

We need to channel the technical prowess of America's auto industry in the direction of greater fuel efficiency so that we can grow our economy without growing our fuel consumption. Therefore, Congress should enact modern mileage standards that set a target of steadily improving fuel economy every year. It should also continue to encourage research, development, and deployment of hybrids, plug-in technology, ultra-light auto materials, biodiesel, and coal-based transportation fuels, among other promising technologies.

This package of proposals would dramatically improve America's security posture. It would not dismantle the automobile culture that Americans cherish, nor would it create a vast bureaucracy with a bottomless appetite for taxpayer dollars. In fact, if it is accompanied by strong leadership and thoughtful explanation, I am confident that Americans will recognize that this is the way that we will preserve our cars and our economy over the long run. It would provide more jobs for Americans instead of sending a deluge of money to hostile countries, support our farmers instead of foreign terrorists, and promote green fuels over fossil fuels.

It should not surprise you to learn that I have proposed or co-sponsored legislation on these ideas. But this is just a start. None of these bills has passed, or even been put to a vote in the Senate. For instance, the Fuel Economy Reform Act, which I co-sponsored with my friend Sen. Barack Obama and other Democrats and Republicans, seeks a four percent annual increase in fuel economy. Last month, Sen. Obama tried to amend the offshore oil drilling bill with our legislation, but Senate procedures prevented him from doing so. While we are asking for greater statesmanship from our automobile and oil companies, we must demand the same from our Federal legislators and administrators.

Far in the future, historians may point to the energy policy of the last several decades as the major national security failing of the American government in this era. In the absence of decisive policy changes, historians will rightly ask how the wealthiest and most powerful nation on earth with abundant land, a magnificent industrial infrastructure, and the world's best universities and research institutions simply would not reorient itself over the course of decades despite repeated warning signs. Our failure to act will be all the more unconscionable given that success would bring not only relief from the geopolitical threats of energy-rich regimes, but also restorative economic benefits to our farmers, rural areas, automobile manufacturers, high technology industries, and many others.

We must be very clear that this is a political problem. We now have the financial resources, the industrial might, and the technological prowess to shift our economy away from oil dependence. What we are lacking is coordination and political will. We have made choices, as a society, which have given oil a near monopoly on American transportation. Now we must make a different choice in the interest of American national security and our economic future. As the vanguard of concerned and informed experts in this field, I call upon each of you to apply your talents and energies to solving this fundamental problem threatening the well-being of our nation. I look forward to working with you as we achieve this goal.

ADDITIONAL STATEMENTS

REMEMBERING MADONNA ARCHAMBEAU

• Mr. JOHNSON. Mr. President, today I wish to honor the life of Madonna

Archambeau. Madonna was a member of the Ihanktonwan Dakota Nation who passed away just over a week ago.

Mrs. Archambeau was born in 1934 in Ravinia, SD just a few miles off the Missouri River near the Nebraska border. Mrs. Archambeau was then educated at St. Paul's Indian Mission in nearby Marty, SD. From there, she began her service to her community which culminated in her election as the first woman to chair the Yankton Sioux Tribe.

Mrs. Archambeau began her career at the post office in Greenwood, SD, then moved to the Indian Health Service where she served for 31 years. Although she didn't end her career there; after her retirement from IHS she ran for chairperson of the Yankton Sioux Tribe and eventually tribal members elected her as the first woman to serve in that position.

This exceptionally strong woman was an especially strong advocate for the health and wellness of the Yankton Sioux Tribe and some of her greatest contributions to the tribe were in the health care arena. A tireless advocate of the health needs of her people, Mrs. Archambeau fought for adequate health care by working to ensure that emergency services remained at the Wagner Service Unit of the IHS. She was also a major influence in the establishment of a dialysis center for members of the Yankton Sioux Tribe.

It was my pleasure to have worked with her during her term and I would like to offer my condolences to the family, friends, and fellow advocates whom Madonna touched with her efforts on behalf of her people. They have much to be proud of, and it is my hope that their memories will be rich with the great many accomplishments she achieved during her career. Her memory will serve as a beacon to young Native women in the Yankton Sioux tribe and throughout Indian Country.●

MEASURES PLACED ON THE CALENDAR

The following bills were read the second time, and placed on the calendar:

H.R. 503. An act to amend the Horse Protection Act to prohibit the shipping, transporting, moving, delivering, receiving, possessing, purchasing, selling, or donation of horses and other equines to be slaughtered for human consumption, and for other purposes.

S. 3882. A bill to amend title 18, United States Code, to support the war on terrorism, and for other purposes.

MEASURES READ THE FIRST TIME

The following bills were read the first time:

S. 3884. A bill to impose sanctions against individuals responsible for genocide, war crimes, and crimes against humanity, to support measures for the protection of civilians and humanitarian operations, and to support peace efforts in the Darfur region of Sudan, and for other purposes.

S. 3886. A bill to authorize military commissions to bring terrorists to justice, to

strengthen and modernize terrorist surveillance capabilities, and for other purposes.

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-8152. A communication from the President of the United States, transmitting, pursuant to law, a report relative to his intention to enter into a free trade agreement with the Republic of Columbia; to the Committee on Finance.

EC-8153. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the report entitled "The Medicare Quality Improvement Organization (QIO) Program—Response to IOM Study"; to the Committee on Finance.

EC-8154. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the report entitled "Report to Congress on the Evaluation of the Quality Improvement Organization (QIO) Program for Medicare Beneficiaries for Fiscal Year 2005"; to the Committee on Finance.

EC-8155. A communication from the Chief of Publications and Regulations, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Special Depreciation Allowance" ((RIN1545-BB57) (TD9283)) received on September 5, 2006; to the Committee on Finance.

EC-8156. A communication from the Chief of Publications and Regulations, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Examples Under Section 937(b)" (Notice 2006-76) received on September 5, 2006; to the Committee on Finance.

EC-8157. A communication from the Chief of Publications and Regulations, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "User Fee for Form 8802, Application for the United States Residency Certification" (Rev. Proc. 2006-35) received on September 5, 2006; to the Committee on Finance.

EC-8158. A communication from the Chief of Publications and Regulations, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Dividends Paid Deduction for Stock Held in Employee Stock Ownership Plan" ((RIN1545-BE74) (TD9282)) received on September 5, 2006; to the Committee on Finance.

EC-8159. A communication from the Chief of Publications and Regulations, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Recomputed Differential Earnings Rate for 2004 under Section 809" (Rev. Rul. 2006-45) received on September 5, 2006; to the Committee on Finance.

EC-8160. A communication from the Chief of Publications and Regulations, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Modifications to Weighted Average Interest Rate—Section 301 of Pension Protection Act of 2006" (Notice 2006-75) received on September 5, 2006; to the Committee on Finance.

EC-8161. A communication from the Chief of Publications and Regulations, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Announcement: Overview of the IRS's Use of Private Collection Agencies (PCAs) in 2006" (Announcement

2006-63) received on September 5, 2006; to the Committee on Finance.

EC-8162. A communication from the Chief of Publications and Regulations, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Treatment of Services Under Section 482, Allocation of Income and Deductions from Intangibles" ((RIN1545-BB31) (RIN1545-AY38) (TD9278)) received on September 5, 2006; to the Committee on Finance.

EC-8163. A communication from the Chief of Publications and Regulations, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Modification of Automatic Accounting Method Change Procedures for Intangibles" (Rev. Proc. 2006-37) received on September 7, 2006; to the Committee on Finance.

EC-8164. A communication from the Chief of Publications and Regulations, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Collection After Assessment" ((RIN1545-BC72) (TD9284)) received on September 7, 2006; to the Committee on Finance.

EC-8165. A communication from the Chief of Publications and Regulations, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Final Regulations Regarding the Nonaccrual-Experience Method of Accounting Under Section 448(d)(5)" (TD9285) received on September 7, 2006; to the Committee on Finance.

EC-8166. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the report entitled "Finalizing Medicare Regulations under Section 902 of the Medicare Prescription Drug, Improvement, and Modernization Act (MMA) of 2003 for Calendar Year 2005"; to the Committee on Finance.

EC-8167. A communication from the Chief of the Border Security Regulations Branch, Customs and Border Protection, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Establishment of New Port of Entry at Sacramento, California; Realignment of the Port Limits of the Port of Entry at San Francisco, California" (CBP Dec. 06-23) received on September 5, 2006; to the Committee on Finance.

EC-8168. 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 "Medicaid Program and State Children's Health Insurance Program (CHIP) Payment Error Rate Measurement" (RIN0938-AN77) received on September 5, 2006; to the Committee on Finance.

EC-8169. A communication from the Assistant Secretary of Defense (Health Affairs), transmitting an update on the Department's progress in its preparation of a report relative to accession bonuses, salaries and other benefits offered by the Department of Defense and Department of Veterans' Affairs and their impact on recruitment and retention; to the Committee on Armed Services.

EC-8170. A communication from the Principal Deputy, Office of the Under Secretary of Defense (Personnel and Readiness), transmitting, pursuant to law, the report of (13) officers authorized to wear the insignia of the grade of brigadier general in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC-8171. A communication from the Chief of the Freedom of Information and Privacy Act Office, Department of the Army, Department of Defense, transmitting, pursuant to

law, the report of a rule entitled "The Army Privacy Program" (RIN0702-AA53) received on August 24, 2006; to the Committee on Armed Services.

EC-8172. A communication from the Acting Clerk, Wayne County Commission, transmitting, pursuant to law, the report of an adopted resolution for review; to the Committee on Armed Services.

EC-8173. A communication from the Assistant Secretary of Defense (International Security Policy), transmitting, pursuant to law, a report relative to the Department's intent to obligate up to \$44.5 million in funds for the Cooperative Threat Reduction (CTR) Program; to the Committee on Armed Services.

EC-8174. A communication from the Under Secretary (Comptroller) and the Under Secretary (Acquisition, Technology, and Logistics), transmitting, pursuant to law, a report relative to the feasibility and desirability of using a capital budgeting system for the financing of major defense acquisition programs; to the Committee on Armed Services.

EC-8175. A communication from the Principal Deputy, Office of the Under Secretary of Defense (Personnel and Readiness), transmitting, pursuant to law, a report of the authorization of 4 officers to wear the authorized insignia of the next higher grade; to the Committee on Armed Services.

EC-8176. A communication from the Under Secretary of Defense (Acquisition, Technology, and Logistics), transmitting, pursuant to law, a report relative to the amount of purchases from foreign entities made by the Department in fiscal year 2005; to the Committee on Armed Services.

EC-8177. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting, pursuant to law, a report relative to the plan for accession of persons with specialized skills and the civilian skills corps feasibility study; to the Committee on Armed Services.

EC-8178. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Threshold for Small Business Specialist Review" (DFARS Case 2003-D060) received on September 5, 2006; to the Committee on Armed Services.

EC-8179. A communication from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Contract Reporting" (DFARS Case 2005-D004) received on September 5, 2006; to the Committee on Armed Services.

EC-8180. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Contract Administration Functions" (DFARS Case 2003-D051) received on September 5, 2006; to the Committee on Armed Services.

EC-8181. A communication from the Principal Deputy, Office of the Under Secretary of Defense (Personnel and Readiness), transmitting, pursuant to law, a report relative to how information is provided to potential recruits and to new entrants into the Armed Forces on "Stop Loss" authorities and initial period of military service obligation; to the Committee on Armed Services.

EC-8182. A communication from the Secretary of the Federal Trade Commission and the Chairman of the Board of Governors of the Federal Reserve System, transmitting, pursuant to law, a report relative to the steps that consumer reporting agencies take after receiving a consumer dispute about the accuracy or completeness of information in the consumer's file; to the Committee on Banking, Housing, and Urban Affairs.

EC-8183. A communication from the President of the United States, transmitting, pursuant to law, a report relative to his extension of the national emergency period pertaining to the terrorist attacks of September 11, 2001, for an additional year; to the Committee on Banking, Housing, and Urban Affairs.

EC-8184. A communication from the Chairman and President of the Export-Import Bank of the United States, transmitting, pursuant to law, a report relative to a transaction involving U.S. exports to Mexico; to the Committee on Banking, Housing, and Urban Affairs.

EC-8185. A communication from the Chairman and President of the Export-Import Bank of the United States, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to India; to the Committee on Banking, Housing, and Urban Affairs.

EC-8186. A communication from the Chairman and President of the Export-Import Bank of the United States, transmitting, pursuant to law, a report relative to a transaction involving U.S. exports to Brazil; to the Committee on Banking, Housing, and Urban Affairs.

EC-8187. A communication from the Chairman and President of the Export-Import Bank of the United States, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to India; to the Committee on Banking, Housing, and Urban Affairs.

EC-8188. A communication from the Chairman and President of the Export-Import Bank of the United States, transmitting, pursuant to law, a report relative to a transaction involving U.S. exports to Mexico; to the Committee on Banking, Housing, and Urban Affairs.

EC-8189. A communication from the Chairman and President of the Export-Import Bank of the United States, transmitting, pursuant to law, a report relative to a transaction involving U.S. exports to Mexico; to the Committee on Banking, Housing, and Urban Affairs.

EC-8190. A communication from the General Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "National Flood Insurance Program (NFIP); Appeal of Decisions Relating to Flood Insurance Claims" (RIN1660-AA41) received on September 5, 2006; to the Committee on Banking, Housing, and Urban Affairs.

EC-8191. A communication from the General Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Suspension of Community Eligibility" (Docket No. FEMA-7939) received on September 5, 2006; to the Committee on Banking, Housing, and Urban Affairs.

EC-8192. A communication from the General Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Public Assistance Eligibility" (RIN1660-AA45) received on September 5, 2006; to the Committee on Banking, Housing, and Urban Affairs.

EC-8193. A communication from the General Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Changes in Flood Elevation Determinations" (Docket No. FEMA-7652) received on September 5, 2006; to the Committee on Banking, Housing, and Urban Affairs.

EC-8194. A communication from the General Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Suspension of Community Eligibility" (Docket No. FEMA-7931) received on September 5, 2006; to the Committee on Banking, Housing, and Urban Affairs.

EC-8195. A communication from the General Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "List of Communities Eligible for the Sale of Flood Insurance" (Docket No. FEMA-7786) received on September 5, 2006; to the Committee on Banking, Housing, and Urban Affairs.

EC-8196. A communication from the General Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Suspension of Community Eligibility" (Docket No. FEMA-7927) received on September 5, 2006; to the Committee on Banking, Housing, and Urban Affairs.

EC-8197. A communication from the General Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Suspension of Community Eligibility" (Docket No. FEMA-7929) received on September 5, 2006; to the Committee on Banking, Housing, and Urban Affairs.

EC-8198. A communication from the General Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Final Flood Elevation Determinations" (71 FR 35176) received on September 5, 2006; to the Committee on Banking, Housing, and Urban Affairs.

EC-8199. A communication from the General Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Final Flood Elevation Determinations" (71 FR 33645) received on September 5, 2006; to the Committee on Banking, Housing, and Urban Affairs.

EC-8200. A communication from the General Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Final Flood Elevation Determinations" (71 FR 40925) received on September 5, 2006; to the Committee on Banking, Housing, and Urban Affairs.

EC-8201. A communication from the General Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Final Flood Elevation Determinations" (71 FR 33646) received on September 5, 2006; to the Committee on Banking, Housing, and Urban Affairs.

EC-8202. A communication from the General Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Changes in Flood Elevation Determinations" (Docket No. FEMA-7585) received on September 5, 2006; to the Committee on Banking, Housing, and Urban Affairs.

EC-8203. A communication from the Assistant to the Federal Reserve Board, transmitting, pursuant to law, the report of a rule entitled "Electronic Fund Transfers" (Docket No. R-1247) received on September 5, 2006; to the Committee on Banking, Housing, and Urban Affairs.

EC-8204. A communication from the Assistant to the Federal Reserve Board, transmitting, pursuant to law, the report of a rule entitled "Regulation E—Electronic Fund Transfers" (Docket No. R-1265) received on September 5, 2006; to the Committee on Banking, Housing, and Urban Affairs.

EC-8205. A communication from the Deputy Director, 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-AB67) received on September 5, 2006; to the Committee on Banking, Housing, and Urban Affairs.

EC-8206. A communication from the Secretary of Health and Human Services, transmitting, pursuant to the Medical Device User Fee and Modernization Act of 2002, the Food and Drug Administration's annual report for 2005; to the Committee on Health, Education, Labor, and Pensions.

EC-8207. A communication from the Human Resources Specialist, Office of the Assistant Secretary for Administration and Management, Department of Labor, transmitting, pursuant to law, (2) reports relative to vacancy announcements within the Department, received on August 24, 2006; to the Committee on Health, Education, Labor, and Pensions.

EC-8208. A communication from the Chairman, National Labor Relations Board, transmitting, pursuant to law, a report relative to the Board's inventory of inherently governmental and commercial activities; to the Committee on Health, Education, Labor, and Pensions.

EC-8209. A communication from the Secretary of Education, transmitting, pursuant to law, the follow-up report to the one entitled "The Mission Continues, Annual Report to the President on the Results of Participation of Historically Black Colleges and Universities in Federal Programs 2002-03"; to the Committee on Health, Education, Labor, and Pensions.

EC-8210. A communication from the Attorney General of the Department of Justice and the Secretary of Health and Human Services, transmitting, pursuant to law, the ninth Annual Report on the Health Care Fraud and Abuse Control Program for Fiscal Year 2005; to the Committee on Health, Education, Labor, and Pensions.

EC-8211. A communication from the Secretary of Health and Human Services, transmitting, pursuant to the Prescription Drug User Fee Act of 1992, the Food and Drug Administration's performance report for 2005; to the Committee on Health, Education, Labor, and Pensions.

EC-8212. A communication from the Assistant General Counsel, Division of Regulatory Services, Department of Education, transmitting, pursuant to law, the report of a rule entitled "Interim Final Regulations—Federal Student Aid Programs" (RIN1840-AC87) received on September 5, 2006; to the Committee on Health, Education, Labor, and Pensions.

EC-8213. A communication from the Director of Regulations Policy and Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medical Devices; Immunology and Microbiology Devices; Classification of Fecal Calprotectin Immunological Test Systems" (Docket No. 2006N-0276) received on September 5, 2006; to the Committee on Health, Education, Labor, and Pensions.

EC-8214. A communication from the White House Liaison, Office of Vocational and Adult Education, Department of Education, transmitting, pursuant to law, the report of

a vacancy in the position of Assistant Secretary, received on September 5, 2006; to the Committee on Health, Education, Labor, and Pensions.

EC-8215. A communication from the White House Liaison, Office of Vocational and Adult Education, Department of Education, transmitting, pursuant to law, the report of discontinuation of service in the acting role for the position of Assistant Secretary, received on September 5, 2006; to the Committee on Health, Education, Labor, and Pensions.

EC-8216. A communication from the White House Liaison, Office of Vocational and Adult Education, Department of Education, transmitting, pursuant to law, the report of a nomination for the position of Under Secretary, received on September 5, 2006; to the Committee on Health, Education, Labor, and Pensions.

EC-8217. A communication from the White House Liaison, Office of Vocational and Adult Education, Department of Education, transmitting, pursuant to law, the report of discontinuation of service in the acting role for the position of Chief Financial Officer, received on September 5, 2006; to the Committee on Health, Education, Labor, and Pensions.

EC-8218. A communication from the White House Liaison, Office of Vocational and Adult Education, Department of Education, transmitting, pursuant to law, the report of a nomination for the position of Assistant Secretary, received on September 5, 2006; to the Committee on Health, Education, Labor, and Pensions.

EC-8219. A communication from the White House Liaison, Office of Vocational and Adult Education, Department of Education, transmitting, pursuant to law, the report of action on a nomination for the position of Chief Financial Officer, received on September 5, 2006; to the Committee on Health, Education, Labor, and Pensions.

EC-8220. A communication from the Interim Director, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled "Benefits Payable in Terminated Single-Employer Plans; Allocation of Assets in Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits" (29 CFR Parts 4022 and 4044) received on September 7, 2006; to the Committee on Health, Education, Labor, and Pensions.

EC-8221. A communication from the Inspector General, Railroad Retirement Board, transmitting, pursuant to law, the Board's budget request for fiscal year 2008; to the Committee on Health, Education, Labor, and Pensions.

EC-8222. A communication from the Secretary of Labor, transmitting, pursuant to law, the report entitled "The Department of Labor's 2005 Findings on the Worst Forms of Child Labor"; to the Committee on Health, Education, Labor, and Pensions.

EC-8223. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Atka Mackerel Lottery in Areas 542 and 543" (I.D. No. 080806G) received on August 24, 2006; to the Committee on Commerce, Science, and Transportation.

EC-8224. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Closure (Connecticut Summer Flounder Commercial Fishery)" (I.D. No. 080806F) received on August 24, 2006; to the Committee on Commerce, Science, and Transportation.

EC-8225. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled

“Fisheries of the Exclusive Economic Zone Off Alaska; Rock Sole, Flathead Sole, and ‘Other Flatfish’ by Vessels Using Trawl Gear in Bering Sea and Aleutian Islands Management Area” (I.D. No. 080806B) received on August 24, 2006; to the Committee on Commerce, Science, and Transportation.

EC-8226. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Fisheries of the Exclusive Economic Zone Off Alaska; Yellowfin Sole in the Bering Sea and Aleutian Islands Management Area” (I.D. No. 080806C) received on August 24, 2006; to the Committee on Commerce, Science, and Transportation.

EC-8227. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Fisheries of the Exclusive Economic Zone Off Alaska; Greenland Turbot in the Bering Sea Subarea of the Bering Sea and Aleutian Islands Management Area” (I.D. No. 072506B) received on September 5, 2006; to the Committee on Commerce, Science, and Transportation.

EC-8228. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Fisheries Off West Coast States; Pacific Coast Groundfish Fishery; End of the Pacific Whiting Primary Season for the Shore-based Sector and the Resumption of Trip Limits” (I.D. No. 080106A) received on September 5, 2006; to the Committee on Commerce, Science, and Transportation.

EC-8229. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Fisheries of the Exclusive Economic Zone Off Alaska; Northern Rockfish in the Central Regulatory Area of the Gulf of Alaska” (I.D. No. 080206A) received on September 5, 2006; to the Committee on Commerce, Science, and Transportation.

EC-8230. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch in the West Yakutat District of the Gulf of Alaska” (I.D. No. 080206C) received on September 5, 2006; to the Committee on Commerce, Science, and Transportation.

EC-8231. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch in the Central Regulatory Area of the Gulf of Alaska” (I.D. No. 080206B) received on September 5, 2006; to the Committee on Commerce, Science, and Transportation.

EC-8232. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Fisheries of the Exclusive Economic Zone Off Alaska; Northern Rockfish in the Central Regulatory Area of the Gulf of Alaska” (I.D. No. 072006C) received on September 5, 2006; to the Committee on Commerce, Science, and Transportation.

EC-8233. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Fisheries of the Exclusive Economic Zone Off Alaska; Pelagic Shelf Rockfish in the Central Regulatory Area of the Gulf of Alaska” (I.D. No. 072006B) received on September 5, 2006; to the Committee on Commerce, Science, and Transportation.

EC-8234. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; Rolls-Royce Corporation 250-B and 250-C Series Turboprop and Turboshaft Engines” ((RIN2120-AA64) (Docket No. 2005-NE-28)) received on September 5, 2006; to the Committee on Commerce, Science, and Transportation.

EC-8235. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; Pilatus Aircraft Ltd. Models PC-6, PC-6-H1, PC-6-H2, PC-6/350, PC-6/350-H1, PC-6/350-H2, PC-6/A, PC-6/A-H1, PC-6/A-H2, PC-6/B-H2, PC-6/B1-H2, PC-6/B2-H2, PC-6/B2-H4, PC-6/C-H2, and PC-6/C1-H2 and Airplanes” ((RIN2120-AA64) (Docket No. 2006-CE-209)) received on September 5, 2006; to the Committee on Commerce, Science, and Transportation.

EC-8236. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Standard Instrument Approach Procedures (15); Amdt. No. 3154” ((RIN2120-AA64) (3-17/3155)) received on September 5, 2006; to the Committee on Commerce, Science, and Transportation.

EC-8237. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; General Electric Company CT64-820-4 Turboprop Engines” ((RIN2120-AA64) (Docket No. 2005-NE-45)) received on September 5, 2006; to the Committee on Commerce, Science, and Transportation.

EC-8238. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; Brantly International, Inc. Model B-2, B-2A, and B-2B Helicopters” ((RIN2120-AA64) (Docket No. 2005-SW-35)) received on September 5, 2006; to the Committee on Commerce, Science, and Transportation.

EC-8239. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; General Electric Company Aircraft Engines CT7-8A Turboshaft Engines” ((RIN2120-AA64) (Docket No. 2006-NE-12)) received on September 5, 2006; to the Committee on Commerce, Science, and Transportation.

EC-8240. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; Eurocopter France Model SA-360C, SA-365C, SA-365C1, and SA-365C2 Helicopters” ((RIN2120-AA64) (Docket No. 2005-SW-15)) received on September 5, 2006; to the Committee on Commerce, Science, and Transportation.

EC-8241. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; Eurocopter France Model SA-365-N1, AS-365-N2, -N3, SA-366-G1, and EC-155B and -B1 Helicopters” ((RIN2120-AA64) (Docket No. 2006-SW-07)) received on September 5, 2006; to the Committee on Commerce, Science, and Transportation.

EC-8242. A communication from the Attorney Advisor, Federal Transit Administration, Department of Transportation, transmitting, pursuant to law, (2) reports relative

to vacancy announcements within the Department, received on September 5, 2006; to the Committee on Commerce, Science, and Transportation.

EC-8243. A communication from the Attorney Advisor, Federal Motor Carrier Safety Administration, Department of Transportation, transmitting, pursuant to law, (2) reports relative to vacancy announcements in the Department, received on September 5, 2006; to the Committee on Commerce, Science, and Transportation.

EC-8244. A communication from the Attorney Advisor, Maritime Administration, Department of Transportation, transmitting, pursuant to law, the report of the discontinuation of service in the acting role of Administrator received on September 5, 2006; to the Committee on Commerce, Science, and Transportation.

EC-8245. A communication from the Attorney Advisor, Maritime Administration, Department of Transportation, transmitting, pursuant to law, the report of action on a nomination for the position of Administrator received on September 5, 2006; to the Committee on Commerce, Science, and Transportation.

EC-8246. A communication from the Secretary, Federal Trade Commission, transmitting, pursuant to law, the report of a rule entitled “Telemarketing Sales Rule Fees” (RIN3084-0098) received on September 5, 2006; to the Committee on Commerce, Science, and Transportation.

EC-8247. A communication from the Deputy Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Revision and Clarification of Civil Monetary Penalty Provisions of the Export Administration Regulations” (RIN0694-AD71) received on September 5, 2006; to the Committee on Commerce, Science, and Transportation.

EC-8248. A communication from the White House Liaison, Department of Commerce, transmitting, pursuant to law, (3) reports relative to vacancy announcements in the Department, received on September 5, 2006; to the Committee on Commerce, Science, and Transportation.

EC-8249. A communication from the Deputy General Counsel, Office of the General Counsel, National Aeronautics and Space Administration, transmitting, pursuant to law, the report of a rule entitled “Release of Information to News and Information Media” (RIN2700-AD25) received on September 5, 2006; to the Committee on Commerce, Science, and Transportation.

EC-8250. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Final List of Fisheries for 2006” (RIN0648-AU19) received on September 7, 2006; to the Committee on Commerce, Science, and Transportation.

EC-8251. A communication from the Acting Assistant Administrator for Procurement, Contract Management Division, National Aeronautics and Space Administration, transmitting, pursuant to law, the report of a rule entitled “NASA Grant and Cooperative Agreement Handbook—Resource Sharing Requirements” (RIN2700-AD28) received on September 7, 2006; to the Committee on Commerce, Science, and Transportation.

EC-8252. A communication from the Acting Under Secretary (Industry and Security), Department of Commerce, transmitting, pursuant to law, a report relative to the Department's intention to expand foreign policy-based export controls on certain items to

Iraq; to the Committee on Commerce, Science, and Transportation.

EC-8253. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a certification regarding the proposed transfer of major defense equipment valued (in terms of its original acquisition cost) at \$14,000,000 or more from the Government of Saudi Arabia to the Government of Kenya; to the Committee on Foreign Relations.

EC-8254. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a certification regarding the proposed transfer of major defense equipment valued (in terms of its original acquisition cost) at \$14,000,000 or more from the Government of the Netherlands to the Government of Finland; to the Committee on Foreign Relations.

EC-8255. A communication from the District of Columbia Auditor, transmitting, pursuant to law, the report entitled "Auditor's Performance Review of the Integrated Tax System's Processes Related to the Timeliness of Tax Refunds and Deposit of Tax Payments"; to the Committee on Homeland Security and Governmental Affairs.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-421. A resolution adopted by the General Assembly of the State of New Jersey relative to outsourcing port operations to a company controlled by a foreign government; to the Committee on Banking, Housing, and Urban Affairs.

ASSEMBLY RESOLUTION No. 138

Whereas, Security officials of the administration of President George W. Bush, both United States Senators from the State of New Jersey, the Governor of the State of New Jersey and members of this House have serious concerns that terrorists could infiltrate ports through Dubai Ports World, a company controlled by the United Arab Emirates; and

Whereas, Intelligence and security officials believe that ports are vulnerable to the entry of terrorists or illicit weapons because of the large number of containers that enter the United States through these port facilities; and

Whereas, The ports of New York, Newark, Philadelphia, Baltimore, Miami and New Orleans are major points of entry into the United States; and

Whereas, The United Arab Emirates has a mixed record in combating terrorism and terrorist organizations; and

Whereas, The United Arab Emirates was one of only three countries to recognize the Taliban regime in Afghanistan; and

Whereas, The 45-day review of Dubai Ports World security details must be carried out in a rigorous and independent manner with Congress given final authority over the deal; and

Whereas, The Bush administration has been unable to provide sufficient evidence that security procedures vital to the United States will not be compromised by officials from a foreign company that is controlled by a foreign government; Now, therefore, be it

Resolved, by the General Assembly of the State of New Jersey:

1. It is the sense of the General Assembly of the State of New Jersey that President Bush should reconsider his decision, and he is advised to reverse his decision, to permit the sale of certain United States port oper-

ations to Dubai Ports World because this foreign company is controlled by a government with a mixed record in fighting terrorism.

2. It is the sense of the General Assembly of the State of New Jersey that the federal government should conduct a thorough review of this pending sale, pursuant to a 45-day investigation period required by federal law.

3. Duly authenticated copies of this resolution, signed by the Speaker of the General Assembly and attested by the Clerk thereof, shall be transmitted to the President and Vice President of the United States, the Majority and Minority Leader of the United States Senate, the Speaker and Minority Leader of the United States House of Representatives, and every member of Congress elected from this State.

POM-422. A concurrent resolution adopted by the House of Representatives of the State of Hawaii relative to the adoption of changes to the Medicare Part D Program; to the Committee on Finance.

HOUSE CONCURRENT RESOLUTION No. 80

Whereas, over 40 million Americans, including approximately 186,000 Hawaii residents, receive health coverage through Medicare and are currently eligible to purchase prescription drug coverage through the Medicare Part D Program, which began on January 1, 2006; and

Whereas, over 6.4 million Americans, including 26,000 Hawaii residents, are eligible for both Medicare and Medicaid and are referred to as "dual eligibles"; and

Whereas, the dual eligible group, 60 percent of whom live below the poverty line, has more individuals who rely on healthcare than other Medicare beneficiaries, with more than 50 percent requiring assistance with activities of daily living or suffering from multiple chronic conditions, such as Alzheimer's disease, diabetes, pulmonary disease, or stroke; and

Whereas, the number of elderly residents in the state is expected to rise rapidly over the next two decades with one in four residents over the age of 60; and

Whereas, Medicare-eligible individuals enrolling in the Medicare Part D Program after May 15, 2006, face a cumulative one percent late-enrollment penalty for each month between the date they were eligible and the date they enrolled; and

Whereas, the enrollment penalty for Medicare Part B is ten percent per year on the standard premium amount, which is more predictable and less severe than the enrollment penalty for Medicare Part D; and

Whereas, Medicare beneficiaries must now navigate a new, complex system of multiple health plans to purchase coverage and receive prescription drug benefits; and

Whereas, each prescription drug plan has a different formulary, different co-payments, and varied cost-sharing that Medicare beneficiaries must understand to determine which plan has a formulary that not only includes most, or all, of the beneficiaries' drugs, but also offers the best value; and

Whereas, beneficiaries face a great deal of uncertainty as each plan is allowed to modify its formulary, including dropping coverage of medications, on a monthly basis, while most Medicare beneficiaries may only change plans once a year during the open enrollment period; and

Whereas, a beneficiary who needs a drug that is suddenly dropped by the chosen plan must change to another drug or pay out-of-pocket for the drug; and

Whereas, drugs not listed on the formulary that are purchased out-of-pocket by a beneficiary or paid for with a discount card or through a state pharmacy program do not

count toward the beneficiaries' cost-sharing under the Medicare Part D plan; and

Whereas, plans are not required to disclose complete information about the actual price of the drugs on their formularies nor the cost of these drugs as negotiated by the plan which drug manufacturers, resulting in the opportunity for plans to inflate prices charged to Medicare beneficiaries who will then have a higher total cost-sharing amount; and

Whereas, many states will have additional costs associated with the "clawback" provision of the Medicare law, which requires states to reimburse the federal government for the costs of dual eligibles based on a formula that may not accurately reflect actual costs and numbers of these enrollees; and

Whereas, States will also incur significant costs if they participate in educational and other efforts necessary to ensure that dual eligibles and other Medicare enrollees do not have a gap in coverage and have adequate information with which to make informed choices between plan options; and

Whereas, the State initiated a fail-safe program that covered dual eligibles' prescriptions if their claims were not processed through the drug plans offered by the new Medicare Part D Program, and paid 480 claims in a four-day period from January 1, 2006 to January 4, 2006, to ensure that patients received their medications; and

Whereas, the Medicare law explicitly prohibits negotiations over the price paid by the federal government for prescription drugs; and

Whereas, these same medications currently provided to dual eligibles under Medicaid are subject to price negotiation by the federal government, and the costs of these medications, which will be reimbursed by the states to the federal government, are likely to increase in the absence of price negotiation; and

Whereas, according to the Congressional Budget Office, the new Medicare Part D Program is expected to increase spending by \$47 billion in 2006, the first year of implementation, and reach \$174 billion per year in 2015, when it will make up 23 percent of the \$766 billion in total Medicare spending; now, therefore, be it

Resolved by the House of Representatives of the Twenty-third Legislature of the State of Hawaii, Regular Session of 2006, the Senate concurring, That the President and Congress of the United States are requested to adopt the following changes to the Medicare Part D Program:

(1) Eliminate the penalty for all Medicare-eligible individuals enrolling after May 15, 2006;

(2) Permit, once a year, prescription drug plans to drop coverage of drugs on their formularies only after advance notice to coincide with the annual open enrollment period, except that drugs that have been determined to be dangerous or have been removed from the market may be dropped from formularies as deemed necessary for safety;

(3) Standardize the formulary design so that each plan has the same number of tiers and requirements for coverage;

(4) Modify the requirements for what can be counted toward the Medicare beneficiaries' "true out-of-pocket cost," or "TROOP," to include all prescription drugs purchased on behalf of the beneficiary regardless of where the drugs are purchased, whether purchased through a state pharmacy program or with a discount card, or whether the drug is on the formulary of the enrollee's plan;

(5) Ensure transparency so that states know the cost negotiated by the prescription drug plan to ensure that all negotiated rebates are passed on to the beneficiaries; and