

adopted under part C of title XI of the Social Security Act, and for other purposes.

H.R. 3442. An act to establish the National Museum of African American History and Culture Plan for Action Presidential Commission to develop a plan of action for the establishment and maintenance of the National Museum of African American History and Culture in Washington, D.C., and for other purposes.

At 6:20 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 bill, in which it requests the concurrence of the Senate:

H.R. 3448. An act to improve the ability of the United States to prevent, prepare for, and respond to bioterrorism and other public health emergencies.

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-4903. A communication from the Director of the Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, a report on appropriations legislation relative to sec. 251(a)(7) of the Balanced Budget and Emergency Deficit Control Act of 1985; to the Committee on the Budget.

EC-4904. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report entitled "Report to the Nation 2001" relative to the Office for Victims of Crime during Fiscal Years 1999 and 2000; to the Committee on the Judiciary.

EC-4905. A communication from the Senior Attorney Federal Register Certifying Officer, Financial Management Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Delivery of Checks and Warrants to Address Outside the United States, Its Territories and Possessions" (31 CFR Part 211); to the Committee on Finance.

EC-4906. A communication from the Chairman of the Advisory Panel to Assess Domestic Response Capabilities for Terrorism Involving Weapons of Mass Destruction, transmitting, pursuant to law, the Panel's third annual report for 2001; to the Committee on Armed Services.

EC-4907. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Pesticides Labeling and Other Regulatory Revisions" (FRL6752-1) received on December 12, 2001; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4908. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Sethoxydim; Pesticide Tolerance Technical Correction" (FRL6814-4) received on December 12, 2001; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4909. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Extension of Tolerances for Emergency Exemptions; Multiple Chemicals" (FRL6814-2) received on December 12, 2001; to

the Committee on Agriculture, Nutrition, and Forestry.

EC-4910. A communication from the Associate General Counsel, Central Intelligence Agency, transmitting, pursuant to law, the report of a vacancy and the designation of acting officer for the position of General Counsel, received on December 12, 2001; to the Committee on Intelligence.

EC-4911. A communication from the Associate General Counsel, Central Intelligence Agency, transmitting, pursuant to law, the report of the discontinuation of service in acting role for the position of Acting Inspector General, received on December 12, 2001; to the Committee on Intelligence.

EC-4912. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of State Plans for Designated Facilities and Pollutants; Control of Landfill Gas Emissions from Existing Municipal Solid Waste Landfills; State of Iowa" (FRL7117-7) received on December 12, 2001; to the Committee on Environment and Public Works.

EC-4913. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Wisconsin; Automobile Refinishing Operations" (FRL7115-7) received on December 12, 2001; to the Committee on Environment and Public Works.

EC-4914. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of State Plans for Designated Facilities and Pollutants; Control of Emissions from Hospital/Medical/Infectious Waste Incinerators; State of Iowa" (FRL7117-5) received on December 12, 2001; to the Committee on Environment and Public Works.

EC-4915. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; State of Colorado; Denver Carbon Monoxide Redesignation to Attainment, Designation of Areas for Air Quality Planning Purposes, and Approval of Related Revisions" (FRL7117-4) received on December 12, 2001; to the Committee on Environment and Public Works.

EC-4916. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "National Emission Standards for Hazardous Air Pollutants from Phosphoric Acid Manufacturing Plants and Phosphate Fertilizers Production Plants" (FRL7118-7) received on December 12, 2001; to the Committee on Environment and Public Works.

EC-4917. A communication from the Assistant to the Board of Governors of the Federal Reserve System, transmitting, pursuant to law, the report of a rule entitled "Regulation Z: Amendments to Address Concerns Related to Predatory Practices in Mortgage Lending" (R-1090) received on December 17, 2001; to the Committee on Banking, Housing, and Urban Affairs.

EC-4918. A communication from the Director of the Office of Federal Housing Enterprise Oversight, transmitting, pursuant to law, the report of a rule entitled "Flood Insurance" (RIN2550-AA21) received on December 13, 2001; to the Committee on Banking, Housing, and Urban Affairs.

EC-4919. A communication from the Vice President of Congressional and External Af-

fairs, Export-Import Bank of the United States, transmitting, the Annual Report on Operations for Fiscal Year 2001; to the Committee on Banking, Housing, and Urban Affairs.

EC-4920. A communication from the Senior Paralegal, Office of Thrift Supervision, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Risk-Based Capital Guidelines; Capital Adequacy Guidelines; Capital Maintenance; Capital Treatment of Recourse, Direct Credit Substitutes and Residual Interests in Asset Securitizations" (RIN1550-AB11) received on December 14, 2001; to the Committee on Banking, Housing, and Urban Affairs.

EC-4921. A communication from the Assistant Secretary of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the report of a certification of a proposed license for the export of defense articles or services sold commercially under a contract in the amount of \$50,000,000 or more to Japan; to the Committee on Foreign Relations.

EC-4922. A communication from the Assistant Secretary of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the report of a certification of a proposed license for the export of defense articles or services sold commercially under a contract in the amount of \$50,000,000 or more to Japan; to the Committee on Foreign Relations.

EC-4923. A communication from the Assistant Secretary of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the report of a certification of a proposed license for the export of defense articles and services sold commercially under a contract in the amount of \$50,000,000 or more to Japan; to the Committee on Foreign Relations.

EC-4924. A communication from the Assistant Secretary of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the report of a certification of a proposed license for the export of defense articles and services in the amount of \$50,000,000 or more to Japan; to the Committee on Foreign Relations.

EC-4925. A communication from the Assistant Secretary of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the report of a certification of a proposed license for the export of defense articles or services sold commercially under a contract in the amount of \$50,000,000 or more to Australia; to the Committee on Foreign Relations.

EC-4926. A communication from the Assistant Secretary of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the report of a certification of a proposed license for the export of defense articles or services sold commercially under a contract in the amount of \$50,000,000 or more to France, the United Kingdom, Germany, Switzerland, Sweden, and Spain; to the Committee on Foreign Relations.

EC-4927. A communication from the Assistant Secretary of Legislative Affairs, Department of State, transmitting, pursuant to law, Presidential Determination Number 2002-05, relative to Jerusalem Embassy Act; to the Committee on Foreign Relations.

EC-4928. A communication from the Assistant Administrator of the Bureau for Legislative and Public Affairs, Agency for International Development, transmitting, pursuant to law, a report relative to the implementation of the support for Overseas Cooperative Development Act; to the Committee on Foreign Relations.

EC-4929. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation,

transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Airbus Model A300 B4-600, B4-600R, and F4-600R Series Airplanes; and Model A310 Series Airplanes" ((RIN2120-AA64)(2001-0576)) received on December 14, 2001; to the Committee on Commerce, Science, and Transportation.

EC-4930. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Boeing Model 767 Series Airplanes" ((RIN2120-AA64)(2001-0588)) received on December 14, 2001; to the Committee on Commerce, Science, and Transportation.

EC-4931. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Eurocopter France Model EC 155 Helicopters" ((RIN2120-AA64)(2001-0587)) received on December 14, 2001; to the Committee on Commerce, Science, and Transportation.

EC-4932. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Overland Aviation Services Fire Extinguishing System Bottle Cartridges" ((RIN2120-AA64)(2001-0586)) received on December 14, 2001; to the Committee on Commerce, Science, and Transportation.

EC-4933. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Boeing Model 737-100, 200, 300, 400, and 500 Series Airplanes; and Model 747, 757, 767, and 777 Series Airplanes" ((RIN2120-AA64)(2001-0585)) received on December 14, 2001; to the Committee on Commerce, Science, and Transportation.

EC-4934. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Boeing Model 747 Series Airplanes" ((RIN2120-AA64)(2001-0584)) received on December 14, 2001; to the Committee on Commerce, Science, and Transportation.

EC-4935. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Raytheon Aircraft Company 33, T-34, 35, 36, 55, 56, 58, and 95 Series Airplanes" ((RIN2120-AA64)(200-0582)) received on December 14, 2001; to the Committee on Commerce, Science, and Transportation.

EC-4936. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Bombardier Model DHC 8-102, 103, 106, 201, 202, 301, 311, and 315 Series Airplanes" ((RIN2120-AA64)(2001-0583)) received on December 14, 2001; to the Committee on Commerce, Science, and Transportation.

EC-4937. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Bell Helicopter Textron Canada Model 222, 222B, 222U and 230 Helicopters" ((RIN2120-AA64)(2001-0579)) received on December 14, 2001; to the Committee on Commerce, Science, and Transportation.

EC-4938. A communication from the Program Analyst of the Federal Aviation Ad-

ministration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Eurocopter France Model SA341G, S-342J, and SA-360C Helicopters" ((RIN2120-AA64)(2000-0580)) received on December 14, 2001; to the Committee on Commerce, Science, and Transportation.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LIEBERMAN, from the Committee on Governmental Affairs:

Report to accompany H.R. 2559, a bill to amend chapter 90 of title 5, United States Code, relating to Federal long-term care insurance. (Rept. No. 107-128).

By Mr. KENNEDY, from the Committee on Health, Education, Labor, and Pensions, with an amendment in the nature of a substitute:

S. 1379: A bill to amend the Public Health Service Act to establish an Office of Rare Diseases at the National Institutes of Health, and for other purposes. (Rept. No. 107-129).

#### EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. LEVIN for the Committee on Armed Services.

\*Everet Beckner, of New Mexico, to be Deputy Administrator for Defense Programs, National Nuclear Security Administration.

Air Force nominations beginning Colonel Larry D. New and ending Colonel Michael F. Planert, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on September 5, 2001.

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

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

Army nomination of Robert W. Siegert.

Army nominations beginning CATHERINE M. BANFIELD and ending JACK M. WEDAM, which nominations were received by the Senate and appeared in the Congressional Record on December 5, 2001.

Army nominations beginning MARY CARSTENSEN and ending WILLIAM L. TOZIER, which nominations were received by the Senate and appeared in the Congressional Record on December 5, 2001.

Air Force nominations beginning GERARD W. STALNAKER and ending EVERETT G. WILLARD JR., which nominations were received by the Senate and appeared in the Congressional Record on December 11, 2001.

Air Force nominations beginning JAMES A. BARLOW and ending GLENN S. ROBERTS, which nominations were received by the Senate and appeared in the Congressional Record on December 11, 2001.

Air Force nominations beginning CYNTHIA M. CADET and ending DAVID G. YOUNG III, which nominations were received by the Senate and appeared in the Congressional Record on December 11, 2001.

Army nominations beginning JOSEPH L. CULVER and ending CHARLES R. JAMES

JR., which nominations were received by the Senate and appeared in the Congressional Record on December 11, 2001.

Army nominations beginning BARRY D. KEELING and ending ERNESTO E. MARRA, which nominations were received by the Senate and appeared in the Congressional Record on December 11, 2001.

Army nomination of James J. Waldeck III. By Mr. BAUCUS for the Committee on Finance.

\*B. John Williams, Jr., of Virginia, to be Chief Counsel for the Internal Revenue Service and an Assistant General Counsel in the Department of the Treasury.

\*Janet Hale, of Virginia, to be an Assistant Secretary of Health and Human Services.

\*Joan E. Ohl, of West Virginia, to be Commissioner on Children, Youth, and Families, Department of Health and Human Services.

\*James B. Lockhart, III, of Connecticut, to be Deputy Commissioner of Social Security for a term of six years.

\*Harold Daub, of Nebraska, to be a Member of the Social Security Advisory Board for the remainder of the term expiring September 30, 2006.

\*Richard Clarida, of Connecticut, to be an Assistant Secretary of the Treasury.

\*Kenneth Lawson, of Florida, to be an Assistant Secretary of the Treasury.

\*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

#### 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 Mrs. LINCOLN:

S. 1835. A bill to amend the Federal Deposit Insurance Act to clarify what lending entities are subject to section 44(f) of that Act, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. COCHRAN:

S. 1836. A bill to amend the Public Health Service Act to establish scholarship and loan repayment programs regarding the provision of veterinary services in veterinarian shortage areas; to the Committee on Health, Education, Labor, and Pensions.

By Mr. TORRICELLI (for himself, Mr. GRASSLEY, Mr. NELSON of Nebraska, and Mr. HARKIN):

S. 1837. A bill to establish a board if inquiry to review the activities of United States intelligence, law enforcement, and other agencies leading up to the terrorist attacks of September 11, 2001; to the Committee on the Judiciary.

By Mrs. BOXER (for herself and Mr. CORZINE):

S. 1838. A bill to amend the Employee Retirement Income Security Act of 1974 and the Internal Revenue Code of 1986 to ensure that individual account plans protect workers by limiting the amount of employer stock each worker may hold and encouraging diversification of investment of plan assets, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. ALLARD (for himself, Mrs. CLINTON, Mr. SHELBY, and Mr. FEINGOLD):