

youngsters," and was requested by police departments throughout the United States, Canada, and Europe.

From time to time Fiset continued to file news reports. He wrote about the airlift of Vietnamese-American children out of Vietnam by Ed Daly, a friend and the flamboyant owner of World Airways. In 1973, Fiset was one of the first to file an eyewitness report on the crash of the Soviet SST TU-144 crash at the Paris Air Show.

An avid golfer, Fiset participated in many civic groups and fund raisers. He taught news writing and reporting at the College of Alameda and for many years was a board member for JACKIE, an agency that finds foster homes for children.

He was married for almost 60 years and is survived by his wife, Marian Fiset of Walnut Creek, his sons Rick Fiset of Danville, Gary Fiset of Alamo, daughter Michele Fiset Rice of Bryn Mawr, PA, and his eight grandchildren. Bill Fiset died peacefully on Sunday, May 2, in Concord, CA. ●

#### HONORING THE STUDENTS OF DOBSON HIGH SCHOOL

● Mr. KYL. Mr. President, earlier this month, more than 1,250 students from across the United States were in Washington, DC to compete in the national finals of the "We the People: The Citizen and the Constitution" program. I am proud to note that the class from Dobson High School from Mesa, AZ received a fourth place honorable mention in this year's competition.

I would like to take a moment to mention the names of those students who competed for Dobson High: Andrew Barrett, Andi Berlin, Amanda Campbell, Catherine Capozzi, Eric Chen, Katy Cronenberg, Tom Emmons, Eva Farnsworth, Jennifer Heller, Annie Ho, Jamie Kearney, Katie Kearney, Maureen Klaum, Nicole Klundt, Jessie Leatham, Angela Mallard, Tara McMurdy, Joanna Sung, Taylor Morris, Kim Nath, Janne Perona, Dean Thong-Kahm, and Shaochen Wu. I would also like to acknowledge their teacher, Abby Dupke, the district coordinator, Kathy Williams, and the State coordinator, Susan Nusso.

I congratulate these budding constitutional experts and wish them the best of luck in the future. ●

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Evans, one of his secretaries.

#### EXECUTIVE MESSAGES REFERRED

As in the 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.)

#### REPORT OF THE CONTINUATION OF THE NATIONAL EMERGENCY PROTECTING THE DEVELOPMENT FUND FOR IRAQ AND CERTAIN OTHER PROPERTY IN WHICH IRAQ HAS AN INTEREST—PM 78

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

*To the Congress of the United States:*

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent the enclosed notice, stating that the national emergency declared in Executive Order 13303 of May 22, 2003, as expanded in scope by Executive Order 13315 of August 28, 2003, protecting the Development Fund for Iraq and certain other property in which Iraq has an interest, is to continue in effect beyond May 22, 2004, to the *Federal Register* for publication.

The obstacles to the orderly reconstruction of Iraq, the restoration and maintenance of peace and security in the country, and the development of political, administrative, and economic institutions in Iraq constituted by the threat of attachment or other judicial process against the Development Fund for Iraq, Iraqi petroleum and petroleum products, and interests therein, and proceeds, obligations, or any financial instruments of any nature whatsoever arising from or related to the sale or marketing thereof, pose a continuing unusual and extraordinary threat to the national security and foreign policy of the United States. For these reasons, I have determined that it is necessary to continue the national emergency protecting the Development Fund for Iraq, and certain other property in which Iraq has an interest, and to maintain in force the sanctions to respond to this threat.

GEORGE W. BUSH.

THE WHITE HOUSE, May 20, 2004.

#### UNITED STATES ARCTIC RESEARCH PLAN—PM 79

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Governmental Affairs:

*To the Congress of the United States:*

Consistent with the provisions of the Arctic Research and Policy Act of 1984,

as amended (15 U.S.C. 4108(a)), I transmit herewith the eighth biennial revision (2004-2008) to the United States Arctic Research Plan, as prepared for the Congress and the Administration by the Interagency Arctic Research Policy Committee.

GEORGE W. BUSH.  
THE WHITE HOUSE, May 20, 2004.

#### 2004 COMPREHENSIVE REPORT ON U.S. TRADE AND INVESTMENT POLICY FOR SUB-SAHARAN AFRICA AND IMPLEMENTATION OF THE AFRICAN GROWTH AND OP- PORTUNITY ACT—PM 80

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Finance:

*To the Congress of the United States:*

Consistent with title I of the Trade and Development Act of 2000, I am providing a report prepared by my Administration entitled "2004 Comprehensive Report on U.S. Trade and Investment Policy for Sub-Saharan Africa and Implementation of the African Growth and Opportunity Act."

GEORGE W. BUSH.  
THE WHITE HOUSE, May 20, 2004.

#### MESSAGES FROM THE HOUSE

At 10:38 a.m., a message from the House of Representatives, delivered by the House Enrolling Clerk, announced that the House has agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the resolution (S. Con. Res. 95) setting forth the congressional budget for the United States Government for fiscal year 2005 and including the appropriate budgetary levels for fiscal years 2006 through 2009.

The message also announced that pursuant to section 211 of the Older Americans Act Amendments of 2000 (42 U.S.C. 3001 note), the Minority Leader appoints the following individuals on the part of the House of Representatives to the Policy Committee of the White House Conference on Aging: Barbara Kennelly of Connecticut and Robert B. Blancato of Virginia.

#### ENROLLED BILLS SIGNED

At 11:55 a.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

H. R. 923. An act to amend the Small Business Investment Act of 1958 to allow certain premier certified lenders to elect to maintain an alternative loss reserve.

H. R. 3104. An act 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.

The enrolled bills were signed subsequently by the President pro tempore (Mr. STEVENS).

At 4:51 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House has agreed to the following concurrent resolutions, in which it requests the concurrence of the Senate:

H. Con. Res. 424. Concurrent resolution honoring past and current members of the Armed Forces of the United States and encouraging Americans to wear red poppies on Memorial Day.

H. Con. Res. 432. Concurrent resolution providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate.

The message also announced that the House disagree to the amendment of the Senate to the bill (H.R. 1047) to amend the harmonized Tariff Schedule of the United States to modify temporarily certain rates of duty, to make other technical amendments to the trade laws, and for other purposes, and ask a conference with the Senate on the disagreeing votes of the two Houses thereon.

Ordered, That the following Members be the managers of the conference on the part of the House: From the Committee on Ways and Means, for consideration of the House bill and the Senate amendment, and modifications committed to conference: Mr. THOMAS, Mr. CRANE, Mr. SHAW, Mr. RANGEL, and Mr. LEVIN.

#### ENROLLED BILLS SIGNED

At 7:28 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

H.R. 408. An act to provide for expansion of Sleeping Bear Dunes National Lakeshore.

H.R. 708. An act to require the conveyance of certain National Forest System lands in Mendocino National Forest, California, to provide for the use of the proceeds from such conveyance for National Forest purposes, and for other purposes.

H.R. 856. An act to authorize the Secretary of the Interior to revise a repayment contract with the Tom Green County Water Control and Improvement District No. 1, San Angelo project, Texas, and for other purposes.

H.R. 1598. An act to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in projects within the San Diego Creek Watershed, California, and for other purposes.

#### MEASURES PLACED ON THE CALENDAR

The following bills were read the second time, and placed on the calendar:

H.R. 2728. To amend the Occupational Safety and Health Act of 1970 to provide for adjudicative flexibility with regard to an employer filing of a notice of contest following the issuance of a citation by the Occupational Safety and Health Administration; to provide for greater efficiency at the Occupa-

tional Safety and Health Review Commission; to provide for an independent review of citations issued by the Occupational Safety and Health Administration; to provide for the award of attorney's fees and costs to very small employers when they prevail in litigation prompted by the issuance of citations by the Occupational Safety and Health Administration; and to amend the Paperwork Reduction Act and titles 5 and 31, United States Code, to reform Federal paperwork and regulatory processes.

S. 2448. A bill to coordinate rights under the Uniformed Services Employment and Reemployment Rights Act of 1994 with other Federal laws.

#### MEASURES READ THE FIRST TIME

The following bills were read the first time:

H.R. 4279. To amend the Internal Revenue Code of 1986 to provide for the disposition of unused health benefits in cafeteria plans and flexible spending arrangements, to improve patient access to health care services and provide improved medical care by reducing the excessive burden the liability system places on the health care delivery system, and to amend title I of the Employee Retirement Income Security Act of 1974 to improve access and choice for entrepreneurs with small businesses with respect to medical care for their employees.

S. 2451. A bill to amend the Agricultural Marketing Act of 1946 to restore the application date for country of origin labeling.

#### 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-7632. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Indoxacarb; Time-Limited Pesticide Tolerance" (FRL#7359-1) received on May 19, 2004; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7633. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Isoxadifen-ethyl; Pesticide Tolerance" (FRL#7355-8) received on May 19, 2004; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7634. A communication from the Assistant Director for Executive and Political Personnel, Department of the Army, transmitting, pursuant to law, a nomination rejected, withdrawn, or returned, received on May 19, 2004; to the Committee on Armed Services.

EC-7635. A communication from the Secretary of Defense, transmitting, the report of a retirement; to the Committee on Armed Services.

EC-7636. A communication from the Acting Under Secretary of Defense for Acquisition, Technology, and Logistics, transmitting, pursuant to law, a report relative to defense federally funded research and development centers; to the Committee on Armed Services.

EC-7637. A communication from the Deputy Secretary of the Treasury, transmitting, pursuant to law, a report on the national emergency with respect to Iran that was declared in Executive Order 12170 of November 14, 1979; to the Committee on Banking, Housing, and Urban Affairs.

EC-7638. A communication from the Chairman, Appraisal Subcommittee, Federal Financial Institutions Examination Council, transmitting, pursuant to law, the Subcommittee's Annual Report; to the Committee on Banking, Housing, and Urban Affairs.

EC-7639. A communication from the Paralegal Specialist, 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, C4-605R Variant F, and F4-600R (Collectively Called A300 and 600) Airplanes and Model A310 Doc. No. 2004-NM-57" (RIN2120-AA64) received on May 19, 2004; to the Committee on Commerce, Science, and Transportation.

EC-7640. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Boeing Model 747-400, and 400D Airplanes Doc. No. 2004-NM-42" (RIN2120-AA64) received on May 19, 2004; to the Committee on Commerce, Science, and Transportation.

EC-7641. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: McDonnell Douglas Model MD-90-30 Airplanes Doc. No. 2001-NM-226" (RIN2120-AA64) received on May 19, 2004; to the Committee on Commerce, Science, and Transportation.

EC-7642. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Boeing Model 737-300, 400, and 500 Airplanes Doc. No. 2002-NM-174" (RIN2120-AA64) received on May 19, 2004; to the Committee on Commerce, Science, and Transportation.

EC-7643. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Boeing Model 707 and 720 Series Airplanes Doc. No. 2002-NM-335" (RIN2120-AA64) received on May 19, 2004; to the Committee on Commerce, Science, and Transportation.

EC-7644. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Boeing Model 737-600, 700, 700C, 800, and 900 Series Airplanes Doc. No. 2002-NM-101" (RIN2120-AA64) received on May 19, 2004; to the Committee on Commerce, Science, and Transportation.

EC-7645. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Boeing Model 767-400ER Series Airplanes Doc. No. 2002-NM-287" (RIN2120-AA64) received on May 19, 2004; to the Committee on Commerce, Science, and Transportation.

EC-7646. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Airbus Model A321-111, 112, 131, Airplanes Doc. No. 2002-NM-17" (RIN2120-AA64) received on May 19, 2004; to the Committee on Commerce, Science, and Transportation.

EC-7647. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Construcciones Aeronauticas, S.A. (CASA),