

and thank them for their great team spirit.●

#### HONORING WESTERN KENTUCKY NATIONAL MERIT SEMIFINALISTS

● Mr. BUNNING. Mr. President, I pay tribute and congratulate five seniors within the region of West Kentucky, who have been recognized as National Merit Semifinalists. Their recent national recognition has given Kentucky reason to be proud.

The semifinalists are Mary Broadbent from Paducah Tilghman High School, Kyle Brockman from Heath High School, Sara Chen from Tilghman High School, Allison Crawford from Lone Oak High School, Callie Dowdy from Murray High School, Nicholas Ledgerwood from Heath High School, and Joseph Moore from Graves County High School. These students will go on to compete later this year for status as a National Merit Finalist and possible college scholarships.

I hope that you will join me today in both recognizing and congratulating these five high school seniors in their academic achievement. Their dedication and academic excellence serves as an example and inspiration for students throughout the Commonwealth of Kentucky. I wish them continued success throughout their academic careers.●

#### RETIREMENT OF KEN BUECHE FROM THE COLORADO MUNICIPAL LEAGUE

● Mr. SALAZAR. Mr. President, I rise to note the retirement of a Colorado leader: Ken Bueche, executive director of the Colorado Municipal League. On September 30, Ken Bueche is retiring as executive director of the Colorado Municipal League, a statewide association of 265 member cities and towns.

Ken Bueche earned his undergraduate degree from Colorado State University and his J.D. and Masters in Public Administration from the University of Colorado. In 1963, Ken came to CML as a law clerk and by 1974 rose to become the league's executive director, a position he has held now for more than 30 years.

He has been a long-time believer that local governments are closest to the people and often produce the best solutions for local challenges. He has helped lead the way for Colorado municipalities to streamline local tax collections, shore up their pension funds for first responders, and in 1982 launched a feasibility study that led, in 1982, to the establishment of a self-insurance pool that saves tax dollars and provides affordable insurance for cities, towns and special districts.

Ken was the first recipient of the Leo C. Riethmayer Public Administrator of the Year Award from the University of Colorado. He has served on the Board of Directors of the National League of Cities and is considered one of the

deans of the State municipal league executive directors corps.

Ken and his wife, Bernice, have five children and four grandchildren. Finally, after more than 30 years of diligent service to the people of Colorado, touching virtually every one of their lives, he will be able to delve back into the joys of his family.

I wish him all the best in his future, for he has given Colorado's cities and towns his very best for over three decades. He has been lauded as "a quiet Colorado legend," and he will be missed by all those who have worked alongside him.●

#### CONGRATULATING PHELPS ELEMENTARY SCHOOL AND ST. RAPHAEL THE ARCHANGEL

● Mr. BUNNING. Mr. President, today I rise to congratulate two outstanding Kentucky schools of distinction. Phelps Elementary School of Phelps and St. Raphael the Archangel of Louisville are recipients of the 2005 Schools of Distinction Award. This honor is presented nationally to 20 schools, of kindergarten through 12th grade, which have demonstrated exceptional commitment to achievement and innovation in education.

Phelps Elementary School and St. Raphael the Archangel were selected from more than 3,000 participating schools nationwide. Both schools were chosen as winners based on merit in each of 10 categories: overall academic achievement, literacy, science, mathematics, teamwork, leadership, collaboration, professional development, technical excellence and technical innovation. Phelps Elementary School was recognized for outstanding science achievement while St. Raphael the Archangel was recognized for outstanding professional development.

For their efforts the two schools will each be rewarded with a \$10,000 cash grant along with their school representatives receiving an all-expense paid trip to Washington, DC, to participate in an awards ceremony. These two schools represent the best in educational excellence and innovation. It is truly an honor to commend Phelps Elementary School and St. Raphael the Archangel as two of the finest schools in the Commonwealth of Kentucky.●

#### 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.)

#### RECOMMENDATIONS OF THE DEFENSE BASE CLOSURE AND REALIGNMENT COMMISSION—PM 22

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 Armed Services.

*To the Congress of the United States:*

I transmit herewith the report containing the recommendations of the Defense Base Closure and Realignment Commission pursuant to sections 2903 and 2914 of the Defense Base Closure and Realignment Act of 1990, Public Law 101-510, 104 Stat. 1810, as amended. That report includes changes referenced in errata sheets submitted to me by the Commission, including the enclosed errata sheets dated September 8, September 9, September 12, and September 13, 2005.

I note that I am in receipt of a letter from Chairman Principi, dated September 8, 2005, regarding a district court injunction then in effect relating to the Bradley International Airport Air Guard Station in Windsor Locks, Connecticut. Chairman Principi's letter states that, as a result of that injunction, "you should consider the portion of Recommendation 85 . . . that recommends realignment of the Connecticut 103rd Fighter Wing withdrawn from the Commission's report." The Chairman's letter further states that "[i]f the court's injunction is later vacated, reversed, stayed, or otherwise withdrawn, it is the intent of the Commission that the entirety of the recommendation be a part of the Commission's report." On September 9, 2005, the United States Court of Appeals for the Second Circuit granted a stay of the district court's injunction. Because the injunction is no longer in effect, Recommendation 85 in its entirety is part of the Commission's report.

I certify that I approve all the recommendations contained in the Commission's report.

GEORGE W. BUSH.

THE WHITE HOUSE, September 15, 2005.

#### MESSAGES FROM THE HOUSE

##### ENROLLED BILL SIGNED

At 2:58 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

S. 276. An act to revise the boundary of the Wind Cave National Park in the State of South Dakota.

At 4:40 p.m., a message from the House of Representatives, delivered by Mr. Hays, 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. 3768. An act to provide emergency tax relief for persons affected by Hurricane Katrina.

At 6:22 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 bills, in which it requests the concurrence of the Senate:

H.R. 3132. An act to make improvements to the national sex offender registration program, and for other purposes.

H.R. 3408. An act to reauthorize the Livestock Mandatory Reporting Act of 1999 and to amend the swine reporting provisions of that Act.

H.R. 3736. An act to protect volunteers assisting the victims of Hurricane Katrina.

The message also announced that the House has passed the following concurrent resolutions, in which it requests the concurrence of the Senate:

H. Con. Res. 208. Concurrent resolution recognizing the 50th anniversary of Rosa Louise Parks' refusal to give up her seat on the bus and the subsequent desegregation of American society.

H. Con. Res. 240. Concurrent resolution supporting the goals and ideals of a national day of prayer and remembrance for the victims of Hurricane Katrina and encouraging all Americans to observe that day.

#### MEASURES REFERRED

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

H.R. 3132. An act to make improvements to the national sex offender registration program, and for other purposes; to the Committee on the Judiciary.

The following concurrent resolutions were read, and referred as indicated:

H. Con. Res. 208. Concurrent resolution recognizing the 50th anniversary of Rosa Louise Parks' refusal to give up her seat on the bus and the subsequent desegregation of American society; to the Committee on the Judiciary.

H. Con. Res. 240. Concurrent resolution supporting the goals and ideals of a national day of prayer and remembrance for the victims of Hurricane Katrina and encouraging all Americans to observe that day; to the Committee on the Judiciary.

#### MEASURES PLACED ON THE CALENDAR

The following bill was discharged from the Committee on Finance, amended, and ordered placed on the calendar:

S. 1696. A bill to provide tax relief for the victims of Hurricane Katrina, to provide incentives for charitable giving, and for other purposes.

#### MEASURES READ THE FIRST TIME

The following bills were read the first time:

S. 1715. A bill to provide relief for students and institutions affected by Hurricane Katrina, and for other purposes.

S. 1716. A bill to provide emergency health care relief for survivors of Hurricane Katrina, 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-3751. A communication from the Commissioner, Social Security Administration, transmitting, the report of a draft bill entitled "Social Security Amendments of 2005" received August 31, 2005; to the Committee on Finance.

EC-3752. A communication from the United States Trade Representative, Executive Office of the President, transmitting, pursuant to law, a report entitled "The African Growth and Opportunity Act (AGOA) Competitiveness Report"; to the Committee on Finance.

EC-3753. A communication from the Secretary, Health and Human Services, transmitting, pursuant to law, a report entitled "Utilization and Beneficiary Access to Services Post-Implementation of the Inpatient Rehabilitation Facilities Prospective Payment System (IRF PPS)"; to the Committee on Finance.

EC-3754. A communication from the Secretary, Health and Human Services, transmitting, the Administration's draft proposals that would protect and strengthen the financing of the Medicaid program, as described in the President's Fiscal Year 2006 Budget; to the Committee on Finance.

EC-3755. 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: Conditions for Payment of Power Mobility Devices, Including Power Wheelchairs and Power-Operated Vehicles" (RIN0938-AM74) received on August 31, 2005; to the Committee on Finance.

EC-3756. 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; State Allotments for Payment of Medicare Part B Premiums for Qualifying Individuals: Federal Fiscal Year 2005" (RIN0938-A004) received on August 31, 2005; to the Committee on Finance.

EC-3757. A communication from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Differential Earnings Rate for 2004 under Section 809" (Rev. Rul. 2005-58) received on August 22, 2005; to the Committee on Finance.

EC-3758. A communication from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Section 411(d)(6) Protected Benefits" (RIN1545-BC26)(TD 9219) received on August 22, 2005; to the Committee on Finance.

EC-3759. A communication from the Acting 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—July 2005" (Rev. Rul. 2005-63) received on August 31, 2005; to the Committee on Finance.

EC-3760. A communication from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Stranded Cost No Rule" (Rev. Proc. 2005-61) received on August 31, 2005; to the Committee on Finance.

EC-3761. A communication from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Modification of

Revenue Procedure 2002-49" (Rev. Proc. 2005-62) received on August 31, 2005; to the Committee on Finance.

EC-3762. A communication from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Staggered Remedial Amendment Period Revenue Procedure" (Rev. Proc. 2005-66) received on August 31, 2005; to the Committee on Finance.

EC-3763. A communication from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Interaction of section 420 and the Code and section 101 of the Medicare Prescription Drug Improvement and Modernization Act of 2003" (Rev. Rul. 2005-60) received on August 31, 2005; to the Committee on Finance.

EC-3764. A communication from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Collected Excise Taxes; Duties of Collector" (RIN1545-BB75)(TD 9221) received on August 31, 2005; to the Committee on Finance.

EC-3765. A communication from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Guidance under Section 951 for Determining Pro Rata Share" (RIN1545-BD49)(TD 9222) received on August 31, 2005; to the Committee on Finance.

EC-3766. A communication from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Value of Life Insurance Contracts when Distributed from a Qualified Retirement Plan" (RIN1545-BC20)(TD 9223) received on August 31, 2005; to the Committee on Finance.

EC-3767. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, the report of Presidential Determination 2005-31 relative to waiving prohibition on United States Military assistance with respect to Cambodia; to the Committee on Foreign Relations.

EC-3768. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, the report of Presidential Determination 2005-26 relative to waiving prohibition on United States Military assistance with respect to the Dominican Republic; to the Committee on Foreign Relations.

EC-3769. A communication from the Under Secretary, Food, Nutrition, and Consumer Services, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Commodity Supplemental Food Program (CSFP)—Plain Language, Program Accountability, and Program Flexibility" (RIN0584-AC84) received August 22, 2005; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3770. A communication from the Secretary of Agriculture, transmitting, a draft of proposed legislation relative to providing financial assistance to the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau under the Cooperative Forestry Assistance Act of 1978; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3771. A communication from the Secretary of Agriculture, transmitting, the report of draft bills relative to changes to the Commodity Credit Corporation funded Farm Bill programs, crop insurance and Food Stamp programs and requests authority to charge fees for several activities; to the