

paved the way for women, minorities and the poor to enjoy the rights and privileges guaranteed by our constitution. Judge Motley stood tall in the face of great adversary for what was right. We all stand taller because of her life and because she was the kind of person who would not be put down.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, 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.)

NOTIFICATION REGARDING THE PROPOSED USE OF PUBLIC SAFETY FUNDS PROVIDED TO THE DISTRICT OF COLUMBIA PURSUANT TO TITLE I OF THE DISTRICT OF COLUMBIA APPROPRIATIONS ACT, 2005, PUBLIC LAW 108-335—PM 24

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Appropriations:

To the Congress of the United States:

Consistent with title I of the District of Columbia Appropriations Act, 2005, Public Law 108-335, I am notifying the Congress of the proposed use of \$10,151,538 provided in title I under the heading "Federal Payment for Emergency Planning and Security Costs in the District of Columbia." This will reimburse the District for the costs of public safety expenses related to security events and responses to terrorist threats.

The details of this action are set forth in the enclosed letter from the Director of the Office of Management and Budget.

GEORGE W. BUSH,
THE WHITE HOUSE, September 29, 2005.

MESSAGES FROM THE HOUSE

At 9:37 a.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, without amendment.

S. 1752. An act to amend the United States Grain Standards Act to reauthorize that Act.

ENROLLED BILLS SIGNED

The message also announced that the Speaker has signed the following enrolled bill:

H.R. 3864. An act to assist individuals with disabilities affected by Hurricane Katrina or Rita through vocational rehabilitation services.

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

The following enrolled bills, previously signed by the Speaker of the House, were signed yesterday, September 28, 2005, by the President pro tempore (Mr. STEVENS):

H.R. 2132. An act to extend the waiver authority of the Secretary of Education with respect to student financial assistance during a war or other military operation or national emergency.

H.R. 3200. An act to amend title 38, United States Code, to enhance the Servicemembers' Group Life Insurance program, and for other purposes.

H.R. 3667. An act to designate the facility of the United States Postal Service located at 200 South Barrington Street in Los Angeles, California, as the "Karl Malden Station".

H.R. 3767. An act to designate the facility of the United States Postal Service located at 2600 Oak Street in St. Charles, Illinois, as the "Jacob L. Frazier Post Office Building".

At 6:11 p.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. 1752. An act to amend the United States Grain Standards Act to reauthorize that Act.

At 7:19 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 joint resolution, in which it requests the concurrence of the Senate:

H.J. Res. 68. Joint resolution making continuing appropriations for the fiscal year 2006, and for other purposes.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 1802. A bill to provide for appropriate waivers, suspensions, or exemptions from provisions of title I of the Employee Retirement Income Security Act of 1974 with respect to individual account plans affected by Hurricane Katrina or Rita.

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-4039. A communication from the Assistant Administrator and Chief Information Officer, Office of Environmental Information, Environmental Protection Agency, transmitting, pursuant to law, a report relative to reducing the burden and streamlining program operations of the Toxic Release Inventory (TRI) Program; to the Committee on Environment and Public Works.

EC-4040. A communication from the Inspector General, Nuclear Regulatory Commission, transmitting, pursuant to law, the Commission's Fiscal Year 2005 Commercial and Inherently Governmental Activities Inventories; to the Committee on Environment and Public Works.

EC-4041. 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 Air Quality Implementation Plans; State of Utah; Ogden City Revised Carbon Monoxide Maintenance Plan and Approval of Related Revisions" (FRL No. 7961-7) received September 18, 2005; to the Committee on Environment and Public Works.

EC-4042. 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; State of Missouri, Correction" (FRL No. 7969-6) received September 18, 2005; to the Committee on Environment and Public Works.

EC-4043. 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; New York; Revised Motor Vehicle Emissions Budgets for 1990 and 2007 using MOBILE6" (FRL No. 7968-1) received September 18, 2005; to the Committee on Environment and Public Works.

EC-4044. 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 Plan; Minnesota" (FRL No. 7969-7) received September 18, 2005; to the Committee on Environment and Public Works.

EC-4045. 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 "National Priorities List for Uncontrolled Hazardous Waste Sites" (FRL No. 7968-3) received September 18, 2005; to the Committee on Environment and Public Works.

EC-4046. 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; Tennessee; Redesignation of the Montgomery County, Tennessee Portion of the Clarksville-Hopkinsville 8-Hour Nonattainment Area to Attainment" (FRL No. 7973-5) received on September 18, 2005; to the Committee on Environment and Public Works.

EC-4047. 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; Kentucky; Redesignation of the Christian County, Kentucky Portion of the Clarksville-Hopkinsville 8-Hour Ozone Nonattainment Area to Attainment for Ozone" (FRL No. 7972-9) received on September 18, 2005; to the Committee on Environment and Public Works.

EC-4048. 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 "Designation of Areas for Air Quality Planning Purposes; Illinois; Lake Calumet PM-10 Redesignation and Maintenance Plan" (FRL No. 7973-2) received on September 18, 2005; to the Committee on Environment and Public Works.

EC-4049. 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 "Designation of Areas for Air Quality Planning Purposes; Illinois; Lyons Township PM-10 Redesignation and Maintenance Plan" (FRL No. 7972-7) received on September 18, 2005; to the Committee on Environment and Public Works.

EC-4050. 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 "National Emission Standards for Hazardous Air Pollutants: Final Standards for Hazardous Air Pollutants for Hazardous Waste Combustors (Phase I Final Replacement Standards and Phase II)" (FRL No. 7971-8) received on September 18, 2005; to the Committee on Environment and Public Works.

EC-4051. 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 "Standards of Performance for New Stationary Sources and Emission Guidelines for Existing Sources: Commercial and Industrial Solid Waste Incineration Units" (FRL No. 7971-9) received on September 18, 2005; to the Committee on Environment and Public Works.

EC-4052. A communication from the Secretary of Commerce, transmitting, the report of a draft bill "to authorize appropriations to the Secretary of Commerce for the Magnuson-Stevens Fishery Conservation and Management Act for the fiscal years 2006 through 2010"; to the Committee on Commerce, Science, and Transportation.

EC-4053. A communication from the Assistant Administrator for Fisheries, National Oceanic and Atmospheric Administration, Department of Commerce, transmitting, pursuant to law, a report entitled "The Status of U.S. Fisheries" for 2004; to the Committee on Commerce, Science, and Transportation.

EC-4054. A communication from the Assistant Administrator for Procurement, National Aeronautics and Space Administration, transmitting, pursuant to law, the report of a rule entitled "Packaging, Handling, and Transportation" (RIN2700-AD16) received on September 21, 2005; to the Committee on Commerce, Science, and Transportation.

EC-4055. A communication from the Assistant Administrator for Procurement, National Aeronautics and Space Administration, transmitting, pursuant to law, the report of a rule entitled "Head of Contracting Activity (HCA) Change for NASA Shared Services Center (NSSC)" (RIN2700-AD13) received on September 21, 2005; to the Committee on Commerce, Science, and Transportation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. STEVENS, from the Committee on Appropriations:

Report to accompany H.R. 2863, a bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2006, and for other purposes (Rept. No. 109-141).

By Mr. ROBERTS, from the Select Committee on Intelligence, without amendment:

S. 1803. An original bill to authorize appropriations for fiscal year 2006 for intelligence and intelligence-related activities of the United States Government, the Intelligence

Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes (Rept. No. 109-142).

By Ms. COLLINS, from the Committee on Homeland Security and Governmental Affairs, with amendments:

S. 1725. A bill to strengthen Federal leadership, provide grants, enhance outreach and guidance, and provide other support to State and local officials to enhance emergency communications capabilities, to achieve communications interoperability, to foster improved regional collaboration and coordination, to promote more efficient utilization of funding devoted to public safety communications, to promote research and development by both the public and private sectors for first responder communications, and for other purposes.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. WARNER for the Committee on Armed Services.

Air Force nominations beginning with Salvatore A. Angellela and ending with Scott E. Wuesthoff, which nominations were received by the Senate and appeared in the Congressional Record on April 4, 2005.

Air Force nomination of Maj. Gen. Stephen R. Lorenz to be Lieutenant General.

Air Force nomination of Maj. Gen. Gary L. North to be Lieutenant General.

Air Force nomination of Lt. Gen. Duncan J. McNabb to be General.

Air Force nomination of Maj. Gen. Frank G. Klotz to be Lieutenant General.

Air Force nomination of Maj. Gen. Douglas M. Fraser to be Lieutenant General.

Air Force nomination of Lt. Gen. John F. Regni to be Lieutenant General.

Air Force nomination of Col. Richard J. Tubb to be Brigadier General.

Army nominations beginning with Brig. Gen. James P. Eggleton and ending with Col. Blake E. Williams, which nominations were received by the Senate and appeared in the Congressional Record on September 6, 2005.

Air Force nomination of Col. James S. Goodwin to be Brigadier General.

Air Force nomination of Col. Roger F. Clements to be Brigadier General.

Air Force nomination of Lt. Gen. Daniel P. Leaf to be Lieutenant General.

Army nomination of Lt. Gen. William S. Wallace to be General.

Army nomination of Col. Philip Volpe to be Brigadier General.

Army nomination of Brig. Gen. Eric B. Schoemaker to be Major General.

Army nomination of Brig. Gen. Michael H. Sumrall to be Major General.

Army nomination of Col. Errol R. Schwartz to be Brigadier General.

Army nomination of Col. James R. Joseph to be Brigadier General.

Army nomination of Maj. Gen. Anne E. Dunwoody to be Lieutenant General.

Army nomination of Col. John E. Cornelius to be Brigadier General.

Mr. WARNER. Mr. President, for the Committee on Armed Services I report favorably the following nomination lists which were printed in the RECORDS on the dates indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that these nominations lie at the Secretary's desk for the information of Senators.

The PRESIDING OFFICER. Without objection, it is so ordered.

Air Force nomination of Thomas L. Lutz to be Colonel.

Air Force nomination of Bruce A. Ellis, Jr. to be Lieutenant Colonel.

Air Force nominations beginning with Anselmo Feliciano and ending with Dake S. Vahovich, which nominations were received by the Senate and appeared in the Congressional Record on July 28, 2005.

Air Force nomination of Merrick E. Krause to be Colonel.

Air Force nomination of Anthony E. Barbarisi to be Lieutenant Colonel.

Air Force nominations beginning with Wesley A. Ardt and ending with Russell F. Zakolski, which nominations were received by the Senate and appeared in the Congressional Record on September 8, 2005.

Air Force nominations beginning with John M. Allen and ending with Wallace M. Yovetich, which nominations were received by the Senate and appeared in the Congressional Record on September 8, 2005.

Air Force nomination of Sean D. McClung to be Major.

Air Force nominations beginning with John M. Andrew and ending with Martin E. France, which nominations were received by the Senate and appeared in the Congressional Record on September 15, 2005.

Air Force nominations beginning with Christina A. Austinsmith and ending with Andrew S. Williams, which nominations were received by the Senate and appeared in the Congressional Record on September 19, 2005.

Army nominations beginning with Peter D. Guzzetti and ending with Terry M. Larkin, which nominations were received by the Senate and appeared in the Congressional Record on June 6, 2005.

Army nomination of Dennis J. Wing to be Colonel.

Army nominations beginning with Kelvin L. George and ending with Deborah A. Roberts, which nominations were received by the Senate and appeared in the Congressional Record on September 8, 2005.

Army nominations beginning with Janice E. Bruno and ending with David P. Sheridan, which nominations were received by the Senate and appeared in the Congressional Record on September 8, 2005.

Army nomination of William C. Dickey to be Lieutenant Colonel.

Army nomination of Laura T. Wells to be Major.

Army nominations beginning with William R. Everett and ending with Peter D.P. Vint, which nominations were received by the Senate and appeared in the Congressional Record on September 15, 2005.

Army nominations beginning with Stanley A. Bloustine and ending with Terry D. Neville, which nominations were received by the Senate and appeared in the Congressional Record on September 15, 2005.

Army nominations beginning with Dario A. Barrato and ending with David L. Jarratt, which nominations were received by the Senate and appeared in the Congressional Record on September 15, 2005.

Army nominations beginning with Jerry Broman and ending with Franklin E. Tuttle, which nominations were received by the Senate and appeared in the Congressional Record on September 15, 2005.

Army nominations beginning with David A. Accetta and ending with Peter J. Ziomek, which nominations were received by the Senate and appeared in the Congressional Record on September 15, 2005.

Army nominations beginning with Lynette M. Arnhart and ending with Daniel E. Zalewski, which nominations were received by the Senate and appeared in the Congressional Record on September 15, 2005.

Army nominations beginning with David M. Abbinanti and ending with Martin A.