 2007; to the Committee on Finance.

EC-3425. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Guidance Under Section 812” (Rev. Rul. 2007-54) received on September 12, 2007; to the Committee on Finance.

EC-3426. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Active Conduct of a Trade or Business” (Notice 2007-60) received on September 12, 2007; to the Committee on Finance.

EC-3427. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, the certification of a proposed license for the export of firearms sold commercially in the amount of \$1,000,000 or more to Malaysia; to the Committee on Foreign Relations.

EC-3428. 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 2007-181 to 2007-191); to the Committee on Foreign Relations.

EC-3429. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to law, the report of two agreements reached between the American Institute in Taiwan and other organizations; to the Committee on Foreign Relations.

EC-3430. A communication from the Director of Administration, National Labor Relations Board, transmitting, pursuant to law, the Board’s commercial activity inventory for fiscal year 2007; to the Committee on Health, Education, Labor, and Pensions.

EC-3431. A communication from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled “Food Additives Permitted for Direct Addition to Food for Human Consumption; Glycerol Ester of Tall Oil Rosin” (Docket No. 2006F-0225) received on September 11, 2007; to the Committee on Health, Education, Labor, and Pensions.

EC-3432. A communication from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled “Food Additives Permitted for Direct Addition to Food for Human Consumption; Polydextrose” (Docket No. 2006F-0059) received on September 11, 2007; to the Committee on Health, Education, Labor, and Pensions.

EC-3433. A communication from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled “Listing of Color Additives Subject to Certification; D and C Black No. 3; Confirmation of Effective Date” (Docket No. 1995C-0286) received on September 11, 2007; to the Committee on Health, Education, Labor, and Pensions.

EC-3434. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, an annual report relative to the Food and Drug Administration’s fulfillment of the conditions specified in the Medical Device User Fee and Modernization Act during fiscal year 2006; to the Committee on Health, Education, Labor, and Pensions.

EC-3435. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, an annual report relative to the Food and Drug Administration’s collection and spending of animal drug user fees during fiscal year 2006; to the Committee on Health, Education, Labor, and Pensions.

EC-3436. A communication from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled “Medical Devices; General Hospital and Personal Use Devices; Classification of the Filtering Facepiece Respirator for Use by the General Public in Public Health Medical Emergencies” (Docket No. 2007N-0198) received on September 12, 2007; to the Committee on Health, Education, Labor, and Pensions.

EC-3437. A communication from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled “Food Labeling: Safe Handling Statements; Labeling of Shell Eggs” ((RIN0910-ZA23)(Docket No. 2004N-0382)) received on September 11, 2007; to the

Committee on Health, Education, Labor, and Pensions.

EC-3438. A communication from the Chairperson, District of Columbia Commission on Judicial Disabilities and Tenure, transmitting, pursuant to law, the Commission’s annual report for calendar year 2006; to the Committee on Homeland Security and Governmental Affairs.

EC-3439. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled, “Letter Report: Audit of Advisory Neighborhood Commission 7B for Fiscal Years 2005 Through 2007, as of March 31, 2007”; to the Committee on Homeland Security and Governmental Affairs.

EC-3440. A communication from the Director, Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, a report relative to the Office’s commercial activities during fiscal year 2006; to the Committee on Homeland Security and Governmental Affairs.

EC-3441. A communication from the White House Liaison, Civil Rights Division, Department of Justice, transmitting, pursuant to law, the report of a vacancy and designation of an acting officer for the position of Assistant Attorney General, received on September 25, 2007; to the Committee on the Judiciary.

EC-3442. A communication from the Director of Regulations Management, National Cemetery Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled “Government-Furnished Headstone and Marker Regulation” (RIN2900-AM64) received on September 25, 2007; to the Committee on Veterans’ Affairs.

## REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. KERRY, from the Committee on Small Business and Entrepreneurship, with an amendment in the nature of a substitute:

S. 1671. A bill to reauthorize and improve the entrepreneurial development programs of the Small Business Administration, and for other purposes (Rept. No. 110-185).

By Mr. DODD, from the Committee on Banking, Housing, and Urban Affairs, without amendment:

H.R. 835. A bill to reauthorize the programs of the Department of Housing and Urban Development for housing assistance for Native Hawaiians.

By Mr. LIEBERMAN, from the Committee on Homeland Security and Governmental Affairs, without amendment:

H.R. 2467. A bill to designate the facility of the United States Postal Service located at 69 Montgomery Street in Jersey City, New Jersey, as the “Frank J. Guarini Post Office Building”.

H.R. 2587. A bill to designate the facility of the United States Postal Service located at 555 South 3rd Street Lobby in Memphis, Tennessee, as the “Kenneth T. Whalum, Sr. Post Office Building”.

H.R. 2654. A bill to designate the facility of the United States Postal Service located at 202 South Dumont Avenue in Woonsocket, South Dakota, as the “Eleanor McGovern Post Office Building”.

H.R. 2765. A bill to designate the facility of the United States Postal Service located at 44 North Main Street in Hughesville, Pennsylvania, as the “Master Sergeant Sean Michael Thomas Post Office”.

H.R. 2778. A bill to designate the facility of the United States Postal Service located at 3 Quaker Ridge Road in New Rochelle, New York, as the “Robert Merrill Postal Station”.

H.R. 2825. A bill to designate the facility of the United States Postal Service located at 326 South Main Street in Princeton, Illinois, as the "Owen Lovejoy Princeton Post Office Building".

H.R. 3052. A bill to designate the facility of the United States Postal Service located at 954 Wheeling Avenue in Cambridge, Ohio, as the "John Herschel Glenn, Jr. Post Office Building".

H.R. 3106. A bill to designate the facility of the United States Postal Service located at 805 Main Street in Ferdinand, Indiana, as the "Staff Sergeant David L. Nord Post Office".

S. 2023. A bill to designate the facility of the United States Postal Service located at 805 Main Street in Ferdinand, Indiana, as the "Staff Sergeant David L. Nord Post Office".

#### EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. LIEBERMAN for the Committee on Homeland Security and Governmental Affairs.

\*Julie L. Myers, of Kansas, to be Assistant Secretary of Homeland Security.

By Mrs. FEINSTEIN for the Committee on Rules and Administration.

\*Robert Charles Tapella, of Virginia, to be Public Printer.

\*Steven T. Walther, of Nevada, to be a Member of the Federal Election Commission for a term expiring April 30, 2009.

\*Hans von Spakovsky, of Georgia, to be a Member of the Federal Election Commission for a term expiring April 30, 2011.

\*David M. Mason, of Virginia, to be a Member of the Federal Election Commission for a term expiring April 30, 2009.

\*Robert D. Lenhard, of Maryland, to be a Member of the Federal Election Commission for a term expiring April 30, 2011.

(\*Signifies 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 Mr. SANDERS:

S. 2094. A bill to increase the wages and benefits of blue collar workers by strengthening labor provisions in the H-2B program, to provide for labor recruiter accountability, and for other purposes; to the Committee on the Judiciary.

By Mr. BROWN:

S. 2095. A bill to amend the Agricultural Marketing Act of 1946 to require country of origin labeling for processed food items; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. DORGAN (for himself, Mr. STEVENS, Mr. SCHUMER, Mr. ENSIGN, Mr. KERRY, Mr. KOHL, Mr. FEINGOLD, Mrs. CLINTON, Mrs. FEINSTEIN, and Mr. NELSON of Florida):

S. 2096. A bill to amend the Do-Not-Call Implementation Act to eliminate the automatic removal of telephone numbers registered on the Federal "do-not-call" registry; to the Committee on Commerce, Science, and Transportation.

By Mr. FEINGOLD:

S. 2097. A bill to modify the optional method of computing net earnings from self-employment; to the Committee on Finance.

By Mr. DORGAN (for himself and Mr. CONRAD):

S. 2098. A bill to establish the Northern Plains Heritage Area in the State of North Dakota; to the Committee on Energy and Natural Resources.

By Mr. SALAZAR (for himself, Mr. ROBERTS, and Ms. CANTWELL):

S. 2099. A bill to amend title XVIII of the Social Security Act to repeal the Medicare competitive bidding project for clinical laboratory services; to the Committee on Finance.

By Mr. JOHNSON (for himself and Mr. BARRASSO):

S. 2100. A bill to require that Federal forfeiture funds be used, in part, to clean up methamphetamine laboratories; to the Committee on the Judiciary.

By Mr. BINGAMAN (for himself, Mr. KERRY, Mr. SALAZAR, and Ms. STABENOW):

S. 2101. A bill to amend title XIX of the Social Security Act to assist low-income Medicare beneficiaries by improving eligibility and services under the Medicare Savings Program, and for other purposes; to the Committee on Finance.

By Mr. BINGAMAN (for himself, Mr. OBAMA, Mr. SALAZAR, Mr. BROWN, Mr. KERRY, Ms. STABENOW, Ms. CANTWELL, and Mrs. CLINTON):

S. 2102. A bill to amend title II of the Social Security Act to phase out the 24-month waiting period for disabled individuals to become eligible for Medicare benefits, to eliminate the waiting period for individuals with life-threatening conditions, and for other purposes; to the Committee on Finance.

By Mr. BINGAMAN (for himself, Mr. OBAMA, Mr. SALAZAR, Ms. COLLINS, and Mr. LIEBERMAN):

S. 2103. A bill to amend title XVIII of the Social Security Act to eliminate the in the home restriction for Medicare coverage of mobility devices for individuals with expected long-term needs; to the Committee on Finance.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Ms. MIKULSKI (for herself and Mr. CARDIN):

S. Res. 332. A resolution expressing the sense of the Senate that the Department of Defense and the Department of Veterans Affairs should increase their investment in pain management research; to the Committee on Armed Services.

By Mr. REID (for himself and Mr. MCCONNELL):

S. Res. 333. A resolution to authorize the production of records by the Permanent Subcommittee on Investigations of the Committee on Homeland Security and Governmental Affairs; considered and agreed to.

#### ADDITIONAL COSPONSORS

S. 38

At the request of Mr. DOMENICI, the name of the Senator from Texas (Mrs. HUTCHISON) was added as a cosponsor of S. 38, a bill to require the Secretary of Veterans Affairs to establish a program for the provision of readjustment and mental health services to veterans who served in Operation Iraqi Freedom and Operation Enduring Freedom, and for other purposes.

S. 400

At the request of Mr. SUNUNU, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 400, a bill to amend the Employee Retirement Income Security Act of 1974 and the Internal Revenue Code of 1986 to ensure that dependent students who take a medically necessary leave of absence do not lose health insurance coverage, and for other purposes.

S. 502

At the request of Mr. CRAPO, the names of the Senator from Iowa (Mr. GRASSLEY), the Senator from Indiana (Mr. LUGAR) and the Senator from Alaska (Ms. MURKOWSKI) were added as cosponsors of S. 502, a bill to repeal the sunset on the reduction of capital gains rates for individuals and on the taxation of dividends of individuals at capital gains rates.

S. 543

At the request of Mr. NELSON of Nebraska, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 543, a bill to improve Medicare beneficiary access by extending the 60 percent compliance threshold used to determine whether a hospital or unit of a hospital is an inpatient rehabilitation facility under the Medicare program.

S. 700

At the request of Mr. CRAPO, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 700, a bill to amend the Internal Revenue Code to provide a tax credit to individuals who enter into agreements to protect the habitats of endangered and threatened species, and for other purposes.

S. 774

At the request of Mr. DURBIN, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 774, a bill to amend the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 to permit States to determine State residency for higher education purposes and to authorize the cancellation of removal and adjustment of status of certain alien students who are long-term United States residents and who entered the United States as children, and for other purposes.

S. 897

At the request of Ms. MIKULSKI, the name of the Senator from Arkansas (Mr. PRYOR) was added as a cosponsor of S. 897, a bill to amend the Internal Revenue Code of 1986 to provide more help to Alzheimer's disease caregivers.

S. 898

At the request of Ms. MIKULSKI, the name of the Senator from Arkansas (Mr. PRYOR) was added as a cosponsor of S. 898, a bill to amend the Public Health Service Act to fund breakthroughs in Alzheimer's disease research while providing more help to caregivers and increasing public education about prevention.

S. 1015

At the request of Mr. COCHRAN, the name of the Senator from Kentucky