

to revisiting this damage in the first days of our return.

ADDITIONAL STATEMENTS

DEPARTMENT OF DEFENSE APPROPRIATIONS

• Mr. BAUCUS. Mr. President, I wholeheartedly support the provisions of the Department of Defense appropriations bill that provide money for our brave military men and women. I support the much needed 3.1 percent pay increase. And I support the Blackhawk MEDEVAC and Utility Helicopters, and Wireless Communication Systems for Montana's National Guard.

But this was not a clean bill. Although I voted for the bill, I take offense to a number of provisions that have nothing to do with our troops. These additions should never have been included in the Defense bill in the first place. They don't belong here.

We have focused our discussion over the past few days on drilling in Alaska. And I am proud that our defense bill does not include ANWR.

But in objecting to ANWR, we have forgotten other changes in the conference report, last minute additions that have no place in a defense bill. I am referring to the Public Readiness and Emergency Preparedness Act.

The Emergency Preparedness Act virtually eliminates liability for pharmaceutical companies. Now drug companies have wholesale immunity except in the case of "willful misconduct." Drug companies will no longer be held responsible for negligence or recklessness. Only if they had actual knowledge that their product would injure or kill someone would we hold them accountable.

The Emergency Preparedness Act also sets up an unfunded compensation fund. Without any money appropriated to the fund, the fund is inoperable. This could allow drug companies to remove themselves from responsibility without providing the American people with the recourse they deserve.

Although I support the Defense bill we passed, I do not support the Emergency Preparedness Act. This section was added at the last minute. And it only passed because all of us in the Senate wanted to provide support for our troops. •

MESSAGE FROM THE HOUSE

At 8:03 p.m., a message from the House of Representatives, delivered by Mr. Hays, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 4647. An act to amend the USA PATRIOT ACT to extend the sunset of certain provisions of such Act.

The message also announced that the House has passed the bill (S. 2170) to

amend the USA PATRIOT ACT to extend the sunset of certain provisions of that Act and the lone wolf provision of the Intelligence Reform and Terrorism Prevention Act of 2004 to July 1, 2006, with an amendment.

The message further announced that the House has passed the concurrent resolution (S. Con. Res. 74) correcting the enrollment of H.R. 2863, without amendment.

ENROLLED BILL SIGNED

The message also announced that the Speaker pro tempore of the House of Representatives (Mr. WOLF) has signed the following enrolled bill:

S. 1281. An act to authorize the programs of the National Aeronautics and Space Administration.

Under authority of the order of the Senate of December 21, 2005, the enrolled bill was signed subsequently on today, December 22, 2005, by the Acting President pro tempore (Mr. WARNER).

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, December 22, 2005, she had presented to the President of the United States the following enrolled bills:

S. 205. An act to authorize the American Battle Monuments Commission to establish in the State of Louisiana a memorial to honor the Buffalo Soldiers.

S. 652. An act to provide financial assistance for the rehabilitation of the Benjamin Franklin National Memorial in Philadelphia, Pennsylvania, and the development of an exhibit to commemorate the 300th anniversary of the birth of Benjamin Franklin.

S. 1238. An act to amend the Public Lands Corps Act of 1993 to provide for the conduct of projects that protect forests, and for other purposes.

S. 1310. An act to authorize the Secretary of the Interior to allow the Columbia Gas Transmission Corporation to increase the diameter of a natural gas pipeline located in the Delaware Water Gap National Recreation Area, to allow certain commercial vehicles to continue to use Route 209 within the Delaware Water Gap National Recreation Area, and to extend the termination date of the National Park System Advisory Board to January 1, 2007.

S. 1481. An act to amend the Indian Land Consolidation Act to provide for probate reform.

S. 1892. An act to amend Public Law 107-153 to modify a certain date.

S. 1988. An act to authorize the transfer of items in the War Reserves Stockpile for Al-
lies, Korea.

ADJOURNMENT SINE DIE

The ACTING PRESIDENT pro tempore. In my capacity as the senior Senator from Virginia, I ask unanimous consent that the Senate now stand in adjournment sine die under the provisions of H. Con. Res. 326.

There being no objection, the Senate, at 8:04 p.m. adjourned sine die.

NOMINATIONS RETURNED TO THE PRESIDENT

Returned to the President, Thursday, December 22, 2005:

THE FOLLOWING NOMINATIONS TRANSMITTED BY THE PRESIDENT OF THE UNITED STATES TO THE SENATE DURING THE FIRST SESSION OF THE 109TH CONGRESS, AND UPON WHICH NO ACTION WAS HAD AT THE TIME OF THE SINE DIE ADJOURNMENT OF THE SENATE, FAILED OF CONFIRMATION UNDER THE PROVISIONS OF RULE XXXI, PARAGRAPH 6, OF THE STANDING RULES OF THE SENATE.

DEFENSE BASE CLOSURE AND REALIGNMENT COMMISSION

JAMES H. BILBRAY, OF NEVADA, TO BE A MEMBER OF THE DEFENSE BASE CLOSURE AND REALIGNMENT COMMISSION.

PHILIP COYLE, OF CALIFORNIA, TO BE A MEMBER OF THE DEFENSE BASE CLOSURE AND REALIGNMENT COMMISSION.

ADMIRAL HAROLD W. GEHMAN, JR., UNITED STATES NAVY, RETIRED, OF VIRGINIA, TO BE A MEMBER OF THE DEFENSE BASE CLOSURE AND REALIGNMENT COMMISSION.

JAMES V. HANSEN, OF UTAH, TO BE A MEMBER OF THE DEFENSE BASE CLOSURE AND REALIGNMENT COMMISSION.

GENERAL JAMES T. HILL, UNITED STATES ARMY, RETIRED, OF FLORIDA, TO BE A MEMBER OF THE DEFENSE BASE CLOSURE AND REALIGNMENT COMMISSION.

SAMUEL KNOX SKINNER, OF ILLINOIS, TO BE A MEMBER OF THE DEFENSE BASE CLOSURE AND REALIGNMENT COMMISSION.

BRIGADIER GENERAL SUE ELLEN TURNER, UNITED STATES AIR FORCE, RETIRED, OF TEXAS, TO BE A MEMBER OF THE DEFENSE BASE CLOSURE AND REALIGNMENT COMMISSION.

JAMES H. BILBRAY, OF NEVADA, TO BE A MEMBER OF THE DEFENSE BASE CLOSURE AND REALIGNMENT COMMISSION, TO WHICH POSITION HE WAS APPOINTED DURING THE LAST RECESS OF THE SENATE.

PHILIP COYLE, OF CALIFORNIA, TO BE A MEMBER OF THE DEFENSE BASE CLOSURE AND REALIGNMENT COMMISSION, TO WHICH POSITION HE WAS APPOINTED DURING THE LAST RECESS OF THE SENATE.

ADMIRAL HAROLD W. GEHMAN, JR., UNITED STATES NAVY, RETIRED, OF VIRGINIA, TO BE A MEMBER OF THE DEFENSE BASE CLOSURE AND REALIGNMENT COMMISSION, TO WHICH POSITION HE WAS APPOINTED DURING THE LAST RECESS OF THE SENATE.

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GENERAL JAMES T. HILL, UNITED STATES ARMY, RETIRED, OF FLORIDA, TO BE A MEMBER OF THE DEFENSE BASE CLOSURE AND REALIGNMENT COMMISSION, TO WHICH POSITION HE WAS APPOINTED DURING THE LAST RECESS OF THE SENATE.

GENERAL LLOYD W. NEWTON, UNITED STATES AIR FORCE, RETIRED, OF CONNECTICUT, TO BE A MEMBER OF THE DEFENSE BASE CLOSURE AND REALIGNMENT COMMISSION, TO WHICH POSITION HE WAS APPOINTED DURING THE LAST RECESS OF THE SENATE.

ANTHONY JOSEPH PRINCIPI, OF CALIFORNIA, TO BE A MEMBER OF THE DEFENSE BASE CLOSURE AND REALIGNMENT COMMISSION, TO WHICH POSITION HE WAS APPOINTED DURING THE LAST RECESS OF THE SENATE.

SAMUEL KNOX SKINNER, OF ILLINOIS, TO BE A MEMBER OF THE DEFENSE BASE CLOSURE AND REALIGNMENT COMMISSION, TO WHICH POSITION HE WAS APPOINTED DURING THE LAST RECESS OF THE SENATE.

BRIGADIER GENERAL SUE ELLEN TURNER, UNITED STATES AIR FORCE, RETIRED, OF TEXAS, TO BE A MEMBER OF THE DEFENSE BASE CLOSURE AND REALIGNMENT COMMISSION, TO WHICH POSITION SHE WAS APPOINTED DURING THE LAST RECESS OF THE SENATE.

DEPARTMENT OF JUSTICE

STEVEN G. BRADBURY, OF MARYLAND, TO BE AN ASSISTANT ATTORNEY GENERAL.

THE JUDICIARY

BRETT M. KAVANAUGH, OF MARYLAND, TO BE UNITED STATES CIRCUIT JUDGE FOR THE DISTRICT OF COLUMBIA CIRCUIT.

IN THE AIR FORCE

AIR FORCE NOMINATIONS BEGINNING WITH BRIGADIER GENERAL DANA T. ATKINS AND ENDING WITH BRIGADIER GENERAL JOHNNY A. WEIDA, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 9, 2005.

AIR FORCE NOMINATION OF COLONEL JAMES A. BUNTYN TO BE BRIGADIER GENERAL.

AIR FORCE NOMINATIONS BEGINNING WITH COLONEL BROCK JOHN T. STROM AND ENDING WITH COLONEL RICHARD J. UTECHT, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON OCTOBER 6, 2005.

AIR FORCE NOMINATIONS BEGINNING WITH COLONEL GREGORY A. BISCONI AND ENDING WITH COLONEL TOD D. WOLTERS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 4, 2005.