

February 24, 2004; to the Committee on Environment and Public Works.

EC-6544. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "National Pollutant Discharge Elimination System—Final Regulations to Establish Requirements for Cooling Water Intake Structures at Phase II Existing Facilities" (FRL#7625-9) received on February 24, 2004; to the Committee on Environment and Public Works.

EC-6545. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Protection of Stratospheric Ozone; Refrigerant Recycling; Substitute Refrigerants" (FRL#7625-6) received on February 24, 2004; to the Committee on Environment and Public Works.

EC-6546. A communication from the Director, 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 Rule to Delist the Mariana Mallard and Guam Broadbill From the List of Threatened and Endangered Wildlife" (RIN1080-AH50) received on February 19, 2004; to the Committee on Environment and Public Works.

EC-6547. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval of Section 112(1) Authority for Hazardous Air Pollutants; Equivalency by Permit Provisions; Emission Standards for Hazardous Air Pollutants from the Pulp and Paper Industry; State of South Carolina" (FRL#7623-8) received on February 24, 2004; to the Committee on Environment and Public Works.

EC-6548. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, the 2003 Revisions to the Hazardous Waste Enforcement Response; to the Committee on Environment and Public Works.

EC-6549. A communication from the Administrator, Environmental Protection Agency, transmitting, pursuant to law, the Agency's Fiscal Year 2003 Annual Report; to the Committee on Environment and Public Works.

EC-6550. A communication from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting, pursuant to law, the report of a rule entitled "Reduction in Face Amount of Note Used to Purchase Employer Stock" (Rev. Rule 2004-37) received on February 26, 2004; to the Committee on Finance.

EC-6551. A communication from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting, pursuant to law, the report of a rule entitled "Service by a Student That Qualify for the Exception from Federal Insurance Contributions Act" (Notice 2004-12) received on February 26, 2004; to the Committee on Finance.

EC-6552. A communication from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting, pursuant to law, the report of a rule entitled "Deductibility of Contributions to a Section 412(i) Plan" (Rev. Rul. 2004-20) received on February 26, 2004; to the Committee on Finance.

EC-6553. A communication from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting, pursuant to law, the report of a rule entitled "Fair Market Value in a Section 412(i) Plan" (Rev. Proc. 2004-16) received on February 26, 2004; to the Committee on Finance.

EC-6554. A communication from the Acting Chief, Publications and Regulations Branch,

Internal Revenue Service, transmitting, pursuant to law, the report of a rule entitled "Discrimination in a Section 412(i) Plan" (Rev. Rul. 2004-21) received on February 26, 2004; to the Committee on Finance.

EC-6555. A communication from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting, pursuant to law, the report of a rule entitled "Notice Adopting Rev. Rule 2002-62" (Notice 2004-15) received on February 26, 2004; to the Committee on Finance.

EC-6556. A communication from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting, pursuant to law, the report of a rule entitled "Request for Comments Concerning Treatment of Amounts Required to be Capitalized Under Section 1.263(a)-5" () received on February 26, 2004; to the Committee on Finance.

EC-6557. A communication from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting, pursuant to law, the report of a rule entitled "Abusive Foreign Tax Credit Intermediary Transactions" (Notice 2004-20) received on February 26, 2004; to the Committee on Finance.

EC-6558. A communication from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting, pursuant to law, the report of a rule entitled "Foreign Tax Credit Abuse" (Notice 2004-19) received on February 26, 2004; to the Committee on Finance.

EC-6559. A communication from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting, pursuant to law, the report of a rule entitled "Applicable Federal Rates—March 2004" (Rev. Rule 2004-25) received on February 26, 2004; to the Committee on Finance.

EC-6560. A communication from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting, pursuant to law, the report of a rule entitled "Electronic Payee Statements" (TD9114) received on February 26, 2004; to the Committee on Finance.

EC-6561. A communication from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting, pursuant to law, the report of a rule entitled "Guidance Under Section 355 Regarding Spin-offs of a Controlled Corporation" (Rev. Rule 2004-23) received on February 26, 2004; to the Committee on Finance.

EC-6562. A communication from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting, pursuant to law, the report of a rule entitled "Treatment of Environmental Remediation Expenses under Sec. 1341" (Rev. Rule 2004-17) received on February 26, 2004; to the Committee on Finance.

EC-6563. A communication from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting, pursuant to law, the report of a rule entitled "Bureau of Labor Statistics Price Indexes for Department Stores—December 2003" (Rev. Rule 2004-19) received on February 26, 2004; to the Committee on Finance.

EC-6564. A communication from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting, pursuant to law, the report of a rule entitled "Electronic Filing of Duplicate Forms 5472" (RIN1545-BD02) received on February 26, 2004; to the Committee on Finance.

EC-6565. A communication from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting, pursuant to law, the report of a rule entitled "Average Area and Nationwide Purchase Prices for Issuers of Qualified Mortgage Bonds and Qualified Mortgage Certificates" (Rev. Proc. 2004-18) received on February 26, 2004; to the Committee on Finance.

EC-6566. A communication from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting, pursuant to law, the report of a rule entitled "Treatment of Environmental Remediation Expenses Under 263A" (Rev. Rul. 2004-18) received on February 26, 2004; to the Committee on Finance.

EC-6567. 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; Revisions to the One-time Appeal Process for Hospital Wage Index Classification" (RIN0938-AN00) received on February 26, 2004; to the Committee on Finance.

EC-6568. A communication from the President of the United States, transmitting, pursuant to law, a notification of the President's intention to enter into a Free Trade Agreement with Costa Rica, El Salvador, Honduras, Guatemala, and Nicaragua; to the Committee on Finance.

## 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 Mr. MILLER:

S. 2147. A bill to increase the penalties for violations by television and radio broadcasters of the prohibitions against transmission of obscene, indecent, and profane language; to the Committee on Commerce, Science, and Transportation.

By Mr. COLEMAN:

S. 2148. A bill to protect American workers from competition of foreign workforces for performance of Federal and State contracts; to the Committee on Governmental Affairs.

By Mr. COLEMAN (for himself and Mr. BAUCUS):

S. 2149. A bill to provide customs services after hours at certain airports; to the Committee on Finance.

By Mr. NELSON of Florida:

S. 2150. A bill to promote better health for young people through Federal matching awards for physical education programs of excellence, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. JOHNSON:

S. 2151. A bill to encourage the development and integrated use by the public and private sectors of remote sensing and other geospatial information, and for other purposes; to the Committee on Commerce, Science, and Transportation.

## ADDITIONAL COSPONSORS

S. 349

At the request of Mrs. FEINSTEIN, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 349, a bill to amend title II of the Social Security Act to repeal the Government pension offset and windfall elimination provisions.

S. 595

At the request of Mr. BREAU, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of S. 595, a bill to amend the Internal Revenue Code of 1986 to repeal the required use of certain principal repayments on mortgage subsidy bond

financings to redeem bonds, to modify the purchase price limitation under mortgage subsidy bond rules based on median family income, and for other purposes.

At the request of Mr. HATCH, the names of the Senator from South Carolina (Mr. HOLLINGS) and the Senator from Nevada (Mr. ENSIGN) were added as cosponsors of S. 595, *supra*.

S. 596

At the request of Mr. ENSIGN, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 596, a bill to amend the Internal Revenue Code of 1986 to encourage the investment of foreign earnings within the United States for productive business investments and job creation.

S. 921

At the request of Mr. LAUTENBERG, the name of the Senator from Wisconsin (Mr. FEINGOLD) was added as a cosponsor of S. 921, a bill to authorize the Secretary of Homeland Security to make grants to reimburse State and local governments and Indian tribes for certain costs relating to the mobilization of Reserves who are first responder personnel of such governments or tribes.

S. 950

At the request of Mr. DASCHLE, his name was added as a cosponsor of S. 950, a bill to allow travel between the United States and Cuba.

S. 985

At the request of Mr. DODD, the name of the Senator from Louisiana (Mr. BREAUX) was added as a cosponsor of S. 985, a bill to amend the Federal Law Enforcement Pay Reform Act of 1990 to adjust the percentage differentials payable to Federal law enforcement officers in certain high-cost areas, and for other purposes.

S. 1129

At the request of Mrs. FEINSTEIN, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 1129, a bill to provide for the protection of unaccompanied alien children, and for other purposes.

S. 1143

At the request of Mrs. HUTCHISON, the names of the Senator from Maryland (Mr. SARBANES) and the Senator from Mississippi (Mr. COCHRAN) were added as cosponsors of S. 1143, a bill to amend the Public Health Service Act to direct the Secretary of Health and Human Services to establish, promote, and support a comprehensive prevention, research, and medical management referral program for hepatitis C virus infection.

S. 1397

At the request of Mr. GREGG, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 1397, a bill to prohibit certain abortion-related discrimination in governmental activities.

S. 1516

At the request of Mr. DOMENICI, the name of the Senator from Colorado

(Mr. ALLARD) was added as a cosponsor of S. 1516, a bill to further the purposes of the Reclamation Projects Authorization and Adjustment Act of 1992 by directing the Secretary of the Interior, acting through the commissioner of Reclamation, to carry out an assessment and demonstration program to assess potential increases in water availability for Bureau of Reclamation projects and other uses through control of salt cedar and Russian olive.

S. 1527

At the request of Mr. SANTORUM, the name of the Senator from Nebraska (Mr. HAGEL) was added as a cosponsor of S. 1527, a bill to establish a Tick-Borne Disorders Advisory Committee, and for other purposes.

S. 1568

At the request of Mr. HATCH, the name of the Senator from North Dakota (Mr. CONRAD) was added as a cosponsor of S. 1568, a bill to amend the Internal Revenue Code of 1986 to simplify certain provisions applicable to real estate investment trusts.

S. 1597

At the request of Mr. ALLEN, the name of the Senator from Georgia (Mr. MILLER) was added as a cosponsor of S. 1597, a bill to provide mortgage payment assistance for employees who are separated from employment.

S. 1916

At the request of Ms. LANDRIEU, the name of the Senator from Minnesota (Mr. DAYTON) was added as a cosponsor of S. 1916, a bill to amend title 10, United States Code, to increase the minimum Survivor Benefit Plan basic annuity for surviving spouses age 62 and older, to provide for a one-year open season under that plan, and for other purposes.

S. 1925

At the request of Mr. CONRAD, his name was added as a cosponsor of S. 1925, a bill to amend the National Labor Relations Act to establish an efficient system to enable employees to form, join, or assist labor organizations, to provide for mandatory injunctions for unfair labor practices during organizing efforts, and for other purposes.

At the request of Mr. KENNEDY, the name of the Senator from New Mexico (Mr. BINGAMAN) was added as a cosponsor of S. 1925, *supra*.

S. 1977

At the request of Ms. SNOWE, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 1977, a bill to promote the manufacturing industry in the United States by establishing an Assistant Secretary for Manufacturing within the Department of Commerce, an Interagency Manufacturing Task Force, and a Small Business Manufacturing Task Force, and for other purposes.

S. 2016

At the request of Mr. NELSON of Florida, his name was added as a cosponsor of S. 2016, a bill to provide for infant crib safety, and for other purposes.

S. 2018

At the request of Mr. BUNNING, the name of the Senator from Pennsylvania (Mr. SANTORUM) was added as a cosponsor of S. 2018, a bill to amend the National Trails System Act to extend the Lewis and Clark National Historic Trail to include additional sites associated with the preparation or return phase of the expedition, and for other purposes.

S. 2056

At the request of Mr. BROWNBACK, the names of the Senator from North Carolina (Mrs. DOLE) and the Senator from Wyoming (Mr. ENZI) were added as cosponsors of S. 2056, a bill to increase the penalties for violations by television and radio broadcasters of the prohibitions against transmission of obscene, indecent, and profane language.

S. 2057

At the request of Mr. DAYTON, the names of the Senator from North Dakota (Mr. CONRAD) and the Senator from Arkansas (Mr. PRYOR) were added as cosponsors of S. 2057, a bill to require the Secretary of Defense to reimburse members of the United States Armed Forces for certain transportation expenses incurred by the members in connection with leave under the Central Command Rest and Recuperation Leave Program before the program was expanded to include domestic travel.

S. 2093

At the request of Mrs. HUTCHISON, the name of the Senator from Illinois (Mr. FITZGERALD) was added as a cosponsor of S. 2093, a bill to maintain full marriage tax penalty relief for 2005.

S. 2096

At the request of Mr. LUGAR, the name of the Senator from Nebraska (Mr. HAGEL) was added as a cosponsor of S. 2096, a bill to promote a free press and open media through the National Endowment for Democracy and for other purposes.

S. 2131

At the request of Mr. BURNS, the names of the Senator from Oregon (Mr. WYDEN) and the Senator from California (Mrs. BOXER) were withdrawn as cosponsors of S. 2131, a bill to regulate the unauthorized installation of computer software, to require clear disclosure to computer users of certain computer software features that may pose a threat to user privacy, and for other purposes.

S. 2145

At the request of Mr. BURNS, the name of the Senator from New York (Mrs. CLINTON) was added as a cosponsor of S. 2145, a bill to regulate the unauthorized installation of computer software, to require clear disclosure to computer users of certain computer software features that may pose a threat to user privacy, and for other purposes.

S.J. RES. 28

At the request of Mr. CAMPBELL, the names of the Senator from Mississippi

(Mr. COCHRAN), the Senator from West Virginia (Mr. ROCKEFELLER) and the Senator from North Carolina (Mrs. DOLE) were added as cosponsors of S.J. Res. 28, a joint resolution recognizing the 60th anniversary of the Allied landing at Normandy during World War II.

S. CON. RES. 81

At the request of Mrs. FEINSTEIN, the names of the Senator from Texas (Mr. CORNYN), the Senator from North Carolina (Mrs. DOLE) and the Senator from Michigan (Mr. LEVIN) were added as cosponsors of S. Con. Res. 81, a concurrent resolution expressing the deep concern of Congress regarding the failure of the Islamic Republic of Iran to adhere to its obligations under a safeguards agreement with the International Atomic Energy Agency and the engagement by Iran in activities that appear to be designed to develop nuclear weapons.

S. RES. 294

At the request of Mr. KENNEDY, the name of the Senator from Georgia (Mr. MILLER) was added as a cosponsor of S. Res. 294, a resolution designating January 2004 as "National Mentoring Month".

S. RES. 299

At the request of Mr. CAMPBELL, the names of the Senator from Maine (Ms. COLLINS), the Senator from Michigan (Mr. LEVIN) and the Senator from Indiana (Mr. LUGAR) were added as cosponsors of S. Res. 299, a resolution recognizing, and supporting efforts to enhance the public awareness of, the social problem of child abuse and neglect.

AMENDMENT NO. 2623

At the request of Mr. LEAHY, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of amendment No. 2623 proposed to S. 1805, a bill to prohibit civil liability actions from being brought or continued against manufacturers, distributors, dealers, or importers of firearms or ammunition for damages resulting from the misuse of their products by others.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. NELSON of Florida:

S. 2150. A bill to promote better health for young people through Federal matching awards for physical education programs of excellence, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. NELSON of Florida. Mr. President, as we have all heard, childhood obesity has reached epidemic proportions in our country. 30 percent of children between the ages of 6 and 11 are overweight, and 15 percent are obese. The same is true for kids between the ages of 12 and 19. And the number of overweight children has increased 382 percent in 6-11 year olds and 258 percent in 12-19 years old since 1974.

According to a 2001 report by the U.S. Department of Health and Human

Services, a poor diet and sedentary lifestyle are estimated to cause 310,000 to 580,000 deaths a year due to cancer, heart disease, stroke, and diabetes. Obesity is second only to the 418,000 smoking-related fatalities as the leading cause of preventable deaths in the United States.

And unfortunately, this obesity epidemic hits our country at the same time that state governments are cash-strapped and education programs are being cut. In my State of Florida, that means that physical education programs, among other programs, are discarded as non-essential. Specifically, in Duval County, where Jacksonville is, 29 elementary schools have no formal physical education programs. Five years ago, there were just five schools with no programs.

To stem this horrible trend, I'm introducing legislation to encourage State, school districts and schools to provide physical fitness programs in their schools. Through the President's Council on National Fitness those schools that receive recognition either as Physical Fitness State Champions, Active Lifestyle Model Schools or Physical Activity and Fitness Demonstration Programs, will be eligible for Federal matching funds. This will encourage other schools and other school districts to strive for these distinctions because the Federal Government will reward them for their efforts.

It is imperative that we continue to provide our children physical well-being instruction so that our teachers are teaching alert and fit students each day.

Recently, I had the opportunity to visit a wonderful elementary school in Duval County named the Alimacani Elementary School. The physical education instructor, Jan Tipton, showed me their facilities and they were marvelous. I even rolled up my sleeves and did some pull-ups.

The enthusiasm I encountered in that school for physical education was amazing. All of our young people should be given the opportunity to build strong minds and bodies at school through regular physical activity.

For these reasons, I hope that my colleagues will support passage of this legislation this Congress.

By Mr. JOHNSON:

S. 2151. A bill to encourage the development and integrated use by the public and private sectors of remote sensing and other geospatial information, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mr. JOHNSON. Mr. President, today I proudly introduce the Remote Sensing Applications Act of 2004. Remote sensing technology is utilized to map and monitor the surface of the globe. The data we recover through remote sensing equipment contributes to our ability to evaluate and measure a wide scope of variables. The Federal Govern-

ment incorporates remote sensing data to accomplish many critical tasks from monitoring global food supply and environmental developments to enhancing our national security initiatives.

The Landsat program, for example, has collected and distributed a 32-year continuous record of the land surfaces of the world. The program has become so successful that a significant portion of the program's budget is recovered through outside data-sales.

Despite the overwhelming success of our remote sensing programs, many state, local, and tribal government may not be familiar with the data or how to apply the data to meet local needs. In addition, there remains significant opportunities for private industry to develop specialized and profit making adaptations based on remote sensing data.

The Remote Sensing Applications Act directs the United States Geological Survey to invest in pilot projects to explore the integrated use of sources of remote sensing information to address State, local, regional and tribal needs. This legislation emphasizes the need to develop greater commercial applications for this data and provides the USGS important opportunities to develop public-private partnerships.

The Remote Sensing Applications Act of 2004 will build upon the many successes of our remote sensing mission. By investing in adequate infrastructure and by making the appropriate tools available, we can firmly preserve our nation's leadership in remote sensing technologies. By enhancing opportunities to use this technology to more fully address the needs of State, regional, local, and tribal governments, as well as the needs of private industry, we may maximize the global effectiveness of our remote sensing programs. Accomplishing these goals through public-private partnerships has the added benefits of creating new jobs and new markets that may ultimately reduce or replace the need for federal financing or remote sensing policies.

I encourage the Senate to fully consider this important legislation and to work expeditiously to enact it into law.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 2634. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 1805, to prohibit civil liability actions from being brought or continued against manufacturers, distributors, dealers, or importers of firearms or ammunition for damages resulting from the misuse of their products by others; which was ordered to lie on the table.

SA 2635. Mr. BINGAMAN (for himself and Mr. T4CorzineT1) proposed an amendment to the bill S. 1805, supra.

#### TEXT OF AMENDMENTS

SA 2634. Mr. CORNYN submitted an amendment intended to be proposed by