

United States, on June 29, 2002, transmitted the following message to the President pro tempore of the Senate [Mr. BYRD].

THE WHITE HOUSE,
Washington, June 29, 2002.

Hon. ROBERT C. BYRD,
President pro tempore of the Senate, Washington, DC.

DEAR MR. PRESIDENT: As my staff has previously communicated to you, I will undergo this morning a routine medical procedure requiring sedation. In view of present circumstances, I have determined to transfer temporarily my Constitutional powers and duties to the Vice President during the brief period of the procedure and recovery.

Accordingly, in accordance with the provisions of Section 3 of the Twenty-Fifth Amendment to the United States Constitution, this letter shall constitute my written declaration that I am unable to discharge the Constitutional powers and duties of the office of President of the United States. Pursuant to Section 3, the Vice President shall discharge those powers and duties as Acting President until I transmit to you a written declaration that I am able to resume the discharge of those powers and duties.

Sincerely,

GEORGE W. BUSH.

LETTER DECLARING THE RESUMPTION OF DUTIES AS PRESIDENT OF THE UNITED STATES—PM 104

Under the authority of the order of the Senate of January 3, 2001, the Secretary of the Senate, on June 29, 2002, during the adjournment of the Senate, received the following message from the President of the United States, together with accompanying papers; which was ordered to lie on the table:

Pursuant to the provisions of the 25th Amendment to the Constitution of the United States, the President of the United States, on June 29, 2002, transmitted the following message to the President pro tempore of the Senate [Mr. BYRD].

THE WHITE HOUSE,
Washington, June 29, 2002.

Hon. ROBERT C. BYRD,
President pro tempore of the Senate, Washington, DC.

DEAR MR. PRESIDENT: In accordance with the provisions of Section 3 of the Twenty-Fifth Amendment to the United States Constitution, this letter shall constitute my written declaration that I am presently able to resume the discharge of the Constitutional powers and duties of the office of President of the United States. With the transmittal of this letter, I am resuming those powers and duties effective immediately.

Sincerely,

GEORGE W. BUSH.

MESSAGE FROM THE HOUSE

At 1:08 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. 5118. An act to provide for enhanced penalties for accounting and auditing improprieties at publicly traded companies, and for other purposes.

The message also announced that the House has agreed to the following con-

current resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 395. Concurrent resolution celebrating the 50th anniversary of the Constitution of the Commonwealth of Puerto Rico.

MEASURES REFERRED

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

H. Con. Res. 395. Concurrent resolution celebrating the 50th anniversary of the Constitution of the Commonwealth of Puerto Rico; to the Committee on the Judiciary.

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-7979. A communication from the Vice Chairman of the Export-Import Bank of the United States, transmitting, pursuant to law, a report relative to a transaction involving U.S. exports to Luxembourg; to the Committee on Banking, Housing, and Urban Affairs.

EC-7980. A communication from the Director, Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, the OMB Cost Estimate for Pay-As-You-Go Calculations for Report Number 579; to the Committee on the Budget.

EC-7981. A communication from the Director, Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, the OMB Cost Estimate for Pay-As-You-Go Calculations for Report Number 580; to the Committee on the Budget.

EC-7982. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Change in Disease Status of Austria Because of BSE" (Doc. No. 02-004-2) received on July 11, 2002; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7983. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Change in Disease Status of Austria Because of BSE" (Doc. No. 02-004-2) received on July 11, 2002; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7984. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Methoxychlor; Tolerance Revocations" (FRL7184-4) received on July 11, 2002; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7985. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Indoxacarb; Pesticide Tolerance" (FRL7186-2) received on July 11, 2002; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7986. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Cethodim; Pesticide Tolerance" (FRL7185-7) received on July 11, 2002; to the

Committee on Agriculture, Nutrition, and Forestry.

EC-7987. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Benomyl; Tolerance Revocations" (FRL7177-7) received on July 11, 2002; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7988. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Atrazine, Bensulide, Diphnamid, Imazalil, 6-Methyl-1, 3-dithiolo (4,5-b) quinoxalin-2-One, Phosphamidon S-Propyl dipropylthiocarbamate, and Trimethacarb; Tolerance Revocations" (FRL7182-5) received on July 11, 2002; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7989. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Asergillus flavus AF36; Amendment, Temporary Exemption From the Requirement of a Tolerance" (FRL7185-4) received on July 11, 2002; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7990. 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 Implementation Plans Tennessee: Approval of Revisions to Tennessee Implementation Plan" (FRL7245-7) received on July 11, 2002; to the Committee on Environment and Public Works.

EC-7991. 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 Implementation Plans Tennessee: Approval and Revisions to Tennessee Implementation Plan" (FRL7245-7) received on July 11, 2002; to the Committee on Environment and Public Works.

EC-7992. 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 Section 112(1) Authority for Regulating Hazardous Air Pollutants; Equivalency by Permit Provisions National Emissions Standards for Hazardous Air Pollutants from the Pulp and Paper Industry; State of Maine" (FRL7240-7) received on July 11, 2002; to the Committee on Environment and Public Works.

EC-7993. 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; Commonwealth of Puerto Rico: Control of Emissions from Existing Municipal Solid Waste Landfills" (FRL7246-7) received on July 11, 2002; to the Committee on Environment and Public Works.

EC-7994. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revisions to the California State Implementation Plan, Ventura County Air Pollution Control District" (FRL7231-8) received on July 11, 2002; to the Committee on Environment and Public Works.

EC-7995. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revisions to the California State Implementation Plan, Monterey Bay Unified

Air Pollution Control District and South Coast Air Quality Management District" (FRL7220-6) received on July 11, 2002; to the Committee on Environment and Public Works.

EC-7996. A communication from the Acting Deputy General Counsel, Office of Size Standards, Small Business Administration, transmitting, pursuant to law, the report of a rule entitled "Small Business Size Standards; Travel Agencies; Economic Injury Disaster Loan Program" (RIN3245-AE93) received on July 16, 2002; to the Committee on Small Business and Entrepreneurship.

EC-7997. A communication from the Acting Deputy General Counsel, Office of Size Standards, Small Business Administration, transmitting, pursuant to law, the report of a rule entitled "Small Business Size Standards; Travel Agencies" (RIN3245-AE95) received on July 16, 2002; to the Committee on Small Business and Entrepreneurship.

EC-7998. A communication from the Director, National Legislative Commission, The American Legion, transmitting, pursuant to law, the Accountants' Report and Consolidated Financial Statements for 2001; to the Committee on the Judiciary.

EC-7999. A communication from the Administrator, General Service Administration, transmitting, the report of lease prospectuses that support the General Service Administration's Fiscal Year 2003 Capital Investment and Leasing Program; to the Committee on Environment and Public Works.

EC-8000. A communication from the Secretary of State, transmitting, pursuant to law, the Annual Report for 2001 on Voting Practices at the United Nations; to the Committee on Foreign Relations.

EC-8001. A communication from the Vice Chairman of the Federal Election Commission, transmitting, pursuant to law, the report of a rule entitled "Prohibited and Excessive Contributions: Non-Federal Funds of Soft Money" (Notice 2002-11) received on July 16, 2002; to the Committee on Rules and Administration.

EC-8002. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Revisions and Clarifications to Encryption Controls in the Export Administration Regulations—Implementation of Changes in Category 5, Part 2 ("Information Security"), of the Wassenaar Arrangement List of Dual-Use Goods and Other Technologies" (RIN0694-AC61) received on July 3, 2002; to the Committee on Banking, Housing, and Urban Affairs.

EC-8003. A communication from the Chairman of the Board of Governors of the Federal Reserve System, transmitting, pursuant to law, the Semiannual Monetary Policy Report dated July 16, 2002; to the Committee on Banking, Housing, and Urban Affairs.

EC-8004. A communication from the Under Secretary for Domestic Finance, Department of the Treasury, transmitting, pursuant to law, the Annual Report on the Resolution Funding Corporation for the calendar year 2001; to the Committee on Banking, Housing, and Urban Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. DORGAN, from the Committee on Appropriations, without amendment:

S. 2740: An original bill making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Inde-

pendent Agencies, for the fiscal year ending September 30, 2003, and for other purposes. (Rept. No. 107-212).

EXECUTIVE REPORT OF COMMITTEE

The following executive report of committee was submitted:

By Mr. KENNEDY for the Committee on Health, Education, Labor, and Pensions.

*Richard H. Carmona, of Arizona, to be Medical Director in the Regular Corps of the Public Health Service, subject to qualifications therefor as provided by law and regulations, and to be Surgeon General of the Public Health Service for a term of four years.

*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.

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. BAUCUS:

S. 2737. A bill to amend the Trade Act of 1974 to consolidate and improve the trade adjustment assistance programs, to provide community-based economic development assistance for trade-affected communities, and for other purposes; to the Committee on Finance.

By Mr. JOHNSON (for himself and Mr. DASCHLE):

S. 2738. A bill to provide for the reimbursement under the medicaid program under title XIX of the Social Security Act of nursing facilities that are located on an Indian reservation in the State of South Dakota and owned or operated by an Indian tribe or tribal organization, and for other purposes; to the Committee on Finance.

By Mr. HATCH (for himself, Mr. DEWINE, Mr. LOTT, Mr. DOMENICI, Mr. BUNNING, Mr. GRASSLEY, Mr. KYL, Mr. MCCONNELL, Mr. SESSIONS, Mr. SANTORUM, Mr. HUTCHINSON, Mr. THURMOND, and Mr. HELMS):

S. 2739. A bill to provide for post-conviction DNA testing, to improve competence and performance of prosecutors, defense counsel, and trial judges handling State capital criminal cases, to ensure the quality of defense counsel in Federal capital cases, and for other purposes; to the Committee on the Judiciary.

By Mr. DORGAN:

S. 2740. An original bill making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 2003, and for other purposes; from the Committee on Appropriations; placed on the calendar.

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

S. 2741. A bill to amend title 38, United States Code, to improve procedures for the determination of the inability of veterans to defray expenses of necessary medical care, and for other purposes; to the Committee on Veterans' Affairs.

By Mrs. HUTCHISON (for herself, Mr. LEVIN, Mr. BINGAMAN, Mr. DOMENICI, Mr. MURKOWSKI, and Ms. CANTWELL):

S. 2742. A bill to establish new non-immigrant classes for border commuter students; to the Committee on the Judiciary.

By Mr. KYL (for himself and Mr. MCCAIN):

S. 2743. A bill to approve the settlement of the water rights claims of the Zuni Indian Tribe in Apache County, Arizona, and for other purposes; to the Committee on Indian Affairs.

By Mr. DEWINE (for himself and Mr. VOINOVICH):

S. 2744. A bill to establish the National Aviation Heritage Area, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. BENNETT (for himself and Mr. HATCH):

S. 2745. A bill to provide for the exchange of certain lands in Utah; to the Committee on Energy and Natural Resources.

By Mr. FEINGOLD (for himself and Ms. COLLINS):

S. 2746. A bill to establish a Federal Liaison on Homeland Security in each State, to provide coordination between the Department of Homeland Security and State and local first responders, and for other purposes; to the Committee on Governmental Affairs.

By Mr. TORRICELLI:

S. 2747. A bill to provide for substantial reductions in the price of prescription drugs for Medicare beneficiaries and for women diagnosed with breast cancer; to the Committee on Finance.

By Mr. CONRAD:

S. 2748. A bill to authorize the formulation of State and regional emergency telehealth network testbeds and, within the Department of Defense, a telehealth task force; to the Committee on Armed Services.

By Mr. CORZINE (for himself, Mr. TORRICELLI, Mr. SCHUMER, Mrs. CLINTON, Mr. DODD, and Mr. LIEBERMAN):

S. 2749. A bill to establish the Highlands Stewardship Area in the States of Connecticut, New Jersey, New York, and Pennsylvania, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. DODD (for himself and Mr. LIEBERMAN):

S. Con. Res. 128. A concurrent resolution honoring the invention of modern air conditioning by Dr. Willis H. Carrier on the occasion of its 100th anniversary; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 267

At the request of Mr. AKAKA, the name of the Senator from Wisconsin (Mr. KOHL) was added as a cosponsor of S. 267, a bill to amend the Packers and Stockyards Act of 1921, to make it unlawful for any stockyard owner, market agency, or dealer to transfer or market nonambulatory livestock, and for other purposes.

S. 411

At the request of Mr. LIEBERMAN, the name of the Senator from Georgia (Mr. CLELAND) was added as a cosponsor of S. 411, a bill to designate a portion of the Arctic National Wildlife Refuge as wilderness.