

take into account humanitarian and diplomatic concerns as well as the international obligations of the United States.

Accordingly, I have waived the application of subsections 5(a)(1) and 5(a)(2)(A) of the SAA to permit the export and reexport of: products in support of activities of the United States Government to the extent that such exports would not otherwise fall within my constitutional authority to conduct the Nation's foreign affairs and protect national security; medicines on the Commerce Control List and medical devices; aircraft parts and components for purposes of flight safety; exports and reports consistent with the 5(a)(2)(D) waiver outlined below; information and informational materials, as well as telecommunications equipment and associated items to promote the free flow of information; certain software and technology; products in support of United States operations; and, certain exports and reexports of a temporary nature. These items are further identified in the Department of Commerce's General Order No. 2, as issued consistent with my order. I have also waived the application of subsection 5(a)(2)(D) to permit the following with respect to aircraft of any air carrier owned or controlled by Syria: takeoffs or landings of such aircraft when chartered by the Government of Syria to transport Syrian government officials to the United States on official Syrian government business; takeoffs or landings for non-traffic stops of such aircraft that are not engaged in scheduled international air services; takeoffs and landings associated with an emergency; and overflights of U.S. territory.

GEORGE W. BUSH.

THE WHITE HOUSE, May 11, 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-7451. A communication from the Regulatory Contact, Grain Inspection, Packers and Stockyards Administration, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Fees for Official Inspection and Official Weighing Services" (RIN0580-AA80) received on May 10, 2004; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7452. 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 "Pine Shoot Beetle; Additions to Quarantined Areas" (Doc. No. 03-102-2) received on May 10, 2004; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7453. 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 "Veterinary Diagnostic Services User Fees" (Doc. No. 00-024-2) received on May 10, 2004; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7454. 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 "Importation of Orchids of the Genus *Phalaenopsis* from Taiwan in Growing Media" (Doc. No. 98-035-3) received on May 10, 2004; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7455. 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 "Karnal Bunt; Compensation for Custom Harvesters in Northern Texas" (Doc. No. 03-052-1) received on May 10, 2004; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7456. 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 "Highly Pathogenic Avian Influenza; Additional Restrictions" (Doc. No. 04-011-1) received on May 10, 2004; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7457. 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 "Procedures for Reestablishing a Region as Free of a Disease" (Doc. No. 02-001-2) received on May 10, 2004; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7458. A communication from the Director, Regulatory Review Group, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Extra Long Staple Cotton Outside Storage and Strength Adjustment for Loan" (RIN0560-AH03) received on May 10, 2004; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7459. A communication from the Assistant to the Board of Governors of the Federal Reserve System, Division of Banking Supervision and Regulation, transmitting, pursuant to law, the report of a rule entitled "Risk-Based Capital Guidelines; Capital Adequacy Guidelines; Capital Maintenance; Interim Capital Treatment of Consolidated Asset-Backed Commercial Paper Program Assets; Extension" (Doc. No. 1156) received on May 10, 2004; to the Committee on Banking, Housing, and Urban Affairs.

EC-7460. A communication from the Deputy Secretary of the Treasury, transmitting, pursuant to law, a report on the national emergency declared in Executive Order 12978 of October 21, 1995 with respect to significant narcotics traffickers centered in Columbia; to the Committee on Banking, Housing, and Urban Affairs.

EC-7461. A communication from the Under Secretary for Emergency Preparedness and Response, Federal Emergency Management Agency, transmitting, pursuant to law, a report relative to funding for the State of Connecticut as a result of the record/near record snowfall on December 5-7, 2003; to the Committee on Banking, Housing, and Urban Affairs.

EC-7462. A communication from the Under Secretary for Emergency Preparedness and Response, Federal Emergency Management Agency, transmitting, pursuant to law, a report relative to funding for the Commonwealth of Massachusetts as a result of the record/near record snowfall on December 5-7, 2003; to the Committee on Banking, Housing, and Urban Affairs.

EC-7463. A communication from the Acting General Counsel, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Final Flood Ele-

vation Determinations; 69 FR 10927" (44 CFR Part 67) received on May 10, 2004; to the Committee on Banking, Housing, and Urban Affairs.

EC-7464. A communication from the Acting General Counsel, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Final Flood Elevation Determinations; 69 FR 10924" (44 CFR Part 67) received on May 10, 2004; to the Committee on Banking, Housing, and Urban Affairs.

EC-7465. A communication from the Acting General Counsel, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Changes in Flood Elevation Determinations; 69 FR 10923" (Doc. # FEMA-D-7553) received on May 10, 2004; to the Committee on Banking, Housing, and Urban Affairs.

EC-7466. A communication from the Under Secretary for Industry and Security, transmitting, pursuant to law, a report relative to foreign policy-based export controls on exports of protective and detection equipment and components not specifically designed for military use; to the Committee on Banking, Housing, and Urban Affairs.

EC-7467. A communication from the Acting Administrator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, a report entitled "Alternative to 96-hour Rule for Critical Access Hospitals"; to the Committee on Health, Education, Labor, and Pensions.

EC-7468. A communication from the Acting Administrator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, a report entitled "Hospitals Overhead and Supervisory Physician Components of Direct Medical Education Costs"; to the Committee on Health, Education, Labor, and Pensions.

EC-7469. A communication from the Acting Administrator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, a report relative to rule 67 FR 13416 that described the payment system that CMS was proposing for LTCHs; to the Committee on Health, Education, Labor, and Pensions.

EC-7470. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled "Medical Nutrition Therapy"; to the Committee on Health, Education, Labor, and Pensions.

EC-7471. A communication from the Secretary of Labor, transmitting, pursuant to law, the first report of the President's National Hire Veterans Committee; to the Committee on Health, Education, Labor, and Pensions.

EC-7472. A communication from the Director, Regulations Policy and Management Staff, Food and Drug Administration, transmitting, pursuant to law, the report of a rule entitled "Prescription Drug Marketing Act of 1987; Prescription Drug Amendments of 1992; Policies, Requirements, and Administrative Procedures; Delay of Effective Date; Correction" (RIN0905-AC81) received on May 10, 2004; to the Committee on Health, Education, Labor, and Pensions.

EC-7473. A communication from the Director, Corporate Policy and Research Department, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled "Benefits Payable in Terminated Single-Employer Plans; Allocation of Assets in Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits" received on May 10, 2004; to the Committee on Health, Education, Labor, and Pensions.

EC-7474. A communication from the Director, Corporate Policy and Research Department, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled "Benefits Payable in Terminated Single-Employer Plans; Allocation of Assets in Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits" received on May 10, 2004; to the Committee on Health, Education, Labor, and Pensions.

EC-7475. A communication from the Director, Corporate Policy and Research Department, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled "Benefits Payable in Terminated Single-Employer Plans; Allocation of Assets in Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits" received on May 10, 2004; to the Committee on Health, Education, Labor, and Pensions.

EC-7476. A communication from the Director, Regulations Policy and Management Staff, Food and Drug Administration, transmitting, pursuant to law, the report of a rule entitled "Human Cells, Tissues, and Cellular and Tissue-Based Products; Establishment Registration and Listing" (Doc. No. 97N-484R) received on May 5, 2004; to the Committee on Health, Education, Labor, and Pensions.

EC-7477. A communication from the Director, Regulations Policy and Management Staff, Food and Drug Administration, transmitting, pursuant to law, the report of a rule entitled "Human Cells, Tissues, and Cellular and Tissue-Based Products; Establishment Registration and Listing; Correction" (Doc. No. 97N-484R) received on May 5, 2004; to the Committee on Health, Education, Labor, and Pensions.

EC-7478. A communication from the Director, Regulations Policy and Management Staff, Food and Drug Administration, transmitting, pursuant to law, the report of a rule entitled "Change of Name; Technical Amendment" received on May 5, 2004; to the Committee on Health, Education, Labor, and Pensions.

EC-7479. A communication from the Director, Regulations Policy and Management Staff, Food and Drug Administration, transmitting, pursuant to law, the report of a rule entitled "Drug Labeling; Sodium Labeling for Over-the-Counter Drugs; Technical Amendment; Termination of Delay of Effective Date; Compliance Dates" (Doc. No. 90N-0309) received on May 5, 2004; to the Committee on Health, Education, Labor, and Pensions.

EC-7480. A communication from the Director, Regulations Policy and Management Staff, Food and Drug Administration, transmitting, pursuant to law, the report of a rule entitled "Drug Labeling: Orally Ingested Over-the-Counter Drug Products Containing Calcium, Magnesium, and Potassium" (Doc. No. 1995N-0254) received on May 5, 2004; to the Committee on Health, Education, Labor, and Pensions.

EC-7481. A communication from the Director, Regulations Policy and Management Staff, Food and Drug Administration, transmitting, pursuant to law, the report of a rule entitled "Change of Address; Technical Amendment" received on May 5, 2004; to the Committee on Health, Education, Labor, and Pensions.

EC-7482. A communication from the Director, Regulations Policy and Management Staff, Food and Drug Administration, transmitting, pursuant to law, the report of a rule entitled "Medical Devices; Hematology and Pathology Devices; Classification of the Factor V Leiden DNA Mutation Detection Systems Devices" (Doc. No. 2004P-0044) received on May 5, 2004; to the Committee on Health, Education, Labor, and Pensions.

EC-7483. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report relative to the Prescription Drug User Fee Act reauthorization; to the Committee on Health, Education, Labor, and Pensions.

EC-7484. A communication from the Director, Regulations Policy and Management Staff, Food and Drug Administration, transmitting, pursuant to law, the report of a rule entitled "Food Labeling and Indirect Food Additives; Technical Amendment" received on May 5, 2004; to the Committee on Health, Education, Labor, and Pensions.

EC-7485. A communication from the Director, Regulations Policy and Management Staff, Food and Drug Administration, transmitting, pursuant to law, the report of a rule entitled "Application of 30-month Stays on Approval of Abbreviated New Drug Applications and Certain New Drug Applications Containing a Certification That a Patent Claiming the Drug Is Invalid or Will Not Be Infringed; Technical Amendment" (Doc. No. 2003N-0417) received on May 5, 2004; to the Committee on Health, Education, Labor, and Pensions.

EC-7486. A communication from the Director, Regulations Policy and Management Staff, Food and Drug Administration, transmitting, pursuant to law, the report of a rule entitled "Medical Device Reports; Reports of Corrections and Removals; Establishment Registration and Device Listing; Premarket Approval Supplements; Quality System Regulation; Importation of Electronic Products; Technical Amendment" received on May 5, 2004; to the Committee on Health, Education, Labor, and Pensions.

EC-7487. A communication from the Assistant General Counsel, Division of Regulatory Services, Department of Education, transmitting, pursuant to law, the report of a rule entitled "Federal Perkins Loan Program, Federal Family Education Loan Program, and William D. Ford Direct Loan Program" (RIN1840-AC84) received on May 5, 2004; to the Committee on Health, Education, Labor, and Pensions.

EC-7488. A communication from the Assistant General Counsel, Division of Regulatory Services, Department of Education, transmitting, pursuant to law, the report of a rule entitled "Impact Aid Discretionary Construction Program" (RIN1810-AA96) received on May 5, 2004; to the Committee on Health, Education, Labor, and Pensions.

EC-7489. A communication from the Assistant General Counsel, Division of Regulatory Services, Department of Education, transmitting, pursuant to law, the report of a rule entitled "Institutional Elig. Under the HEA of 1965; Patricia Roberts Harris Fellowship Prog.; Student Assistance Gen. Prov.; Fed. Perkins Loan Prog.; FWS Prog.; FSEOG; FFELP; Wm. D. Ford FDL Prog.; Fed. Pell Grant Prog.; and National Early Intervention Scholarship and Partnership Program" (RIN1840-AC47) received on May 5, 2004; to the Committee on Health, Education, Labor, and Pensions.

EC-7490. A communication from the Assistant General Counsel, Division of Regulatory Services, Department of Education, transmitting, pursuant to law, the report of a rule entitled "Smaller Learning Communities Program" (RIN1830-ZA04) received on May 5, 2004; to the Committee on Health, Education, Labor, and Pensions.

EC-7491. A communication from the Acting Administrator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, a report relative to the Proposed Prospective Payment System Methodology for Psychiatric Hospitals and Units; to the Committee on Health, Education, Labor, and Pensions.

EC-7492. A communication from the Assistant Secretary for Administration and Management, Department of Labor, transmitting, pursuant to law, the Department's Commercial Activities Inventory for Fiscal Year 2003; to the Committee on Health, Education, Labor, and Pensions.

EC-7493. A communication from the Senior Regulatory Officer, Wage and Hour Division, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Defining and Delimiting the Exemptions for Executive, Administrative, Professional, Outside Sales, and Computer Employees, 29 CFR Part 541" (RIN1215-AA14) received on April 27, 2004; to the Committee on Health, Education, Labor, and Pensions.

EC-7494. A communication from the Assistant General Counsel for Regulatory Services, Office of Vocational and Adult Education, Department of Education, transmitting, pursuant to law, the report of a rule entitled "Community Technology Centers Program" (RIN1830-ZA05) received on April 27, 2004; to the Committee on Health, Education, Labor, and Pensions.

EC-7495. A communication from the Director, Office of Surface Mining, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Kentucky Regulatory Program" (KY-244-FOR) received on May 10, 2004; to the Committee on Energy and Natural Resources.

EC-7496. A communication from the Assistant Secretary for Land and Minerals Management, Minerals Management Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Federal Oil Valuation" (RIN1010-AD04) received on May 10, 2004; to the Committee on Energy and Natural Resources.

EC-7497. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Notice of Availability of Award of Grants and Cooperative Agreements for the Special Projects and Programs Authorized by the Agency's FY 2004 Appropriations Act" received on May 10, 2004; to the Committee on Environment and Public Works.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. WARNER, from the Committee on Armed Services, without amendment:

S. 2400. An original bill to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Services, and for other purposes (Rept. No. 108-260).

By Mr. INHOFE, from the Committee on Environment and Public Works, with an amendment in the nature of a substitute:

S. 994. A bill to protect human health and the environment from the release of hazardous substances by acts of terrorism (Rept. No. 108-261).

By Mr. WARNER, from the Committee on Armed Services, without amendment:

H.R. 3104. To provide for the establishment of separate campaign medals to be awarded to members of the uniformed services who participate in Operation Enduring Freedom and to members of the uniformed services who participate in Operation Iraqi Freedom.

By Mr. INHOFE, from the Committee on Environment and Public Works, with an amendment in the nature of a substitute:

S. 441. A bill to direct the Administrator of General Services to convey to Fresno County, California, the existing Federal court-houses in that county.