

## ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on March 31, 2004, she had presented to the President of the United States the following enrolled bills:

S. 2231. An act to reauthorize the Temporary Assistance for Needy Families block grant program through June 30, 2004, and for other purposes.

S. 2241. An act to reauthorize certain school lunch and child nutrition programs through June 30, 2004.

## 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-6963. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Delaware and Maryland: Adequacy of State Solid Waste Landfill Permit Programs Under RCRA Subtitle D" (FRL#7642-8) received on March 31, 2004; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6964. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; North Dakota; State Implementation Plan Corrections" (FRL#7641-8) received on March 31, 2004; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6965. A communication from the Administrator, National Aeronautics and Space Administration, transmitting a draft of proposed legislation relative to appropriations to the Administration; to the Committee on Commerce, Science, and Transportation.

EC-6966. A communication from the Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting, a draft of proposed legislation entitled the "National Heritage Partnership Act"; to the Committee on Energy and Natural Resources.

EC-6967. A communication from the Secretary of Energy, transmitting, a draft of proposed legislation to amend Part D of the Energy Employees Occupational Illness Compensation Program Act of 2000 (EEOICPA); to the Committee on Energy and Natural Resources.

EC-6968. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "6-Benzyladenine; Exemption from the Requirement of a Tolerance" (FRL#7347-6) received on March 31, 2004; to the Committee on Environment and Public Works.

EC-6969. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Bacillus Thuringiensis Cry2AB2; Amended Exemption from Requirement of a Tolerance" (FRL#7345-4) received on March 31, 2004; to the Committee on Environment and Public Works.

EC-6970. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Bacillus Thuringiensis CryIF Protein in Cotton; Extension of Temporary Exemption from the Requirement of a Tolerance" (FRL#7242-3) received on March 31, 2004; to the Committee on Environment and Public Works.

EC-6971. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Flumioxazin; Pesticide Tolerance" (FRL#7351-2) received on March 31, 2004; to the Committee on Environment and Public Works.

EC-6972. A communication from the Federal Register Certifying Officer, Fiscal Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Endorsement and Payment of Checks Drawn on the United States Treasury" (RIN1510-AA45) received on March 31, 2004; to the Committee on Finance.

EC-6973. A communication from the Regulations Coordinator, Administration for Children and Families, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Tribal Child Support Enforcement Programs; Final Rule" (RIN0970-AB73) received on March 31, 2004; to the Committee on Finance.

EC-6974. A communication from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting, pursuant to law, the report of a rule entitled "Frivolous Agreement to Avoid Concerning Statutory and Nonstatutory Stock Options" (Notice 2004-28) received on March 31, 2004; to the Committee on Finance.

EC-6975. A communication from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting, pursuant to law, the report of a rule entitled "Loss Deductions for Diminution in Value of Stock Attributable to Corporate Misconduct" (Notice 2004-27) received on March 31, 2004; to the Committee on Finance.

EC-6976. A communication from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting, pursuant to law, the report of a rule entitled "Announcement and Report Concerning Advance Pricing Agreements" (Ann. 2004-26) received on March 31, 2004; to the Committee on Finance.

EC-6977. A communication from the Assistant Secretary, Legislative Affairs, transmitting, pursuant to the Emergency Wartime Supplemental Appropriations Act, the report of the export of defense articles or defense services to Iraq; to the Committee on Foreign Relations.

EC-6978. A communication from the Assistant Secretary, Legislative Affairs, transmitting, pursuant to the Arms Export Control Act, the report of a proposed license for the export of defense articles or defense services sold commercially under a contract in the amount of \$50,000,000 or more to Russia, Ukraine, and Norway; to the Committee on Foreign Relations.

EC-6979. A communication from the Assistant Secretary, Legislative Affairs, transmitting, pursuant to the Arms Export Control Act, the report of a proposed license for the export of defense articles or defense services sold commercially under a contract in the amount of \$100,000,000 or more to Japan and Russia; to the Committee on Foreign Relations.

EC-6980. A communication from the Assistant Secretary, Legislative Affairs, transmitting, pursuant to the Arms Export Control Act, the report of a proposed license for the export of defense articles or defense services sold commercially under a contract in the amount of \$50,000,000 or more to Russia and Kazakhstan to the Committee on Foreign Relations.

EC-6981. A communication from the Deputy Assistant Secretary for Labor-Management Programs, Employment Standards Administration, Department of Labor, transmitting, pursuant to law, the report of a rule

entitled "Obligations of Federal Contractors and Subcontractors; Notice of Employee Rights Concerning Payment of Union Dues or Fees" (RIN1215-AB33) received on March 31, 2004; to the Committee on Health, Education, Labor, and Pensions.

EC-6982. 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 "Grants to States for Operation of Qualified High Risk Pools" (RIN0938-AM42) received on March 31, 2004; to the Committee on Health, Education, Labor, and Pensions.

EC-6983. A communication from the Inspector General, Department of Defense, transmitting, pursuant to law, a report relative to the Department of Defense voting assistance program; to the Committee on Rules and Administration.

## EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. HATCH for the Committee on the Judiciary.

William Gerry Myers III, of Idaho, to be United States Circuit Judge for the Ninth Circuit.

Peter W. Hall, of Vermont, to be United States Circuit Judge for the Second Circuit.

Roger T. Benitez, of California, to be United States District Judge for the Southern District of California.

Marcia G. Cooke, of Florida, to be United States District Judge for the Southern District of Florida.

Paul S. Diamond, of Pennsylvania, to be United States District Judge for the Eastern District of Pennsylvania.

Jane J. Boyle, of Texas, to be United States District Judge for the Northern District of Texas.

Walter D. Kelley, Jr., of Virginia, to be United States District Judge for the Eastern District of Virginia.

Matthew G. Whitaker, of Iowa, to be United States Attorney for the Southern District of Iowa for the term of four years.

(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 Mr. BUNNING (for himself, Mrs. BOXER, and Mr. BURNS):

S. 2268. A bill to provide for recruiting, training, and deputizing persons for the Federal flight desk officer program; to the Committee on Commerce, Science, and Transportation.

By Mr. BOND (for himself and Ms. MIKULSKI):

S. 2269. A bill to improve environmental enforcement and security; to the Committee on Environment and Public Works.

By Mr. DEWINE (for himself, Mr. KOHL, Mr. GRASSLEY, Mr. SCHUMER, Mr. SPECTER, Mr. FEINGOLD, Mr. LEAHY, and Mr. COLEMAN):

S. 2270. A bill to amend the Sherman Act to make oil-producing and exporting cartels illegal; to the Committee on the Judiciary.

By Mr. DURBIN (for himself, Mr. LAUTENBERG, Mr. CORZINE, Mrs. FEINSTEIN, Mr. KENNEDY, and Mrs. BOXER):

S. 2271. A bill to establish national standards for discharges from cruise vessels into the waters of the United States, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. BINGAMAN (for himself and Mr. SMITH):

S. 2272. A bill to amend title XIX of the Social Security Act to expand the pediatric vaccine distribution program to include coverage for children administered a vaccine at a public health clinic or Indian clinic, and for other purposes; to the Committee on Finance.

By Mr. MCCAIN (for himself, Mr. HOLLINGS, Ms. SNOWE, Mr. KENNEDY, Mrs. CLINTON, Mr. ROCKEFELLER, Mr. BIDEN, Mr. CARPER, and Mr. LAUTENBERG):

S. 2273. A bill to provide increased rail transportation security; to the Committee on Commerce, Science, and Transportation.

By Ms. LANDRIEU:

S. 2274. A bill to expand and improve retired pay, burial, education, and other mobilization benefits for members of the National Guard and Reserves who are called or ordered to active duty, and for other purposes; to the Committee on Finance.

By Ms. MIKULSKI (for herself, Mr. SPECTER, Mrs. MURRAY, Mrs. CLINTON, Ms. LANDRIEU, Mr. SCHUMER, Mr. LIEBERMAN, Mr. DASCHLE, and Mr. DAYTON):

S. 2275. A bill to amend the Homeland Security Act of 2002 (6 U.S.C. 101 et seq.) to provide for homeland security assistance for high-risk nonprofit organizations, and for other purposes; to the Committee on Governmental Affairs.

By Mrs. BOXER:

S. 2276. A bill to allow the Secretary of Homeland Security to make grants to Amtrak, other rail carriers, and providers of mass transportation for improvements to the security of our Nation's rail and mass transportation system; to the Committee on Commerce, Science, and Transportation.

By Mr. MCCAIN:

S. 2277. A bill to amend the Act of November 2, 1966 (80 Stat. 1112), to allow binding arbitration clauses to be included in all contracts affecting the land within the Salt River Pima-Maricopa Indian Reservation; to the Committee on Indian Affairs.

By Mr. ENSIGN (for himself and Mr. CRAIG):

S. 2278. A bill to amend title 28, United States Code, to provide for the appointment of additional Federal circuit judges, to divide the Ninth Judicial Circuit of the United States into 3 circuits, and for other purposes; to the Committee on the Judiciary.

By Mr. HOLLINGS (for himself, Mr. MCCAIN, and Mr. BREAUX):

S. 2279. A bill to amend title 46, United States Code, with respect to maritime transportation security, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. NELSON of Florida (for himself and Mr. ALLEN):

S. Res. 328. A resolution expressing the sense of the Senate regarding the continued human rights violations committed by Fidel Castro and the Government of Cuba; to the Committee on Foreign Relations.

#### ADDITIONAL COSPONSORS

S. 726

At the request of Ms. STABENOW, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 726, a bill to treat the Tuesday next after the first Monday in November as a legal public holiday for purposes of Federal employment, and for other purposes.

S. 847

At the request of Mr. SMITH, the name of the Senator from Arkansas (Mr. PRYOR) was added as a cosponsor of S. 847, a bill to amend title XIX of the Social Security Act to permit States the option to provide medicare coverage for low income individuals infected with HIV.

S. 973

At the request of Mr. NICKLES, the name of the Senator from Indiana (Mr. LUGAR) was added as a cosponsor of S. 973, a bill to amend the Internal Revenue Code of 1986 to provide a shorter recovery period for the depreciation of certain restaurant buildings.

S. 1123

At the request of Mrs. BOXER, the name of the Senator from Hawaii (Mr. INOUE) was added as a cosponsor of S. 1123, a bill to provide enhanced Federal enforcement and assistance in preventing and prosecuting crimes of violence against children.

S. 1223

At the request of Mr. BINGAMAN, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 1223, a bill to increase the number of well-trained mental health service professionals (including those based in schools) providing clinical mental health care to children and adolescents, and for other purposes.

S. 1369

At the request of Mr. AKAKA, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 1369, a bill to ensure that prescription drug benefits offered to medicare eligible enrollees in the Federal Employees Health Benefits Program are at least equal to the actuarial value of the prescription drug benefits offered to enrollees under the plan generally.

S. 1381

At the request of Ms. SNOWE, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 1381, a bill to amend the Internal Revenue Code of 1986 to modify certain provisions relating to the treatment of forestry activities.

S. 1447

At the request of Mr. BINGAMAN, the name of the Senator from Texas (Mrs.

HUTCHISON) was added as a cosponsor of S. 1447, a bill to establish grant programs to improve the health of border area residents and for bioterrorism preparedness in the border area, and for other purposes.

S. 1808

At the request of Mr. SESSIONS, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. 1808, a bill to provide for the preservation and restoration of historic buildings at historically women's public colleges or universities.

S. 1980

At the request of Mr. GRAHAM of Florida, the name of the Senator from South Carolina (Mr. HOLLINGS) was added as a cosponsor of S. 1980, a bill to amend the Help America Vote Act of 2002 to require a voter-verified permanent record or hardcopy under title III of such Act, and for other purposes.

S. 2020

At the request of Mrs. BOXER, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 2020, a bill to prohibit, consistent with *Roe v. Wade*, the interference by the government with a woman's right to choose to bear a child or terminate a pregnancy, and for other purposes.

S. 2039

At the request of Mr. WYDEN, the name of the Senator from Kansas (Mr. BROWNBACK) was added as a cosponsor of S. 2039, a bill to waive time limitations specified by law in order to allow the Medal of Honor to be awarded posthumously to Rex T. Barber of Terrebonne, Oregon, for acts of valor during World War II in attacking and shooting down the enemy aircraft transporting Japanese Admiral Isoroku Yamamoto.

S. 2059

At the request of Mr. FITZGERALD, the name of the Senator from Minnesota (Mr. COLEMAN) was added as a cosponsor of S. 2059, a bill to improve the governance and regulation of mutual funds under the securities laws, and for other purposes.

S. 2099

At the request of Mr. MILLER, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 2099, a bill to amend title 38, United States Code, to provide entitlement to educational assistance under the Montgomery GI Bill for members of the Selected Reserve who aggregate more than 2 years of active duty service in any five year period, and for other purposes.

S. 2175

At the request of Mr. DODD, the names of the Senator from Connecticut (Mr. LIEBERMAN) and the Senator from Maine (Ms. SNOWE) were added as cosponsors of S. 2175, a bill to amend the Public Health Service Act to support the planning, implementation, and evaluation of organized activities involving statewide youth suicide early intervention and prevention strategies, and for other purposes.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. SPECTER:

S. Res. 327. A resolution providing for a protocol for nonpartisan confirmation of judicial nominees; to the Committee on Rules and Administration.