and nobody knows South Dakota agriculture better than Jim Woster.

Jim has always exhibited a strong commitment to public service. Throughout his career, he has devoted an enormous amount of time and energy to worthy causes such as the American Cancer Society, the Arthritis Foundation, and the Make-A-Wish Foundation. All this while serving our Nation as a member of the South Dakota National Guard.

The great honor to be bestowed on Mr. Woster is exceptionally well deserved, as he has contributed so much to our State while at the same time serving as a model for other talented South Dakotans to emulate. I join my fellow South Dakotans on extending congratulations and a "job well done" to Jim Woster.

MESSAGE FROM THE HOUSE
At 12:29 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bills, to which it requests the concurrence of the Senate:

H.R. 1866. An act to amend title 35, United States Code, to clarify the basis for granting requests for reexamination of patents.

H.R. 1866. An act to amend title 35, United States Code, to provide for appeals by third parties in certain patent reexamination proceedings.


EXECUTIVE AND OTHER COMMUNICATIONS
The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC–3578. A communication from the Director of the Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, a report to the Senate, pursuant to law, the appropriations report; to the Committee on the Budget.

EC–3579. A communication from the Director of the Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, the appropriations report; to the Committee on Appropriations.

EC–3580. 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 the International Agreements, other than treaties; to the Committee on Foreign Relations.

EC–3581. A communication from the Under Secretary of Commerce for International Trade, transmitting, pursuant to law, the report of the Foreign Commercial Service Projects for Fiscal Year 2002; to the Committee on Armed Services.

EC–3582. A communication from the Under Secretary of Defense, Acquisition and Technology, transmitting, pursuant to law, the report for Department purchases from foreign entities in Fiscal Year 2000; to the Committee on Armed Services.

EC–3583. A communication from the Secretary of Defense, transmitting, the report of a retirement; to the Committee on Armed Services.

EC–3584. A communication from the Director of the Defense Finance and Accounting Service, transmitting, pursuant to law, a report on Conversion of Department of Defense Commercial Activity to a Private Contractor; to the Committee on Armed Services.

EC–3585. A communication from the Acting Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled “Migratory Bird Hunting Regulations for Conservation of Migratory Birds and Refuge Ceded Lands for the 2001–02 Early Season” (RIN1605–AA21) received on August 17, 2001; to the Committee on Interior and Insular Affairs.

EC–3586. A communication from the Acting Director of the National Commission on Libraries and Information Science, transmitting, pursuant to law, the Annual Report for Fiscal Year 1999; to the Committee on Health, Education, Labor, and Pensions.

EC–3587. A communication from the General Counsel for the National Science Foundation, transmitting, pursuant to law, the report of a rule entitled “Non-Governmental Antarctic Expeditions” (RIN3145–AA36) received on August 15, 2001; to the Committee on Environment, Energy, and Natural Resources.

EC–3588. A communication from the Assistant Secretary for Land and Minerals Management, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled “Solid Minerals Reporting Requirements” received on August 17, 2001; to the Committee on Energy and Natural Resources.

EC–3589. A communication from the Assistant Secretary for Fish and Wildlife and Parks, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled “2001–2002 Refuge-Specific Hunting and Sport Fishing Regulations” (RIN1048–AG58) received on August 22, 2001; to the Committee on Energy and Natural Resources.

EC–3590. A communication from the Register of Copyrights, Library of Congress, transmitting, pursuant to law, the report of a rule entitled “DMCA Section 104 Report”; to the Committee on the Judiciary.

EC–3591. A communication from the Deputy Secretary of Defense, transmitting, pursuant to law, a report relative to Gulf War Veterans for Calendar Years 1999 and 2000; to the Committee on Veterans’ Affairs.

EC–3592. A communication from the Director of the Office of Regulations Management, Veterans Benefits Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled “Veterans Benefits Administration Nomenclature Changes” received on August 16, 2001; to the Committee on Veterans’ Affairs.

EC–3593. A communication from the Deputy Secretary of Defense, transmitting, pursuant to law, the report of a rule entitled “Duty to Assist” (RIN2000–AK09) received on August 23, 2001; to the Committee on Veterans’ Affairs.

EC–3594. A communication from the Chairwoman of the Export-Import Bank of the United States, transmitting, pursuant to law, a report relative to a transaction involving U.S. exports to Brazil; to the Committee on Banking, Housing, and Urban Affairs.

EC–3595. A communication from the Chairwoman and President of the Export-Import Bank of the United States, transmitting, pursuant to law, a report relative to a transaction involving U.S. exports to the People’s Republic of China; to the Committee on Banking, Housing, and Urban Affairs.

EC–3596. A communication from the Chairwoman and President of the Export-Import Bank of the United States, transmitting, pursuant to law, a report of a transaction involving U.S. exports to the People’s Republic of China; to the Committee on Banking, Housing, and Urban Affairs.

EC–3597. A communication from the Deputy Congressional Liaison, Federal Reserve Bank of Kansas City, transmitting, pursuant to law, the report of a rule entitled “Credit by Brokers and Dealers (Regulation T); List of Foreign Margin Stocks” received on August 30, 2001; to the Committee on Banking, Housing, and Urban Affairs.

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

H.R. 1866. An act to amend title 35, United States Code, to clarify the basis for granting requests for reexamination of patents; to the Committee on the Judiciary.

H.R. 1866. An act to amend title 35, United States Code, to provide for appeals by third parties in certain patent reexamination proceedings; to the Committee on the Judiciary.
EC-3598. A communication from the Secretary of the Division of Market Regulation, United States Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled “240.3a55–1: Method for determining market capitalization and dollar volume of daily trading volume; application of the definition of narrow-based security index. 240.3a55–2: Indexes underlying futures contracts trading for fewer than 30 days. 240.3a55–4: Index contracts on security indices trading on or subject to the rules of a foreign board of trade.” (RIN2335–AI13) received on August 20, 2001; to the Committee on Banking, Housing, and Urban Affairs.

EC-3599. A communication from the Counsel for Regulations, Government National Mortgage Association, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled “Government National Mortgage Association Mortgage-Backed Securities Program; Payments to Security Holders; Book-Entry Procedures” (RIN2503–AA16) received on August 22, 2001; to the Committee on Banking, Housing, and Urban Affairs.

EC-3600. A communication from the Chairman and President of the Export-Import Bank of the United States, transmitting, pursuant to law, a report of a transaction involving U.S. exports to Austria; to the Committee on Banking, Housing, and Urban Affairs.

EC-3601. A communication from the Chairman and President of the Export-Import Bank of the United States, transmitting, pursuant to law, the report of a transaction involving U.S. exports to Malaysia; to the Committee on Banking, Housing, and Urban Affairs.

EC-3602. A communication from the Deputy Secretary of the Division of Market Regulation, United States Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled “Registration of Dealers Pursuant to Section 15(b)(11) of the Securities Exchange Act of 1934” (RIN2335–AI21) received on August 30, 2001; to the Committee on Banking, Housing, and Urban Affairs.

EC-3603. A communication from the Chairman of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Railroad Track Maintenance Costs” (Rev. Proc. 2001–46) received on August 21, 2001; to the Committee on Finance.

EC-3604. A communication from the Regulations Officer of the Social Security Administration, transmitting, pursuant to law, the report of a rule entitled “Federal Old-Age, Survivors, and Disability Insurance; Revision to Medical-Vocational Guidelines” (RIN0969–AE42) received on August 22, 2001; to the Committee on Finance.

EC-3605. A communication from the Chairman of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Applicable Federal Rates—September 2001” (Rev. Rul. 2001–43) received on August 22, 2001; to the Committee on Finance.

EC-3606. A communication from the Chairman of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “2001 National Pool” (Rev. Proc. 2001–44) received on August 27, 2001; to the Committee on Finance.

EC-3608. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Weighted Average Interest Rate Update Notice” (Notice 2001–52) received on August 27, 2001; to the Committee on Finance.

EC-3609. A communication from the Chairman of the Regulations Branch, United States Customs Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Change in Flat Rate of Duty on Articles Imported for Personal or Household Use or as Rona Fide Gifts” (RIN1515–AC90) received on August 30, 2001; to the Committee on Finance.

EC-3610. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Guidance on Amendment of Section 401(a)(17) of the Code by EGTRRA” (Notice 2001–56) received on September 4, 2001; to the Committee on Finance.

EC-3611. A communication from the Principal Deputy Assistant Secretary of the Army, Civil Works, transmitting, pursuant to law, a report relative to the deep-draft navigation project for Savannah Harbor, Georgia; to the Committee on Environment and Public Works.

EC-3612. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Amendments for Testing and Monitoring Provision Removal of a Provision forOpacity Monitoring” (FRL7065–5) received on August 21, 2001; to the Committee on Environment and Public Works.

EC-3613. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Findings of Affirmation for PM-10; Shoshone County (City of Pinehurst and Pinehurst, Expansion Areas)” (FRL7028–9) received on August 21, 2001; to the Committee on Environment and Public Works.

EC-3614. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “2001 Annual Super Fund Report for Fiscal Year 2000; to the Committee on Environment and Public Works.

EC-3615. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Conversion of the Conditional Approval of the 15 Percent Plan for the Pennsylvania Portion of the Philadelphia-Wilmington-Trenton Nonattainment Area to a Full Approval” (FRL7067–3) received on August 21, 2001; to the Committee on Environment and Public Works.

EC-3616. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Revision to the California State Implementation Plan, El Dorado County Air Pollution Control District” (FRL7032–2) received on August 8, 2001; to the Committee on Environment and Public Works.

EC-3617. A communication from the Acting Assistant Secretary for Fish and Wildlife and Parks, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled “Management of Migratory Bird Hunting: Early Seasons and Bag Limitations in 2002; to the Committee on Environment and Public Works.

EC-3618. A communication from the Inspector General of the Environmental Protection Agency, transmitting, pursuant to law, the Annual Super Fund Report for Fiscal Year 2000; to the Committee on Environment and Public Works.

EC-3619. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Idaho: Final Authorization of State Allocations for the 2002 Federal Aid Program” (FRL7069–11) received on August 21, 2001; to the Committee on Environment and Public Works.

EC-3620. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Amendments for Testing and Monitoring Provision Removal of a Provision forOpacity Monitoring” (FRL7039–2) received on August 21, 2001; to the Committee on Environment and Public Works.

EC-3621. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Interim Final Determination that the State of California has Corrected Deficiencies and Stayed of Sanctions, El Dorado County Air Pollution Control District” (FRL7032–9) received on August 21, 2001; to the Committee on Environment and Public Works.

EC-3622. A communication from the Acting Assistant Secretary for Fish and Wildlife and Parks, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled “Migratory Bird Hunting; Final Frameworks for Early Season Migratory Bird Hunting Regulations” (RIN1018–AH79) received on August 21, 2001; to the Committee on Environment and Public Works.

EC-3623. A communication from the Acting Assistant Secretary for Fish and Wildlife and Parks, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled “Migratory Bird Hunting: Early Seasons and Bag and Possession Limits for Certain Migratory Game Birds in the Contiguous United States, Alaska, Hawaii, Puerto Rico, and the Virgin Islands” (RIN1018–AH79) received on August 29, 2001; to the Committee on Environment and Public Works.

EC-3624. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Idaho: Final Authorization of State
REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. KENNEDY, from the Committee on Health, Education, Labor, and Pensions, on the amendment in the nature of a substitute:

S. 543: A bill to provide for equal coverage of mental health benefits with respect to inpatient and outpatient mental health services, and for other purposes; to the Committee on Environment and Public Works.

EC–3638. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Approval and Promulgation of Implementation Plans; State of Tennessee” (FRL7044–4) received on August 23, 2001; to the Committee on Environment and Public Works.

EC–3638. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Unregulated Containment Monitoring Requirement for Public Water Systems; Amendment to the List 2 Rule and Partial Delay of Reporting of Monitoring Results” (FRL7049–6) received on August 30, 2001; to the Committee on Environment and Public Works.

EC–3639. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Approval and Promulgation of Ozone Attainment Plan and Finding of Failure to Attain; State of California, San Francisco Bay Area” (FRL7049–1) received on August 30, 2001; to the Committee on Environment and Public Works.

EC–3640. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Clean Air Act Final Full Approval of Operating Permit Programs; North Carolina, Mecklenburg County, and Western North Carolina” (FRL7047–2) received on August 30, 2001; to the Committee on Environment and Public Works.

EC–3641. A communication from the Deputy Inspector General, Department of Defense, transmitting, pursuant to law, to the Committee on Environment and Public Works.

EC–3642. A communication from the Acting Director of the Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled “Endangered and Threatened Wildlife and Plants; Final Designation of Critical Habitat for Sidalcea oregana var. calva (Wenatchee Mountains checker-mallow)” (RIN1018–AH05) received on September 4, 2001; to the Committee on Environment and Public Works.

EC–3643. A communication from the Acting Director of the Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled “Endangered and Threatened Wildlife and Plants; Final Designation of Critical Habitat for the Kootenai River Population of the White Sturgeon” (RIN1018–AH06) received on September 4, 2001; to the Committee on Environment and Public Works.

EC–3644. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “FY02 Wetland Program Development Grants Guidelines” (FRL7047–3) received on September 4, 2001; to the Committee on Environment and Public Works.

EC–3645. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Fy03 Wetland Program Development Grants Guidelines” (FRL7047–9) received on September 4, 2001; to the Committee on Environment and Public Works.

EC–3646. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Assessment of the Probability of the Presence of Organic Contaminants in the Environment” (FRL7048–3) received on September 4, 2001; to the Committee on Environment and Public Works.

EC–3647. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Superfund Post Construction” (FRL7048–4) received on September 4, 2001; to the Committee on Environment and Public Works.

EC–3648. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “The Role of Screening-Level Risk Assessments and Refining Contaminants of Concern in Baseline Risk Assessments” (FRL7048–1) received on August 24, 2001; to the Committee on Environment and Public Works.

EC–3649. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Local Emergency Planning Committees and Deliberate Releases” (FRL7048–2) received on August 24, 2001; to the Committee on Environment and Public Works.

EC–3650. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Tool to Implement Superfund Land Use” (FRL7048–3) received on August 24, 2001; to the Committee on Environment and Public Works.

EC–3651. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Amendments to the List 2 Rule and Partial Delay of Reporting of Monitoring Results" (FRL7049–7) received on August 30, 2001; to the Committee on Environment and Public Works.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. LEVINE for the Committee on Armed Services:

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

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 to the appropriate committees:

By Mr. ROCKEFELLER:

S. 1408. A bill to amend title 38, United States Code, to standardize the income threshold for copayment for outpatient medications with the income threshold for ineligibility to defray necessary expense of care, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. MCCONNELL (for himself, Mrs. FEINSTEIN, Mr. DASCHLE, Mr. SCHUMER, Ms. MIKULSKI, Mr. CRAPO, Mrs. CLINTON, Mrs. CARNahan, Mrs. ROHRBACH, Mr. TORDA, Mr. ENARDS, Mr. CLELAND, Mr. ENsign, Mr. JOHNSON, and Mr. INOUYE):

S. 1499. A bill to impose sanctions against the PLO or the Palestinian Authority if the President determines that those entities...