

## 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.)

ENROLLED BILL PRESENTED  
DURING ADJOURNMENT

The Secretary of the Senate reported that on May 7, 2004, she had presented to the President of the United States the following enrolled bill:

S. 2315. An act to amend the Communications Satellite Act of 1962 to extend the deadline for the INTELSAT initial public offering.

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-7406. A communication from the Administrator, Federal Aviation Administration, transmitting, pursuant to law, a report relative to foreign aviation authorities to which the Administrator provided services in the preceding fiscal year; to the Committee on Commerce, Science, and Transportation.

EC-7407. A communication from the Chairman, Federal Maritime Commission, transmitting, pursuant to law, the Commission's Annual report for fiscal year 2003; to the Committee on Commerce, Science, and Transportation.

EC-7408. A communication from the Deputy Assistant Administrator, National Oceanic and Atmospheric Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "NOAA Climate and Global Change Program, FY 2005 Program Announcement" (RIN0648-ZA91) received on May 5, 2004; to the Committee on Commerce, Science, and Transportation.

EC-7409. 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 "Amendment to the Export Administration Regulations: Correction to ECCN 1C355 on the Commerce Control List" (RIN0694-AC87) received on May 5, 2004; to the Committee on Commerce, Science, and Transportation.

EC-7410. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Regulations Governing the Taking of Cook Inlet, Alaska, Beluga Whales by Alaska Natives" (RIN0648-AQ16) received on May 5, 2004; to the Committee on Commerce, Science, and Transportation.

EC-7411. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Final Rule to Implement Amendment 13A to the Fishery Management Plan for the Snapper Grouper Fishery of the South Atlantic Region" (RIN0648-AP03) received on May 5, 2004; to the Committee on Commerce, Science, and Transportation.

EC-7412. A communication from the Acting Director, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Closure of Directed Fishing for Pacific Cod by Catcher Vessels Using Trawl Gear in the Bering Sea and Aleutian Islands Management Area" received on May 5, 2004; to the Committee on Commerce, Science, and Transportation.

EC-7413. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Revision of Export and Reexport Restrictions on Libya" (RIN0694-AD14) received on May 5, 2004; to the Committee on Commerce, Science, and Transportation.

EC-7414. A communication from the Secretary of Energy, transmitting, pursuant to law, the Department of Energy's Annual Report for calendar year 2003 entitled "Department of Energy Activities Relating to the Defense Nuclear Facilities Safety Board"; to the Committee on Energy and Natural Resources.

EC-7415. A communication from the Administrator, Energy Information Administration, transmitting, pursuant to law, a report relative to the Administration's Performance Profiles of Major Energy Producers 2002; to the Committee on Energy and Natural Resources.

EC-7416. A communication from the Assistant Secretary, for Fish, Wildlife, and Parks, Department of the Interior, transmitting, a draft of proposed legislation entitled "Castillo de San Marcos National Monument Boundary Adjustment Act of 2003"; to the Committee on Energy and Natural Resources.

EC-7417. 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; State of South Dakota; Revisions to the Administrative Rules of South Dakota and New Source Performance Standards Delegation" (FRL7652-3) received on May 5, 2004; to the Committee on Environment and Public Works.

EC-7418. 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; West Virginia; Sulfur Dioxide Attainment Demonstration for the City of Weirton Including the Clay and Butler Magisterial Districts in Hancock County" (FRL7653-8) received on May 5, 2004; to the Committee on Environment and Public Works.

EC-7419. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation Plans; Wisconsin; Kewaunee County Ozone Maintenance Plan Update" (FRL7657-6) received on May 5, 2004; to the Committee on Environment and Public Works.

EC-7420. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "National Emission Standards for Hazardous Air Pollutants for Chemical Recovery Combustion Sources at Kraft, Soda, Sulfite, and Stand-Alone Semichemical Pulp Mills" (FRL7652-3) received on May 5, 2004; to the Committee on Environment and Public Works.

EC-7421. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant

to law, the report of a rule entitled "Motor Vehicle and Engine Compliance Program Fees for: Light-Duty Vehicles; Light-Duty Trucks; Heavy-Duty Vehicles and Engines; Nonroad Engines; and Motorcycles" (FRL7652-3) received on May 5, 2004; to the Committee on Environment and Public Works.

EC-7422. A communication from the Acting Assistant Administrator for Administration and Resources Management, transmitting, pursuant to law, a report relative to changes to the status of numerous Presidentially-appointed, Senate-confirmed (PAS) positions at the Environmental Protection Agency; to the Committee on Environment and Public Works.

EC-7423. A communication from the Acting Assistant Administrator, Office of Administration and Resources Management, Environmental Protection Agency, transmitting, pursuant to law, the report of a vacancy for the position of Assistant Administrator for OECA, Environmental Protection Agency, received on May 5, 2004; to the Committee on Environment and Public Works.

EC-7424. A communication from the Acting Assistant Administrator, Office of Administration and Resources Management, Environmental Protection Agency, transmitting, pursuant to law, the report of a vacancy for the position of Assistant Administrator for Administration and Resources Management, Environmental Protection Agency, received on May 5, 2004; to the Committee on Environment and Public Works.

EC-7425. A communication from the Acting Assistant Administrator, Office of Administration and Resources Management, Environmental Protection Agency, transmitting, pursuant to law, the report of a nomination for the position of Assistant Administrator for General Counsel, Environmental Protection Agency, received on May 5, 2004; to the Committee on Environment and Public Works.

EC-7426. A communication from the Acting Assistant Administrator, Office of Administration and Resources Management, Environmental Protection Agency, transmitting, pursuant to law, the report of a nomination for the position of Assistant Administrator for Water, Environmental Protection Agency, received on May 5, 2004; to the Committee on Environment and Public Works.

EC-7427. A communication from the Acting Assistant Administrator, Office of Administration and Resources Management, Environmental Protection Agency, transmitting, pursuant to law, the report of a nomination for the position of Chief Financial Officer (CFO), Environmental Protection Agency, received on May 5, 2004; to the Committee on Environment and Public Works.

EC-7428. A communication from the Acting Assistant Administrator, Office of Administration and Resources Management, Environmental Protection Agency, transmitting, pursuant to law, the report of a nomination for the position of Deputy Administrator, Environmental Protection Agency, received on May 5, 2004; to the Committee on Environment and Public Works.

EC-7429. A communication from the Administrator, Environmental Protection Agency, transmitting, pursuant to law, a report relative to the Agency's inadvertent disbursements from 1974 to 1996 to purchase motor vehicles which constitute violations of the Antideficiency Act; to the Committee on Environment and Public Works.

EC-7430. A communication from the Administrator, General Services Administration, transmitting, pursuant to law, a report relative to the Building Project Survey for Orange County, NY; to the Committee on Environment and Public Works.

EC-7431. A communication from the Chairman, Nuclear Regulatory Commission, transmitting, pursuant to law, a report entitled

“Report to Congress on Abnormal Occurrences, Fiscal Year 2003”; to the Committee on Environment and Public Works.

EC-7432. A communication from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting, pursuant to law, the report of a rule entitled “At Risk Limitations; Interest Other Than That of a Creditor” (TD 9124) received on May 5, 2004; to the Committee on Finance.

EC-7433. A communication from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting, pursuant to law, the report of a rule entitled “Electing Mark to Market for Marketable Stock” (RIN1545-A17) received on May 5, 2004; to the Committee on Finance.

EC-7434. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to law, the report of the texts and background statements of international agreements, other than treaties; to the Committee on Foreign Relations.

EC-7435. A communication from the Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to nuclear non-proliferation in South Asia; to the Committee on Foreign Relations.

EC-7436. A communication from the Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to law, the report of a rule entitled “Amendment to the International Traffic in Arms Regulations: Denial Policy in Iraq” (RIN1400-ZA09) received on May 5, 2004; to the Committee on Foreign Relations.

EC-7437. A communication from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to minority employment and recruitment at the Department of State; to the Committee on Foreign Relations.

EC-7438. A communication from the Assistant Secretary for Legislative Affairs, transmitting, pursuant to law, a report relative to restrictions on assistance to the former Yugoslavia; to the Committee on Foreign Relations.

EC-7439. A communication from the Chairman, Occupational Safety and Health Review Commission, transmitting, pursuant to law, a report relative to competitive sourcing statutory reporting; to the Committee on Governmental Affairs.

EC-7440. A communication from the Archivist of the United States, transmitting, pursuant to law, a report relative to a proposed archival depository for the Presidential records and other historical materials of the Clinton administration; to the Committee on Governmental Affairs.

EC-7441. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report relative to the Medical Device User Fee and Modernization Act of 2002; to the Committee on Governmental Affairs.

EC-7442. A communication from the Secretary to the Council of the District of Columbia, transmitting, Council Resolution 15-468 entitled “Sense of the Council in Support of Protection of Civil Liberties Resolution of 2004”; to the Committee on Governmental Affairs.

EC-7443. A communication from the Chairman, Federal Trade Commission, transmitting, pursuant to law, the Commission’s Report under the Government in Sunshine Act for calendar 2002; to the Committee on Governmental Affairs.

EC-7444. A communication from the Auditor of the District of Columbia, transmitting, pursuant to law, a report entitled “Audit of Advisory Neighborhood Commission 3B for Fiscal Years 2000 through 2003, as

of March 31, 2003”; to the Committee on Governmental Affairs.

EC-7445. A communication from the Auditor of the District of Columbia, transmitting, pursuant to law, a report entitled “Comparative Analysis of Actual Cash Collections to Revised Revenue Estimates Through the 4th Quarter of Fiscal Year 2003”; to the Committee on Governmental Affairs.

EC-7446. A communication from the Auditor of the District of Columbia, transmitting, pursuant to law, a report entitled “Fiscal Year 2003 Annual Report on Advisory Neighborhood Commissions”; to the Committee on Governmental Affairs.

EC-7447. A communication from the Auditor of the District of Columbia, transmitting, pursuant to law, a report entitled “Certification of the Sufficiency of the Washington Convention Center Authority’s Projected Revenues and Excess Reserve to Meet Projected Operating and Debt Service Expenditures and Reserve Requirements for Fiscal Year 2004”; to the Committee on Governmental Affairs.

EC-7448. A communication from the Director, Office of Personnel Management, transmitting, pursuant to law, the report of the Office of Inspector General for the period of April 1, 2003 through September 30, 2003; to the Committee on Governmental Affairs.

EC-7449. A communication from the Deputy Associate Administrator, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled “Federal Acquisition Regulation; Federal Acquisition Circular 2001-23” (FAC2001-23) received on May 6, 2004; to the Committee on Governmental Affairs.

EC-7450. A communication from the Secretary of Education, transmitting, pursuant to law, the Department of Education’s Fiscal Year 2003 Performance and Accountability Report; to the Committee on Governmental Affairs.

#### 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. CONRAD:

S. 2395. A bill to require the Secretary of the Treasury to mint coins in commemoration of the centenary of the bestowal of the Nobel Peace Prize on President Theodore Roosevelt, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. HATCH (for himself, Mr. LEAHY, Mr. CHAMBLISS, Mr. DURBIN, Mr. SCHUMER, and Mrs. CLINTON):

S. 2396. A bill to make improvements in the operations and administration of the Federal courts, and for other purposes; to the Committee on the Judiciary.

By Mrs. BOXER (for herself and Mrs. FEINSTEIN):

S. 2397. A bill to adjust the boundary of the John Muir National Historic Site, and for other purposes; to the Committee on Energy and Natural Resources.

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

S. 2398. A bill to designate the Federal building located at 324 Twenty-Fifth Street in Ogden, Utah, as the James V. Hansen Federal Building; to the Committee on Environment and Public Works.

By Mr. FITZGERALD (for himself and Mr. KENNEDY):

S. 2399. A bill to provide for the improvement of physical activity and nutrition and

the prevention of obesity for all Americans; to the Committee on Health, Education, Labor, and Pensions.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. FRIST (for himself, Mr. DASCHLE, Mr. AKAKA, Mr. ALEXANDER, Mr. ALLARD, Mr. ALLEN, Mr. BAUCUS, Mr. BAYH, Mr. BENNETT, Mr. BIDEN, Mr. BINGAMAN, Mr. BOND, Mrs. BOXER, Mr. BREAUX, Mr. BROWNBACK, Mr. BUNNING, Mr. BURNS, Mr. BYRD, Mr. CAMPBELL, Ms. CANTWELL, Mr. CARPER, Mr. CHAFEE, Mr. CHAMBLISS, Mrs. CLINTON, Mr. COCHRAN, Mr. COLEMAN, Ms. COLLINS, Mr. CONRAD, Mr. CORNYN, Mr. CORZINE, Mr. CRAIG, Mr. CRAPO, Mr. DAYTON, Mr. DEWINE, Mr. DODD, Mrs. DOLE, Mr. DOMENICI, Mr. DORGAN, Mr. DURBIN, Mr. EDWARDS, Mr. ENSIGN, Mr. ENZI, Mr. FEINGOLD, Mrs. FEINSTEIN, Mr. FITZGERALD, Mr. GRAHAM of Florida, Mr. GRAHAM of South Carolina, Mr. GRASSLEY, Mr. GREGG, Mr. HAGEL, Mr. HARKIN, Mr. HATCH, Mr. HOLLINGS, Mrs. HUTCHISON, Mr. INHOFE, Mr. INOUE, Mr. JEFFORDS, Mr. JOHNSON, Mr. KENNEDY, Mr. KERRY, Mr. KOHL, Mr. KYL, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LEAHY, Mr. LEVIN, Mr. LIBBERMAN, Mrs. LINCOLN, Mr. LOTT, Mr. LUGAR, Mr. MCCAIN, Mr. MCCONNELL, Ms. MIKULSKI, Mr. MILLER, Ms. MURKOWSKI, Mrs. MURRAY, Mr. NELSON of Florida, Mr. NELSON of Nebraska, Mr. NICKLES, Mr. PRYOR, Mr. REED, Mr. REID, Mr. ROBERTS, Mr. ROCKEFELLER, Mr. SANTORUM, Mr. SARBANES, Mr. SCHUMER, Mr. SESSIONS, Mr. SHELBY, Mr. SMITH, Ms. SNOWE, Mr. SPECTER, Ms. STABENOW, Mr. STEVENS, Mr. SUNUNU, Mr. TALENT, Mr. THOMAS, Mr. VOINOVICH, Mr. WARNER, and Mr. WYDEN):

S. Res. 356. A resolution condemning the abuse of Iraqi prisoners at Abu Ghraib prison, urging a full and complete investigation to ensure justice is served, and expressing support for all Americans serving nobly in Iraq; considered and agreed to.

By Mr. GRASSLEY:

S. Con. Res. 105. A concurrent resolution designating the second week of March 2005 as “Extension Living Well Week”; to the Committee on the Judiciary.

#### ADDITIONAL COSPONSORS

S. 491

At the request of Mr. COCHRAN, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 491, a bill to expand research regarding inflammatory bowel disease, and for other purposes.

At the request of Mr. REID, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 491, supra.

S. 545

At the request of Ms. SNOWE, the name of the Senator from West Virginia (Mr. BYRD) was added as a cosponsor of S. 545, a bill to amend title I of the Employee Retirement Income Security Act of 1974 to improve access