

## 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 executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

## 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-606. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the annual surplus property report for fiscal year 2004; to the Committee on Health, Education, Labor, and Pensions.

EC-607. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report on infertility and the prevention of sexually transmitted diseases from 2000 to 2003; to the Committee on Health, Education, Labor, and Pensions.

EC-608. A communication from the Human Resource Specialist, Department of Labor, transmitting, pursuant to law, the report of a vacancy and designation of acting officer in the position of Assistant Secretary for Occupational Safety and Health Administration, received on February 7, 2005; to the Committee on Health, Education, Labor, and Pensions.

EC-609. A communication from the Secretary of Education, transmitting, pursuant to law, a report concerning surplus Federal real property disposed of to educational institutions; to the Committee on Health, Education, Labor, and Pensions.

EC-610. A communication from the White House Liaison, Department of Education, transmitting, pursuant to law, the report of a vacancy in the position of Commissioner of Education and Statistics, received on January 25, 2005; to the Committee on Health, Education, Labor, and Pensions.

EC-611. A communication from the White House Liaison, Department of Education, transmitting, pursuant to law, the report of a nomination confirmed for the position of Assistant Secretary, Special Education and Rehabilitative Services, received on January 25, 2005; to the Committee on Health, Education, Labor, and Pensions.

EC-612. A communication from the White House Liaison, Department of Education, transmitting, pursuant to law, the report of the nomination confirmed for the position of Under Secretary, received on January 25, 2005; to the Committee on Health, Education, Labor, and Pensions.

EC-613. A communication from the White House Liaison, Department of Education, transmitting, pursuant to law, the report of a nomination confirmed for the position of Deputy Secretary, on January 25, 2005; to the

Committee on Health, Education, Labor, and Pensions.

EC-614. A communication from the Director, Regulations Policy and Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Cardiovascular and Neurological Devices; Reclassification of Two Embolization Devices" (Doc. No. 20003N-0567) received on February 7, 2005; to the Committee on Health, Education, Labor, and Pensions.

EC-615. A communication from the Director, Regulations Policy and Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medical Devices; Obstetrical and Gynecological Devices; Classification of the Assisted Reproduction Laser System" (Doc. No. 2004N-0530) received on February 7, 2005; to the Committee on Health, Education, Labor, and Pensions.

EC-616. A communication from Assistant General Counsel for Regulatory Services, Office of Innovation and Improvement, Department of Education, transmitting, pursuant to law, the report of a rule entitled "Scientifically Based Evaluation Methods—Notice of Final Priority" (RIN1890-ZA00) received on February 7, 2005; to the Committee on Health, Education, Labor, and Pensions.

EC-617. A communication from Regulations Coordinator, Centers for Disease Control, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Establishment of Vaccination Clinics; User Fees for Investigational New Drug (IND) Influenza Vaccine Services and Vaccines" (RIN0920-AA11) received on January 25, 2005; to the Committee on Health, Education, Labor, and Pensions.

EC-618. A communication from the Deputy Secretary of the Treasury, transmitting, pursuant to law, the six month periodic report on the national emergency with respect to terrorists who threaten to disrupt the Middle East peace process that was declared in Executive Order 12947 of January 23, 1995; to the Committee on Banking, Housing, and Urban Affairs.

EC-619. A communication from the Deputy Secretary of the Treasury, transmitting, pursuant to law, the six-month periodic report on the national emergency with respect to Liberia that was declared in Executive Order 13348 of July 22, 2004; to the Committee on Banking, Housing, and Urban Affairs.

EC-620. A communication from the Chairman of the Securities and Exchange Commission, transmitting, pursuant to law, a report on the Commission's management controls for fiscal year 2004; to the Committee on Banking, Housing, and Urban Affairs.

EC-621. A communication from the Regulatory Specialist, Office of the Comptroller of the Currency, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "OCC Guidelines Establishing Standards for National Banks' Residential Mortgage Lending Practices" (RIN1557-AC93) received on February 7, 2005; to the Committee on Banking, Housing, and Urban Affairs.

EC-622. A communication from the Secretary of Commerce, transmitting, pursuant to law, the 2005 Report on Foreign Policy Controls; to the Committee on Banking, Housing, and Urban Affairs.

EC-623. A communication from the General Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of

a rule entitled "List of Communities Eligible for the Sale of Flood Insurance" (Doc. No. FEMA-7774 (44 FR 64)) received on February 7, 2005; to the Committee on Banking, Housing, and Urban Affairs.

EC-624. A communication from the General Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Final Flood Elevation Determinations" (44 CFR 67) received on February 7, 2005; to the Committee on Banking, Housing, and Urban Affairs.

EC-625. A communication from the General Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Changes in Flood Elevation Determinations" (Doc. No. FEMA-D-7565 (44 CFR 67)) received on February 7, 2005; to the Committee on Banking, Housing, and Urban Affairs.

EC-626. A communication from the General Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Suspension of Community Eligibility" (Doc. No. FEMA-7859 (44 CFR 64)) received on February 7, 2005; to the Committee on Banking, Housing, and Urban Affairs.

EC-627. A communication from Assistant Secretary, Division of Investment Management, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled "Certain Broker-Dealers Deemed Not To Be Investment Advisors" (RIN 3235-AJ78) received on January 25, 2005; to the Committee on Banking, Housing, and Urban Affairs.

EC-628. A communication from the General Counsel, National Credit Union Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Credit Union Ownership of Fixed Assets" received on February 1, 2005; to the Committee on Banking, Housing, and Urban Affairs.

EC-629. A communication from the Administrator, Rural Housing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Procedure Notice on Surety" (RIN 0575-AC60) received on January 25, 2005; to the Committee on Agriculture, Nutrition, and Forestry.

EC-630. A communication from the Administrator, Rural Housing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Direct Single Family Housing Loans and Grants" (RIN0575-AC54) received on February 7, 2005; to the Committee on Agriculture, Nutrition, and Forestry.

EC-631. A communication from Acting Administrator, Agriculture Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Raisins Produced from Grapes Grown in California; Increased Assessment Rate" (Doc. No. FV05-989-1FR) received on February 7, 2005; to the Committee on Agriculture, Nutrition, and Forestry.

EC-632. A communication from Acting Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Olives Grown in California: Redistricting and Reappointment of Producer Membership on the California Olive Committee" (Doc. No. FV04-932-2FR) received on February 7, 2005; to the Committee on Agriculture, Nutrition, and Forestry.

EC-633. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting,