

public lands, including wilderness areas, national monuments, and other specifically designated areas, administered by the National Park Service, the Bureau of Land Management, the United States Fish and Wildlife Service, or the Forest Service where there is a historical tradition of such use, and for other purposes.

H.R. 3257. An act to authorize the Secretary of the Interior to conduct a study to determine the suitability and feasibility of establishing the Western Reserve Heritage Area.

H.R. 3334. An act to authorize the Secretary of the Interior to participate in the design and construction of the Riverside-Corona Feeder in cooperation with the Western Municipal Water District of Riverside, California.

H.R. 3632. An act to prevent and punish counterfeiting and copyrighted copies and phonorecords, and for other purposes.

H.R. 4459. An act to authorize the Secretary of the Interior, acting through the Bureau of Reclamation and in coordination with other Federal, State, and local government agencies, to participate in the funding and implementation of a balanced, long-term groundwater remediation program in California, and for other purposes.

The message also announced that pursuant to section 1 of the Library of Congress Trust Fund Board Act (2 U.S.C. 154 note), the order of the House of December 8, 2003, and upon the recommendation of the Minority Leader, the Speaker appoints the following member on the part of the House of Representatives to the Library of Congress Trust Fund Board for a 5-year term to fill the existing vacancy thereon: Mr. J. Richard Fredericks of San Francisco, California.

### MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 2663. An act to authorize the Secretary of the Interior to study the suitability and feasibility of designating Castle Nugent Farms located on St. Croix, Virgin Islands, as a unit of the National Park System, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 2966. An act to preserve the use and access of pack and saddle stock animals on public lands, including wilderness areas, national monuments, and other specifically designated areas, administered by the National Park Service, the Bureau of Land Management, the United States Fish and Wildlife Service, or the Forest Service where there is a historical tradition of such use, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 3257. An act to authorize the Secretary of the Interior to conduct a study to determine the suitability and feasibility of establishing the Western Reserve Heritage Area; to the Committee on Energy and Natural Resources.

H.R. 3334. An act to authorize the Secretary of the Interior to participate in the design and construction of the Riverside-Corona Feeder in cooperation with the Western Municipal Water District of Riverside, California; to the Committee on Energy and Natural Resources.

H.R. 3632. An act to prevent and punish counterfeiting of copyrighted copies and phonorecords, and for other purposes; to the Committee on the Judiciary.

H.R. 4459. An act to authorize the Secretary of the Interior, acting through the

Bureau of Reclamation and in coordination with other Federal, State, and local government agencies, to participate in the funding and implementation of a balanced, long-term groundwater remediation program in California, and for other purposes; to the Committee on Energy and Natural Resources.

### MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 2823. A bill to provide for the adjustment of status of certain foreign agricultural workers, to amend the Immigration and Nationality Act to reform the H-2A worker program under that Act, to provide a stable, legal agricultural workforce, to extend basic legal protections and better working conditions to more workers, and for other purposes.

### 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-9353. A communication from the Acting Assistant Director, Directives and Regulations Branch, Forest Service, transmitting, pursuant to law, the report of a rule entitled "Sawtooth National Recreation Area-Private Lands; Increasing Residential Outbuilding Size" (RIN0596-AC00) received on September 17, 2004; to the Committee on Agriculture, Nutrition, and Forestry.

EC-9354. A communication from the Congressional Review Coordinator, Animal Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Citrus Canker; Quarantined Areas" (Doc. No. 04-045-1) received on September 17, 2004; to the Committee on Agriculture, Nutrition, and Forestry.

EC-9355. A communication from the Under Secretary of Defense for Personnel and Readiness, Department of Defense, transmitting, pursuant to law, the report of a retirement; to the Committee on Armed Services.

EC-9356. A communication from the Under Secretary of Defense for Personnel and Readiness, Department of Defense, transmitting, pursuant to law, the report of a retirement; to the Committee on Armed Services.

EC-9357. A communication from the Under Secretary of Defense for Personnel and Readiness, Department of Defense, transmitting, pursuant to law, the report of a retirement; to the Committee on Armed Services.

EC-9358. A communication from the Deputy Chief Counsel, Office of Foreign Assets Control, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "31 CFR part 592, Rough Diamonds Control Regulations" received on September 24, 2004; to the Committee on Banking, Housing, and Urban Affairs.

EC-9359. A communication from the Deputy Secretary of the Treasury, Department of the Treasury, transmitting, pursuant to law, a report on the national emergency with respect to Iran that was declared in Executive Order 12957 of March 15, 1995; to the Committee on Banking, Housing, and Urban Affairs.

EC-9360. A communication from the Secretary of Transportation, transmitting, a draft of proposed legislation entitled the "Research and Special Programs Reorganization Act"; to the Committee on Commerce, Science, and Transportation.

EC-9361. A communication from the Chief, Regulations and Administrative Law, Coast Guard, transmitting, pursuant to law, the report of a rule entitled "Safety Zone (including 2 regulations): CGD001-04-099, CGD01-04-111" (RIN1625-AA00) received on September 21, 2004; to the Committee on Commerce, Science, and Transportation.

EC-9362. A communication from the Chief, Regulations and Administrative Law, Coast Guard, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulations (including 3 regulations): CGD07-04-103, CGD05-04-143, CGD05-04-157" (RIN1625-AA08) received on September 21, 2004; to the Committee on Commerce, Science, and Transportation.

EC-9363. A communication from the Chief, Regulations and Administrative Law, Coast Guard, transmitting, pursuant to law, the report of a rule entitled "Safety Zone (Including 3 Regulations): CGD13-04-031, CGD05-04-170, CGD05-04-172" (RIN1625-AA00) received on September 21, 2004; to the Committee on Commerce, Science, and Transportation.

EC-9364. A communication from the Chief, Regulations and Administrative Law, Coast Guard, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Operation Regulations (Including 4 Regulations): CGD01-04-114, CGD01-04-105, CGD08-04-031, CGD08-04-024" (RIN1625-AA09) received on September 21, 2004; to the Committee on Commerce, Science, and Transportation.

EC-9365. A communication from the Chief, Regulations and Administrative Law, Coast Guard, transmitting, pursuant to law, the report of a rule entitled "Safety Zone: Wiscasset, Maine; Demolition of Maine Yankee Former Containment Building CGD01-04-099" (RIN1625-AA00) received on September 21, 2004; to the Committee on Commerce, Science, and Transportation.

EC-9366. A communication from the Chief, Regulations and Administrative Law, Coast Guard, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulation for Marine Events: Patapsco River, Inner Harbor, Baltimore, MD CGD05-04-158" (RIN1625-AA08) received on September 21, 2004; to the Committee on Commerce, Science, and Transportation.

EC-9367. A communication from the Chief, Regulations and Administrative Law, Coast Guard, transmitting, pursuant to law, the report of a rule entitled "Mandatory Ballast Water Management Program for U.S. Waters USCG-2003-14273" (RIN1625-AA52) received on September 21, 2004; to the Committee on Commerce, Science, and Transportation.

EC-9368. A communication from the Chief, Regulations and Administrative Law, Coast Guard, transmitting, pursuant to law, the report of a rule entitled "Security Zone; Protection of Military Cargo, Captain of the Port Zone Puget Sound, WA CGD13-04-019" (RIN 1625-AA87) received on September 21, 2004; to the Committee on Commerce, Science, and Transportation.

EC-9369. A communication from the Chief, Regulations and Administrative Law, Coast Guard, transmitting, pursuant to law, the report of a rule entitled "Notification of Arrival in U.S. Ports; Certain Dangerous Cargoes; Electronic Submission USCG-2003-16688" (RIN 1625-AA82) received on September 21, 2004; to the Committee on Commerce, Science, and Transportation.

EC-9370. A communication from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Generic Letter 2004-02: Potential Impact of Debris Blockage on Emergency Recirculation During Design Basis Accidents at Pressurized-Water Reactors" received on September 17, 2004; to the Committee on Environment and Public Works.

EC-9371. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Quality Classifications for the 8-Hour Ozone National Ambient Air Quality Standards" (FRL#7816-2) received on September 17, 2004; to the Committee on Environment and Public Works.

EC-9372. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Kentucky and Indiana: Approval of Revisions to 1-Hour Ozone Maintenance Plan for Louisville Area" (FRL#7812-4) received on September 17, 2004; to the Committee on Environment and Public Works.

EC-9373. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; North Carolina: Raleigh/Durham Area and Greensboro/Winston-Salem/High Point Area Maintenance Plan Updates" (FRL#7815-9) received on September 17, 2004; to the Committee on Environment and Public Works.

EC-9374. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; State of Nevada; Las Vegas Valley Carbon Monoxide Nonattainment Area" (FRL#7801-8) received on September 17, 2004; to the Committee on Environment and Public Works.

EC-9375. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Hazardous Waste Management System; Identification and Listing of Hazardous Waste; Final Exclusion" (FRL#7816-9) received on September 17, 2004; to the Committee on Environment and Public Works.

EC-9376. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Missouri; Final Approval of Missouri Underground Storage Tank Program" (FRL#7816-1) received on September 17, 2004; to the Committee on Environment and Public Works.

EC-9377. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revision to the California State Implementation Plan, Antelope Valley Air Quality Management District" (FRL#7812-2) received on September 17, 2004; to the Committee on Environment and Public Works.

EC-9378. A communication from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting, pursuant to law, the report of a rule entitled "Treatment of Certain Settlement Funds as Pertaining to Purchase Price Allocations in Deemed and Actual Asset Acquisitions" (RIN 1545-BD59) received on September 17, 2004; to the Committee on Finance.

EC-9379. A communication from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting, pursuant to law, the report of a rule entitled "Place for Filing Returns or Other Documents" (TD9156) received on September 17, 2004; to the Committee on Finance.

EC-9380. A communication from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting, pursuant to law, the report of a rule entitled "Applicable Federal Rates—October 2004" (Rev. Rul.

2004-96) received on September 17, 2004; to the Committee on Finance.

EC-9381. A communication from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting, pursuant to law, the report of a rule entitled "Returns Relating to Interest Payments on Qualified Education Loans" (Notice 2004-63) received on September 17, 2004; to the Committee on Finance.

EC-9382. A communication from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting, pursuant to law, the report of a rule entitled "Guidance Concerning Use of 2001 CSO Tables Under Section 7702" (Notice 2004-61) received on September 17, 2004; to the Committee on Finance.

EC-9383. A communication from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting, pursuant to law, the report of a rule entitled "Fringe Benefits Aircraft Valuation Formula" (Rev. Rul. 2004-70) received on September 17, 2004; to the Committee on Finance.

EC-9384. A communication from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting, pursuant to law, the report of a rule entitled "Request for Comments on Staggered Remedial Amendment Period Revenue Procedure" (Ann. 2004-71) received on September 17, 2004; to the Committee on Finance.

EC-9385. A communication from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting, pursuant to law, the report of a rule entitled "Electronic Filing of Duplicate Form 5472" (TD 9161) received on September 17, 2004; to the Committee on Finance.

EC-9386. 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 "Medicare Program; Manufacturer's Submission of Average Sales Price Data for Medicare Part B Drugs and Biologicals (ASP)" (RIN 0938-AN05) received on September 17, 2004; to the Committee on Finance.

EC-9387. A communication from the Regulations Coordinator, Office of the Secretary, transmitting, pursuant to law, the report of a rule entitled "Civil Money Penalties: Procedures for Investigations Imposition of Penalties and Hearings—Extension of Expiration Date" received on September 17, 2004; to the Committee on Finance.

EC-9388. A communication from the Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the report of a proposed manufacturing license agreement for the manufacture of significant military equipment abroad and the export of defense articles or defense services in the amount of \$100,000,000 or more to Japan; to the Committee on Foreign Relations.

EC-9389. A communication from the Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the report of a proposed license for the export of defense articles that are firearms sold commercially under a contract in the amount of \$1,000,000 or more to Italy; to the Committee on Foreign Relations.

EC-9390. A communication from the Assistant Secretary for Legislative Affairs, Department of State, 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 Germany; to the Committee on Foreign Relations.

EC-9391. A communication from the Assistant Secretary for Legislative Affairs, De-

partment of State, 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 Israel; to the Committee on Foreign Relations.

EC-9392. A communication from the Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the report of a proposed manufacturing license agreement for the manufacture of significant military equipment to Spain; to the Committee on Foreign Relations.

EC-9393. A communication from the Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the report of a proposed manufacturing license agreement for the manufacture of significant military equipment in Egypt; to the Committee on Foreign Relations.

EC-9394. A communication from the Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the report of a proposed manufacturing license agreement for the manufacture of significant military equipment in Egypt; to the Committee on Foreign Relations.

EC-9395. A communication from the Deputy Secretary of State, transmitting, pursuant to law, a report relative to supporting Iraq's political transition, creating democratic institutions, and rebuilding the country's social and economic infrastructure; to the Committee on Foreign Relations.

EC-9396. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to law, the report of texts and background statements of international agreements, other than treaties; to the Committee on Foreign Relations.

EC-9397. A communication from the Chairman, Commission for the Preservation of America's Heritage Abroad, transmitting, pursuant to law, a report relative to the Commission's work over the past three years; to the Committee on Governmental Affairs.

EC-9398. A communication from the Inspector General, Department of Defense, transmitting, pursuant to law, the report of the Office of Inspector General's results of our audit of undefinitized contractual actions; to the Committee on Governmental Affairs.

EC-9399. A communication from the Director, Occupational Safety and Health Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Fire Protection in Shipyard Employment" (RIN 1218-AB51) received on September 21, 2004; to the Committee on Health, Education, Labor, and Pensions.

EC-9400. A communication from the Director, Regulations Management, Board of Veterans' Appeal, transmitting, pursuant to law, the report of a rule entitled "Board of Veterans' Appeals: Obtaining Evidence and Curing Procedural Defects" (RIN 2900-AL77) received on September 21, 2004; to the Committee on Veterans' Affairs.

#### EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. McCAIN for the Committee on Commerce, Science, and Transportation.

\*Jon D. Leibowitz, of Maryland, to be a Federal Trade Commissioner for a term of seven years from September 26, 2003.