

Ms. Niland, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

S. 610. An act to amend the provisions of title 5, United States Code, to provide for workforce flexibilities and certain Federal personnel provisions relating to the National Aeronautics and Space Administration, and for other purposes.

The enrolled bill was signed subsequently by the President pro tempore (Mr. STEVENS).

MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 2095. A bill to enhance energy conservation and research and development and to provide for security and diversity in the energy supply for the American people.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, February 12, 2004, she had presented to the President of the United States the following enrolled bill:

S. 610. An act to amend the provisions of title 5, United States Code, to provide for workforce flexibilities and certain Federal personnel provisions relating to the National Aeronautics and Space Administration, 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-6337. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Thiophenylmethyl; Tolerances Actions" (FRL#7338-6) received on February 12, 2004; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6338. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Aldicarb, Atrazine, Cacodylic Acid, Carbofuran, et al; Tolerance Actions" (FRL#7338-3) received on February 12, 2004; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6339. A communication from the Administrator, Food Safety and Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Agency Organization" (RIN00-033F) received on February 12, 2004; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6340. A communication from the Under Secretary of Defense for Personnel and Readiness, Department of Defense, transmitting, pursuant to law, the report of retirement; to the Committee on Armed Services.

EC-6341. A communication from the Under Secretary of Defense, Comptroller, Department of Defense, transmitting, pursuant to law, the Department's Annual Statement of Assurance; to the Committee on Armed Services.

EC-6342. A communication from the Chairman, Board of Governors of the Federal Reserve System, transmitting, pursuant to law,

the Board's semiannual Monetary Policy Report; to the Committee on Banking, Housing, and Urban Affairs.

EC-6343. A communication from the Director, Office of White House Liaison, transmitting, pursuant to law, the report of a designation acting officer and change in previously submitted reported information for the position of Assistant Secretary for Technology Policy, Department of Commerce, received on February 12, 2004; to the Committee on Commerce, Science, and Transportation.

EC-6344. A communication from the Director, Office of White House Liaison, transmitting, pursuant to law, the report of a nomination confirmed and change in previously submitted reported information for the position of Assistant Secretary for Export Enforcement, Department of Commerce, received on February 12, 2004; to the Committee on Commerce, Science, and Transportation.

EC-6345. A communication from the Director, Office of White House Liaison, transmitting, pursuant to law, the report of a nomination confirmed and change in previously submitted reported information for the position of Assistant Secretary for Export Administration, Department of Commerce, received on February 12, 2004; to the Committee on Commerce, Science, and Transportation.

EC-6346. A communication from the Director, Office of White House Liaison, transmitting, pursuant to law, the report of a designation of acting officer and change in previously submitted reported information for the position of Under Secretary for Intellectual Property and Director, Patent and Trademark Office, Department of Commerce, received on February 12, 2004; to the Committee on Commerce, Science, and Transportation.

EC-6347. A communication from the Director, Office of White House Liaison, transmitting, pursuant to law, the report of a nomination and change in previously submitted reported information for the position of Assistant Secretary and Director General, U.S. and Foreign Commercial Service, Department of Commerce, received on February 12, 2004; to the Committee on Commerce, Science, and Transportation.

EC-6348. A communication from the Director, Office of White House Liaison, transmitting, pursuant to law, the report of a vacancy, designation of acting officer, and change in previously submitted reported information for the position of Assistant Secretary for Legislative and Intergovernmental Affairs, Department of Commerce, received on February 12, 2004; to the Committee on Commerce, Science, and Transportation.

EC-6349. A communication from the Director, Office of White House Liaison, transmitting, pursuant to law, the report of a change in previously submitted reported information for the position of Assistant Secretary for Communications and Information, Department of Commerce, received on February 12, 2004; to the Committee on Commerce, Science, and Transportation.

EC-6350. A communication from the Assistant Administrator for Procurement, National Aeronautics and Space Administration, transmitting, pursuant to law, the report of a rule entitled "NASA Grant and Cooperative Agreement Handbook—Central Contractor Registration" (RIN2700-AC95) received on February 12, 2004; to the Committee on Commerce, Science, and Transportation.

EC-6351. A communication from the Assistant Administrator for Procurement, National Aeronautics and Space Administration, transmitting, pursuant to law, the re-

port of a rule entitled "NASA Grant and Cooperative Agreement Handbook—Investigative Requirements" (RIN2700-AC74) received on February 12, 2004; to the Committee on Commerce, Science, and Transportation.

EC-6352. 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 "Lifting of U.N. Sanctions Against UNITA" (RIN0984-AC86) received on February 12, 2004; to the Committee on Commerce, Science, and Transportation.

EC-6353. 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 "Revisions and Clarifications to the Export Administration Regulations" (RIN0694-AC24) received on February 12, 2004; to the Committee on Commerce, Science, and Transportation.

EC-6354. A communication from the Secretary of Commerce, transmitting, the Department of Commerce's 2004 Report on Foreign Policy-Based Export Controls; to the Committee on Commerce, Science, and Transportation.

EC-6355. A communication from the Secretary of Transportation, transmitting, pursuant to law, two Annual Reports of Accomplishments under the Airport Improvement Program for fiscal years 1998 and 1999; to the Committee on Commerce, Science, and Transportation.

EC-6356. A communication from the Director, Bureau of Electronic Analysis, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Direct Investment Surveys: BE-15, Annual Survey of Foreign Direct Investment in the United States" (RIN0691-AA48) received on February 12, 2004; to the Committee on Commerce, Science, and Transportation.

EC-6357. 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; Maryland; The 2005 ROP Plan for the Baltimore Severe 1-Hour Ozone Nonattainment Area: Revisions to the Plans' Emissions Inventories and Motor Vehicle Emissions Budgets to Reflect MOBILE6" (FRL#7623-4) received on February 12, 2004; to the Committee on Environment and Public Works.

EC-6358. 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; Florida: Southeast Florida Area Maintenance Plan Update" (FRL#7622-1) received on February 12, 2004; to the Committee on Environment and Public Works.

EC-6359. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Civil Monetary Penalty Inflation Adjustment Rule" (FRL#7623-5) received on February 12, 2004; to the Committee on Environment and Public Works.

EC-6360. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Delegation of Authority to the Washington State Department of Ecology, Benton Clean Air Authority, Northwest Air Pollution Authority, Olympic Regional Clean Air Agency, Puget Sound Clean Air Agency, Spokane County Air Pollution Control Authority, Southwest Clean Air Agency, and Yakima Regional Clean Air Authority for New

Source Performance Standards" (FRL#7623-3) received on February 12, 2004; to the Committee on Environment and Public Works.

EC-6361. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Delegation of Authority to the Oregon Department of Environmental Quality for New Source Performance Standards" (FRL#7622-6) received on February 12, 2004; to the Committee on Environment and Public Works.

EC-6362. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Interim Final Determination to Stay and/or Defer Sanctions, San Joaquin Valley Unified Air Pollution Control District" (FRL#7621-2) received on February 12, 2004; to the Committee on Environment and Public Works.

EC-6363. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "National Primary and Secondary Drinking Water Regulations: Approval of Additional Method for the Detection of Coliforms and E. Coli in Drinking Water" (FRL#7622-8) received on February 12, 2004; to the Committee on Environment and Public Works.

EC-6364. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revisions to the Texas Underground Injection Control Program Approved Under Section 1422 of the Safe Drinking Water Act and Administered by the Railroad Commission of Texas" (FRL#7622-9) received on February 12, 2004; to the Committee on Environment and Public Works.

EC-6365. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revision to the Texas Underground Injection Control Program Approved Under Section 1422 of the Safe Drinking Water Act and Administered by the Texas Commission on Environmental Quality" (FRL#7623-1) received on February 12, 2004; to the Committee on Environment and Public Works.

EC-6366. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revisions to the California State Implementation Plan, San Joaquin Valley Unified Air Pollution Control District" (FRL#7614-9) received on February 12, 2004; to the Committee on Environment and Public Works.

EC-6367. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, a report entitled "Tribal Pesticide and Special Projects"; to the Committee on Environment and Public Works.

EC-6368. A communication from the Regulations Officer, Social Security Administration, transmitting, pursuant to law, the report of a rule entitled "Filing of Applications and Related Forms" (RIN0960-AF52) received on January 20, 2004; to the Committee on Finance.

EC-6369. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, the certification 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 Australia; to the Committee on Foreign Relations.

EC-6370. A communication from the Director, Business Operations, Defense Security Cooperation Agency, transmitting, pursuant to law, a report of actions required by Presi-

dential Determination 02-16; to the Committee on Foreign Relations.

EC-6371. 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 Governmental Affairs.

EC-6372. A communication from the Director, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled "Senior Executive Pay and Performance Awards" received on February 12, 2004; to the Committee on Governmental Affairs.

EC-6373. A communication from the Director, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled "Information Technology Exchange Program" received on February 12, 2004; to the Committee on Governmental Affairs.

EC-6374. A communication from the Deputy Associate Administrator, Office of Acquisition Policy, Governmental Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Federal Acquisition Circular 2001-19" (FAC2001-19) received on February 12, 2004; to the Committee on Governmental Affairs.

EC-6375. A communication from the Chairman, National Science Board, transmitting, pursuant to law, the Board's report under the Government in Sunshine Act for the National Science Board in calendar year 2003; to the Committee on Governmental Affairs.

EC-6376. A communication from the Director, Office of Personnel Management, transmitting, a draft of proposed legislation to repeal retirement benefits provided by section 226 of Public Law 108-176 for certain air traffic control supervisors, and for other purposes; to the Committee on Governmental Affairs.

EC-6377. A communication from the Director, Workforce Relations and Accountability Policy, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled "Implementation of Title II of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002" (RIN3206-AJ93) received on February 12, 2004; to the Committee on Governmental Affairs.

EC-6378. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report relative to the Performance-Based Child Support Incentive System; to the Committee on Health, Education, Labor, and Pensions.

EC-6379. A communication from the Director, Regulations Policy and Management Staff, Food and Drug Administration, transmitting, pursuant to law, the report of a rule entitled "Pediculicide Drug Products for Over-the-Counter Human Use; Amendment of Final Monograph" (RIN0910-AA01) received on February 12, 2004; to the Committee on Health, Education, Labor, and Pensions.

EC-6380. A communication from the Director, Regulations Policy and Management Staff, Food and Drug Administration, transmitting, pursuant to law, the report of a rule entitled "Biological Products; Bacterial Vaccines and Toxoids; Implementation of Efficacy Review" (Doc. No. 1980N-0208) received on February 12, 2004; to the Committee on Health, Education, Labor, and Pensions.

EC-6381. A communication from the Assistant General Counsel for Regulatory Services, Office of Innovation and Improvement, Department of Education, transmitting, pursuant to law, the report of a rule entitled "Magnet Schools Assistance Program" (RIN1855-AA01) received on February 12, 2004; to the Committee on Health, Education, Labor, and Pensions.

EC-6382. A communication from the Assistant Secretary for Administration and Man-

agement, Department of Health and Human Services, transmitting, pursuant to law, a copy of the commercial and inherently governmental activities inventory of the Department; to the Committee on Health, Education, Labor, and Pensions.

EC-6383. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report relative to routine screening for thyroid dysfunction; to the Committee on Health, Education, Labor, and Pensions.

EC-6384. A communication from the Chairman, Railroad Retirement Board, transmitting, pursuant to law, the Board's Justification of Budget Estimates for Fiscal Year 2005; to the Committee on Health, Education, Labor, and Pensions.

EC-6385. A communication from the Director, Faith Based and Community Initiatives Task Force, Office of the Attorney General, transmitting, pursuant to law, the report of a rule entitled "Participation in Justice Department Programs by Religious Organizations Providing for Equal Treatment for all Justice Department Program Participants" (RIN1105-AA83) received on February 12, 2004; to the Committee on the Judiciary.

EC-6386. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, the Fiscal Year 2002 Annual Report to Congress for the Bureau of Justice Assistance; to the Committee on the Judiciary.

EC-6387. A communication from the Chief Judge, United States Court of Federal Claims, transmitting, pursuant to law, a report relative to *Hardwick, Inc. v. United States*; to the Committee on the Judiciary.

EC-6388. A communication from the National Commander, American Ex-Prisoners of War, transmitting the American Ex-Prisoners of War's financial statements for the year ended August 31, 2003; to the Committee on the Judiciary.

EC-6389. A communication from the Chairman, Federal Election Commission, transmitting, pursuant to law, the report of a rule entitled "Extension of Administrative Fines Program" received on February 10, 2004; to the Committee on Rules and Administration.

PETITIONS AND MEMORIALS

POM-352. A memorial adopted by the Senate of the Legislature of the State of Florida relative to enacting a Medicare Prescription Drug Benefit; to the Committee on Finance.

SENATE MEMORIAL NO. 1180

Whereas, the use of prescription drugs improves the quality of care and helps patients live healthier, longer, and more productive lives while keeping them out of more costly acute care settings in the long term, and

Whereas, the increased use of new and improve prescription drugs has changed the delivery of health care in the United States since Medicare was enacted, and while two-thirds of the Medicare population has some form of prescription drug coverage, although it many times is inadequate, one-third of Medicare beneficiaries have no coverage at all, and

Whereas, Congress did not enact a drug benefit in the Medicare program, and therefore the program is inadequate in providing the elderly and disabled the most appropriate drug therapies, preventing the delivery of quality health care at an affordable cost, and

Whereas, the private sector provides affordable coverage by negotiating discounts on drugs and meeting the needs of special populations with chronic diseases and those with co-morbidities through coordinating