EC-9371. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Air Quality Standards: National 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 “Approvals and Promulgations 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 “Applicability of the 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-9374. A communication from the Deputy 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-9375. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Misouri: Final Approval of Missouri Underground Storage Tank Program” (FRL#7818-1) 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 “Revisions 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 “Appropriation of Certain Settlement Funds as pertaining to Purchase Price Allocations in December 2000 for the 4-Hour Ozone Acquisitions” (RIN 1545-D859) 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 409(a)” (FRL#7814-1) 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. Rule 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. Notice 2004-106) 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 9515) 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 Submissions 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 and Standards for the Assessment 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 law, 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 Canada; to the Committee on Foreign Relations.

EC-9389. A communication from the Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to law, 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-9390. A communication from the Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to law, 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 Canada; to the Committee on Foreign Relations.

EC-9391. A communication from the Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to law, 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 Italy; to the Committee on Foreign Relations.

EC-9392. A communication from the Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to law, 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 Germany; to the Committee on Foreign Relations.

EC-9393. A communication from the Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to law, 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 the United Kingdom; to the Committee on Foreign Relations.

EC-9394. A communication from the Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to law, 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 Japan; 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 Request for 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-9396. A communication from the Deputy Secretary of State, transmitting, pursuant to law, a report relative to supporting Switzerland’s Request for Export Control Act, the report of a proposed manufacturing license agreement for the manufacture of significant military equipment to Switzerland; 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 undetermined 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 2418-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 Affairs, transmitting, pursuant to law, the report of a rule entitled “Board of Veterans’ Appeals: Obtaining Evidence and Curing Procedural Defects” (RIN 2000-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:

A communication from Jon D. Leibowitz, of Maryland, to be a Federal Trade Commissioner for a term of seven years from September 26, 2003.
*Deborah P. Majoras, of Virginia, to be a Federal Trade Commissioner for the unexpired term of seven years from September 26, 2001.

Coast Guard nominations beginning Capt. Gary T. Hlore and ending Capt. Joel R. Whitehead, which nominations were received by the Senate and appeared in the Congressional Record on September 7, 2004.

Mr. MCCAIN, Mr. President, for the Committee on Commerce, Science, and Transportation I report favorably the following nomination lists which were printed in the RECORDS on the dates indicated, and ask unanimous consent, to save the expense of reprinting some of these nominations lie at the Secretary’s desk for the information of Senators.

The PRESIDING OFFICER. Without objection, it is so ordered.

Coast Guard nomination of Kenneth W. Megan.

Coast Guard nominations beginning John B. McDermott and ending David C. Clippinger, which nominations were received by the Senate and appeared in the Congressional Record on September 10, 2004.

Coast Guard nomination of Karen W. Quaicoe.

Coast Guard nominations beginning Michael H Anderson and ending Gordon K Weeks, which nominations were received by the Senate and appeared in the Congressional Record on September 10, 2004.

National Oceanic and Atmospheric Administration nominations beginning Jonathan W Bailey and ending Richard A Edmanson, which nominations were received by the Senate and appeared in the Congressional Record on September 20, 2004.

National Oceanic and Atmospheric Administration nominations beginning Timothy J Gallagher and ending Bernerv R Archer, which nominations were received by the Senate and appeared in the Congressional Record on September 20, 2004.

By Mr. GREGG, for the Committee on Health, Education, Labor, and Pensions.

*Gerard Schwarz, of Washington, to be a Member of the National Council on the Arts for the remainder of the term expiring September 3, 2010.

*James Ballinger, of Arizona, to be a Member of the National Council on the Arts for a term expiring September 3, 2010.

*Terence Alan Teachout, of New York, to be a Member of the National Council on the Arts for a term expiring September 3, 2010.

*Joseph B. Mendenhall, of Mississippi, to be a Member of the Board of Directors of the National Board for Education Sciences for a term of two years.

*Frank Philip Handy, of Florida, to be a Member of the Board of Directors of the National Board for Education Sciences for a term of two years.

*Eric Alan Hanshek, of California, to be a Member of the Board of Directors of the National Board for Education Sciences for a term of two years.

*Caroline M. Hoxby, of Massachusetts, to be a Member of the Board of Directors of the National Board for Education Sciences for a term of four years.

*Roberto Ibarra Lopez, of Texas, to be a Member of the Board of Directors of the National Board for Education Sciences for a term of two years.

*Richard James Milgram, of New Mexico, to be a Member of the Board of Directors of the National Board for Education Sciences for a term of three years.

*Sally Epstein Shaywitz, of Connecticut, to be a Member of the Board of Directors of the National Board for Education Sciences for a term of three years.

*Joseph K. Torgeren, of Florida, to be a Member of the Board of Directors of the National Board for Education Sciences for a term of three years.

*Herbert John Walberg, of Illinois, to be a Member of the Board of Directors of the National Board for Education Sciences for a term of four years.

*Joseph A. Alutto, of Pennsylvania, to be a Member of the Board of Directors of the National Board for Education Sciences for a term of four years.

*Herbert John Walberg, of Illinois, to be a Member of the Board of Directors of the National Board for Education Sciences for a term of four years.

*Jonathan Baron, of Maryland, to be a Member of the National Institute on Literacy Advisory Board for a term expiring November 25, 2006.

*Maria Orco, of the District of Columbia, to be a Member of the Board of Directors of the United States Institute of Peace for a term expiring January 19, 2007.

*Young Woo Kang, of Indiana, to be a Member of the National Council On Disability for a term expiring September 17, 2006.

*John H. Hager, of Virginia, to be Assistant Secretary for Special Education and Rehabilitative Services, Department of Education.

*Arden Bement, Jr., of Indiana, to be Director of the National Science Foundation for a term of five years.

Coast Guard nominations beginning Terence L. Chorbis and ending Parmjeet S. Saini, which nominations were received by the Senate and appeared in the Congressional Record on April 8, 2004.

Public Health Service nominations beginning Daniel Molina and ending James D. Warner, which nominations were received by the Senate and appeared in the Congressional Record on May 17, 2004.

Public Health Service nominations beginning Songhai Barcillit and ending Gregory Wotkis, which nominations were received by the Senate and appeared in the Congressional Record on May 17, 2004.

Public Health Service nominations beginning Alvin Abrams and ending Ariel E. Vidalies, which nominations were received by the Senate and appeared in the Congressional Record on May 17, 2004.

*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 as indicated:

By Mrs. CLINTON:

S. 2527. A bill to amend the Federal Rules of Evidence to create an explicit privilege to preserve medical privacy; to the Committee on the Judiciary.

By Mr. MCCAIN (for himself, Mr. FENTGOLD, Mr. LIEBERMAN, and Mr. SCHUMER):

S. 2632. A bill to amend the Federal Election Campaign Act of 1971 to define political committee and clarify when organizations described in section 527 of the Internal Revenue Code of 1986 operate as political committees, and for other purposes; to the Committee on Rules and Administration.