

Phil lost his battle to cancer earlier this month at the age of 65. He is survived by his loving wife Lisa and proud sons Philip Junior and Mark. Philip Junior is a computer engineer and Mark, a member of my staff.

May you find calm seas and beautiful new horizons, Phil. You will be missed.●

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mrs. Neiman, 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.)

#### MESSAGE FROM THE HOUSE

At 4:00 p.m., a message from the House of Representatives, delivered by Mrs. Cole, 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. 415. An act to amend the Wild and Scenic Rivers Act to designate segments of the Taunton River in the Commonwealth of Massachusetts as a component of the National Wild and Scenic Rivers System.

H.R. 5959. An act to authorize appropriations for fiscal year 2009 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

The message also announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 295. Concurrent resolution expressing the deepest appreciation of Congress to the families of members of the United States Armed Forces.

The message further announced that the House insists upon its amendment to the bill (S. 2062) to amend the Native American Housing Assistance and Self-Determination Act of 1996 to reauthorize that Act, and for other purposes, and requests a conference with the Senate on the disagreeing votes of the two Houses thereon, and appoints the following Members as managers of the conference on the part of the House: MR. FRANK of Massachusetts, Ms. WATERS, Mr. WATT, Mr. AL GREEN of Texas, Mr. CLEAVER, Mr. BACHUS, Mrs. CAPITO, and Mr. PEARCE.

The message also announced that the House has agreed to the amendment of the Senate to the text of the bill (H.R. 3890) to amend the Burmese Freedom and Democracy Act of 2003 to impose import sanctions on Burmese

gemstones, expand the number of individuals against whom the visa ban in applicable, expand the blocking of assets and other prohibited activities, and for other purposes, with amendments, in which it requests the concurrence of the Senate.

#### MEASURES REFERRED ON JULY 16, 2008

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

H.R. 3032. An act to amend the Federal Election Campaign Act of 1971 to permit candidates (for election for Federal office to designate an individual who will be authorized to disburse funds of the authorized campaign committees of the candidate in the event of the death of the candidate; to the Committee on Rules and Administration.

H.R. 6296. An act to extend through 2013 the authority of the Federal Election Commission to impose civil money penalties on the basis of a schedule of penalties established and published by the Commission; to the Committee on Rules and Administration.

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

H. Con. Res. 299. Concurrent resolution supporting the goals and ideals of National Cystic Fibrosis Awareness Month; to the Committee on Health, Education, Labor, and Pensions.

H. Con. Res. 385. Concurrent resolution condemning the attack on the AMIA Jewish Community Center in Buenos Aires, Argentina, in July 1994, and for other purposes; to the Committee on Foreign Relations.

#### MEASURES REFERRED

The following concurrent resolution was read, and referred as indicated:

H. Con. Res. 295. Concurrent resolution expressing the deepest appreciation of Congress to the families of members of the United States Armed Forces; to the Committee on Armed Services.

#### MEASURES PLACED ON THE CALENDAR

The following bills were read the first and second times by unanimous consent, and placed on the calendar:

H.R. 415. An act to amend the Wild and Scenic Rivers Act to designate segments of the Taunton River in the Commonwealth of Massachusetts as a component of the National Wild and Scenic Rivers System.

H.R. 5959. An act to authorize appropriations for fiscal year 2009 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, 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-7137. A communication from the Principal Deputy Under Secretary of Defense (Policy), transmitting, pursuant to law, a 2008 Annual Report on the threats posed by

weapons of mass destruction, ballistic missiles and cruise missiles; to the Committee on Armed Services.

EC-7138. A communication from the Assistant Secretary of the Navy (Installations and Environment), transmitting notification of the Department's decision to cancel the public-private competitions for the Naval Supply Systems Command's Fuels Services in Jacksonville, Florida, Puget Sound, Washington, and Pearl Harbor, Hawaii; to the Committee on Armed Services.

EC-7139. A communication from the Deputy Chief of Legislative Affairs, Department of the Navy, transmitting notification of the Department's decision to cancel the public-private competitions for the Naval Supply Systems Command's Fuels Services in three locations; to the Committee on Armed Services.

EC-7140. A communication from the Chairman, Board of Governors of the Federal Reserve System, transmitting, pursuant to law, its semiannual Monetary Policy Report; to the Committee on Banking, Housing, and Urban Affairs.

EC-7141. A communication from the Deputy Assistant Administrator for Operations, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Final Rule for Amendment 30A to the Fishery Management Plan for the Reef Fish Resources of the Gulf of Mexico" (RIN0648-AV34) received on July 15, 2008; to the Committee on Commerce, Science, and Transportation.

EC-7142. A communication from the Deputy Chief, Consumer and Governmental Affairs Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities; E911 Requirements for IP-Enabled Service Providers" (FCC 08-151) received on July 15, 2008; to the Committee on Commerce, Science, and Transportation.

EC-7143. A communication from the Chief of Regulations and Administrative Law, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone Regulations (including 2 regulations beginning with USCG-2008-0065)" (RIN1625-AA00) received on July 15, 2008; to the Committee on Commerce, Science, and Transportation.

EC-7144. A communication from the Chief of Regulations and Administrative Law, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Security Zone; Patapsco River, Middle Branch, Baltimore, MD" ((RIN1625-AA87)(USCG-2008-0272)) received on July 15, 2008; to the Committee on Commerce, Science, and Transportation.

EC-7145. A communication from the Chief of Regulations and Administrative Law, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone Regulations: Annual Events Requiring Safety Zones in the Captain of the Port Detroit Zone" ((RIN1625-AA00)(USCG-2008-0218)) received on July 15, 2008; to the Committee on Commerce, Science, and Transportation.

EC-7146. A communication from the Chief of Regulations and Administrative Law, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Security Zone Regulation: Waters Adjacent 10th Avenue Marine Terminal, San Diego, CA" ((RIN1625-AA87)(USCG-2008-0569)) received on July 15, 2008; to the Committee on Commerce, Science, and Transportation.

EC-7147. A communication from the Chief of Regulations and Administrative Law, U.S.

Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Shipping; Technical, Organizational, and Conforming Amendments" ((RIN1625-ZA18)(USCG-2008-0394)) received on July 15, 2008; to the Committee on Commerce, Science, and Transportation.

EC-7148. A communication from the Chief of Regulations and Administrative Law, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone Regulations (including 9 regulations beginning with USCG-2008-0146)" (RIN1625-AA00) received on July 15, 2008; to the Committee on Commerce, Science, and Transportation.

EC-7149. A communication from the Chief of Regulations and Administrative Law, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Operation Regulations (including 13 regulations beginning with USCG-2008-0048)" (RIN1625-AA09) received on July 15, 2008; to the Committee on Commerce, Science, and Transportation.

EC-7150. A communication from the Director, Regulatory Management Division, 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; Colorado; Affirmative Defense Provisions for Malfunctions; Common Provisions Regulation" (FRL No. 8573-5) received on July 15, 2008; to the Committee on Environment and Public Works.

EC-7151. A communication from the Director, Regulatory Management Division, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Oxirane, 2-methyl-, polymer with oxirane, mono [2-(2-(2-butoxymethylethoxy) methylethoxy) methylethyl] ether; Tolerance Exemption" (FRL No. 8371-7) received on July 15, 2008; to the Committee on Environment and Public Works.

EC-7152. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "National Emission Standards for Hazardous Air Pollutants: Organic Liquids Distribution" ((RIN2060-A099)(FRL No. 8693-9)) received on July 15, 2008; to the Committee on Environment and Public Works.

EC-7153. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Bacillus thuringiensis Modified Cry1Ab Protein; Exemption from the Requirement of a Tolerance" (FRL No. 8371-6) received on July 15, 2008; to the Committee on Environment and Public Works.

EC-7154. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Section 110(a)(1) 8-Hour Ozone Maintenance Plan and 2002 Base-Year Inventory for the Snyder County Area" (FRL No. 8692-9) received on July 15, 2008; to the Committee on Environment and Public Works.

EC-7155. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Section 110(a)(1) 8-Hour Ozone Maintenance Plan and 2002 Base-Year Inventory for the Lawrence County Area" (FRL No. 8693-1) received on July 15, 2008; to the Committee on Environment and Public Works.

EC-7156. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Section 110(a)(1) 8-Hour Ozone Maintenance Plan and 2002 Base-Year Inventory for the Northumberland County Area" (FRL No. 8693-3) received on July 15, 2008; to the Committee on Environment and Public Works.

EC-7157. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Section 110(a)(1) 8-Hour Ozone Maintenance Plan and 2002 Base-Year Inventory for the Juniata County Area" (FRL No. 8693-4) received on July 15, 2008; to the Committee on Environment and Public Works.

EC-7158. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Maryland; Reasonably Available Control Technology Requirements for Marine Vessel and Barge Loading" (FRL No. 8693-5) received on July 15, 2008; to the Committee on Environment and Public Works.

EC-7159. 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 "REMIC Residual Interests—REMIC Net Income (Including Any Excess Inclusions) (Foreign Holders)" ((RIN1545-BB84)(TD 9415)) received on July 15, 2008; to the Select Committee on Ethics.

EC-7160. 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 "Update to Rev. Proc. 2007-72" (RP-127833-08) received on July 15, 2008; to the Committee on Finance.

EC-7161. 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 "Elections Regarding Start-up Expenditures, Corporation Organizational Expenditures, and Partnership Organizational Expenses" ((RIN1545-BE78)(TD 9411)) received on July 15, 2008; to the Committee on Finance.

EC-7162. A communication from the Acting Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, certification of a proposed agreement for the export of defense articles, including technical data, and defense services to the Government of Singapore to support the Singapore Air Force F-16 Block 52C/D Aircraft Program; to the Committee on Foreign Relations.

EC-7163. A communication from the Acting Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, certification involving the export of defense articles to the Royal Thai Navy; to the Committee on Foreign Relations.

EC-7164. A communication from the Acting Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, certification of the export of defense articles, including technical data, and defense services to Canada and the Republic of South Korea to support the manufacture of Printed Wiring Boards; to the Committee on Foreign Relations.

EC-7165. 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, which requires that international agreements other than treaties entered into by the United States be transmitted to the Congress within sixty days after the agreement has entered into force with respect to the United States (List 2008-104-2008-115); to the Committee on Foreign Relations.

EC-7166. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, an annual performance report for fiscal year 2007 relative to the collection of user fees from manufacturers who submit certain applications to market medical devices; to the Committee on Health, Education, Labor, and Pensions.

EC-7167. A communication from the Secretary, Department of Health and Human Services, transmitting, pursuant to law, the fiscal year 2007 Performance Report from the Office of Combination Products; to the Committee on Health, Education, Labor, and Pensions.

EC-7168. A communication from the Secretary, Department of Health and Human Services, transmitting, pursuant to law, a report entitled "Report to Congress on Head Start Monitoring for Fiscal Year 2006"; to the Committee on Health, Education, Labor, and Pensions.

EC-7169. A communication from the White House Liaison, Department of Education, transmitting, pursuant to law, the report of a vacancy and designation of acting officer in the position of Office of Inspector General, Department of Education, received on July 15, 2008; to the Committee on Health, Education, Labor, and Pensions.

EC-7170. A communication from the Director, Office of Congressional and Legislative Affairs, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Law and Order on Indian Reservations/Courts of Indian Offenses and Law and Order Code" (RIN1076-AE67) received on July 15, 2008; to the Committee on Indian Affairs.

EC-7171. A communication from the Director, Administrative Office of the United States Courts, transmitting, pursuant to law, a report on Applications for Delayed-Notice Search Warrants and Extensions; to the Committee on the Judiciary.

EC-7172. A communication from the Director of Regulations Management, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "Supplemental Statement of the Case" (RIN2900-AM49) received on July 15, 2008; to the Committee on Veterans' Affairs.

## REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. INOUE, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 2507. A bill to address the digital television transition in border states (Rept. No. 110-424).

## 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. SCHUMER (for himself, Mr. KOHL, and Mr. SMITH):

S. 3278. A bill to amend the Internal Revenue Code of 1986 to provide that no loan may be made from a qualified employer plan using a credit card or other intermediary