

to the Committee on Banking, Housing, and Urban Affairs.

EC-6171. A communication from the Acting General Counsel, Federal Emergency Management Agency, transmitting, pursuant to law, the report of a rule entitled "Final Flood Elevation Determination; 68 FR 69959" (Doc. # FEMA-P-7630) received on January 20, 2004; to the Committee on Banking, Housing, and Urban Affairs.

EC-6172. A communication from the President of the United States, transmitting, pursuant to law, a report relative to the continuation of the national emergency with respect to terrorists who threaten to disrupt the Middle East Peace Process; to the Committee on Banking, Housing, and Urban Affairs.

EC-6173. A communication from the Chief Counsel, Bureau of the Public Debt, Treasury Department, transmitting, pursuant to law, the report of a rule entitled "31 CFR Part 363, Regulations Governing New Treasury Direct System" received on January 20, 2004; to the Committee on Banking, Housing, and Urban Affairs.

EC-6174. A communication from the Chair, Barry M. Goldwater Scholarship and Excellence in Education Foundation, transmitting, pursuant to law, the Annual Report of the activities of the Goldwater Foundation; to the Committee on Health, Education, Labor, and Pensions.

EC-6175. A communication from the Assistant General Counsel, Regulatory Services Division, Office of Elementary and Secondary Education, transmitting, pursuant to law, the report of a rule entitled "Title I—Improving the Academic Achievement of the Disadvantaged" (RIN1810-AA95) received on January 20, 2004; to the Committee on Health, Education, Labor, and Pensions.

EC-6176. A communication from the Assistant Secretary for Administration and Management, Department of Labor, transmitting, pursuant to law, the report of a nomination confirmed for the position of Deputy Secretary of Labor, Department of Labor, received on January 20, 2004; to the Committee on Health, Education, Labor, and Pensions.

EC-6177. A communication from the Assistant Secretary for Administration and Management, Department of Labor, transmitting, pursuant to law, the report of a nomination confirmed for the position of Solicitor of Labor, Department of Labor, received on January 20, 2004; to the Committee on Health, Education, Labor, and Pensions.

EC-6178. A communication from the Assistant Secretary for Administration and Management, Department of Labor, transmitting, pursuant to law, the report of a designation of acting officer and nomination for the position of Assistant Secretary for Public Affairs, Department of Labor, received on January 20, 2004; to the Committee on Health, Education, Labor, and Pensions.

EC-6179. A communication from the Director, Regulations Policy and Management Staff, Food and Drug Administration, transmitting, pursuant to law, the report of a rule entitled "Skin Protectant Drug Products for Over-the-Counter Human Use; Final Monograph; Technical Amendment" (RIN0910-AA01) received on January 22, 2004; to the Committee on Health, Education, Labor, and Pensions.

EC-6180. A communication from the Director, Regulations Policy and Management Staff, Food and Drug Administration, transmitting, pursuant to law, the report of a rule entitled "Requirements for Submission of Labeling for Human Prescription Drugs and Biologics in Electronic Format" (RIN0910-AB91) received on January 22, 2004; to the Committee on Health, Education, Labor, and Pensions.

EC-6181. A communication from the Director, Regulations Policy and Management

Staff, Food and Drug Administration, transmitting, pursuant to law, the report of a rule entitled "Neurological Devices; Classification of Human Dura Matter" (Doc. No. 200N-0370) received on January 22, 2004; to the Committee on Health, Education, Labor, and Pensions.

EC-6182. A communication from the Director, Regulations Policy and Management Staff, Food and Drug Administration, transmitting, pursuant to law, the report of a rule entitled "Food Additives Permitted for Direct Addition to Food for Human Consumption; Acesulfame Potassium" (Doc. No. 2002F-0220) received on January 22, 2004; to the Committee on Health, Education, Labor, and Pensions.

EC-6183. 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 "HIPAA Administrative Simplification; Standard Unique Health Identifier for Health Care Providers" (RNI0938-AH99) received on January 27, 2004; to the Committee on Health, Education, Labor, and Pensions.

EC-6184. A communication from the Regulations Coordinator, OGC, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Implementation of Equal Access to Justice Act in the Agency Proceedings" received on January 27, 2004; to the Committee on Health, Education, Labor, and Pensions.

EC-6185. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled "Study of the Impact of Boren Amendment Repeal"; to the Committee on Health, Education, Labor, and Pensions.

EC-6186. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report of real property transferred for public health purposes; to the Committee on Health, Education, Labor, and Pensions.

EC-6187. A communication from the Chief, Regulations and Procedures Division, Alcohol and Tobacco Tax and Trade Bureau, transmitting, pursuant to law, the report of a rule entitled "Exportation of Liquors; Recodification of Regulations; Administrative Changes Due to the Homeland Security Act of 2002" (RIN1513-AA76) received on February 3, 2004; to the Committee on the Judiciary.

EC-6188. A communication from the Associate General Counsel, Federal Bureau of Prisons, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Inmate Discipline: Prohibited Acts: Change in Code Numbers for Agency Tracking Purposes Only" (RIN1120-AA78) received on January 27, 2004; to the Committee on the Judiciary.

EC-6189. A communication from the Associate General Counsel, Federal Bureau of Prisons, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Incoming Publications: Softcover Materials" (RIN1120-AA15) received on January 27, 2004; to the Committee on the Judiciary.

EC-6190. A communication from the Associate General Counsel, Federal Bureau of Prisons, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Incoming Publications: Nudity and Sexually Explicit Material or Information" (RIN1120-AA59) received on January 27, 2004; to the Committee on the Judiciary.

EC-6191. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report on the implementation of Section 428 of the Homeland Security Act of 2002; to the Committee on the Judiciary.

EC-6192. A communication from the Public Printer, Government Printing Office, trans-

mitting, the Office's Annual Report for Fiscal Year 2003; to the Committee on Rules and Administration.

EC-6193. A communication from the Chairman, Federal Election Commission, transmitting, pursuant to law, the report of a rule entitled "Explanation and Justification for Revised Instructions for FEC Form 1M, Notification of Multicandidate Status" received on January 20, 2004; to the Committee on Rules and Administration.

EC-6194. A communication from the Secretary of Veterans' Affairs, transmitting, the Department of Veterans' Affairs Special Medical Advisory Group's Annual Report to Congress for Fiscal Year 2003; to the Committee on Veterans' Affairs.

EC-6195. A communication from the Inspector General, General Services Administration, transmitting, the report of the Office of Inspector General for the period ending September 30, 2003; to the Committee on Governmental Affairs.

EC-6196. A communication from the General Counsel, Federal Retirement Thrift Investment Board, transmitting, pursuant to law, the report of a rule entitled "Final Rule 5 CFR Parts 1600, 1601, 1603, 1604, 1605, 1606, 1640, 1645, 1650, 1651, 1653, 1655, 1690: Employee Elections to Contribute to the Thrift Savings Plan, Participants' Choices of Investment Funds, Vesting, Uniformed Services Accounts, Correction of Administrative Errors, Lost Earnings Attributable to Employing Agency Errors, Participant Statements, Calculation of Share Prices, Methods of Withdrawing Funds from the Thrift Savings Plan, Death Benefits, Domestic Relations Orders Affecting Thrift Savings Plan Accounts, Loans, Miscellaneous" received on January 20, 2004; to the Committee on Governmental Affairs.

EC-6197. A communication from the Administrator, General Services Administration, transmitting, pursuant to law, the Fiscal Year 2003 Annual Performance and Accountability Report; to the Committee on Governmental Affairs.

## 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 Ms. CANTWELL:

S. 2051. A bill to promote food safety and to protect the animal feed supply from bovine spongiform encephalopathy; to the Committee on Agriculture, Nutrition, and Forestry.

By Mrs. HUTCHISON:

S. 2052. A bill to amend the National Trails System Act to designate El Camino Real de los Tejas as a National Historic Trail; to the Committee on Energy and Natural Resources.

## ADDITIONAL COSPONSORS

S. 557

At the request of Ms. COLLINS, the name of the Senator from Rhode Island (Mr. CHAFEE) was added as a cosponsor of S. 557, a bill to amend the Internal Revenue Code of 1986 to exclude from gross income amounts received on account of claims based on certain unlawful discrimination and to allow income averaging for backpay and frontpay awards received on account of such claims, and for other purposes.

S. 1109

At the request of Mr. TALENT, the name of the Senator from Minnesota

(Mr. DAYTON) was added as a cosponsor of S. 1109, a bill to provide \$50,000,000,000 in new transportation infrastructure funding through Federal bonding to empower States and local governments to complete significant infrastructure projects across all modes of transportation, including roads, rail, transit, aviation, and water, and for other purposes.

S. 1345

At the request of Mrs. MURRAY, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 1345, a bill to extend the authorization for the ferry boat discretionary program, and for other purposes.

S. 1630

At the request of Mrs. DOLE, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 1630, a bill to facilitate nationwide availability of 2-1-1 telephone service for information and referral services, and for other purposes.

S. 1703

At the request of Mr. SMITH, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 1703, a bill to amend the Internal Revenue Code of 1986 to provide a credit against income tax for expenditures for the maintenance of railroad tracks of Class II and Class III railroads.

S. 2040

At the request of Mr. MCCAIN, the names of the Senator from Alabama (Mr. SHELBY) and the Senator from Ohio (Mr. DEWINE) were added as cosponsors of S. 2040, a bill to extend the date for the submittal of the final report of the National Commission on Terrorist Attacks Upon the United States, to provide additional funding for the Commission, and for other purposes.

S. RES. 164

At the request of Mr. ENSIGN, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. Res. 164, a resolution reaffirming support of the Convention on the Prevention and Punishment of the Crime of Genocide and anticipating the commemoration of the 15th anniversary of the enactment of the Genocide Convention Implementation Act of 1987 (the Proxmire Act) on November 4, 2003.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Ms. CANTWELL:

S. 2051. A bill to promote food safety and to protect the animal feed supply from bovine spongiform encephalopathy; to the Committee on Agriculture, Nutrition, and Forestry.

Ms. CANTWELL. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2051

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Animal Feed Protection Act of 2004".

#### SEC. 2. DEFINITIONS.

In this Act:

(1) BSE.—The term "BSE" means bovine spongiform encephalopathy.

(2) COVERED ARTICLE.—

(A) IN GENERAL.—The term "covered article" means—

(i) feed for an animal;

(ii) a nutritional supplement for an animal;

(iii) medicine for an animal; and

(iv) any other article of a kind that is ordinarily ingested, implanted, or otherwise taken into an animal.

(B) EXCLUSIONS.—The term "covered article" does not include—

(i) an unprocessed agricultural commodity that is readily identifiable as nonanimal in origin, such as a vegetable, grain, or nut;

(ii) an article described in subparagraph (A) that, based on compelling scientific evidence, the Secretary determines does not pose a risk of transmitting prion disease; or

(iii) an article regulated by the Secretary that, as determined by the Secretary—

(I) poses a minimal risk of carrying prion disease; and

(II) is necessary to protect animal health or public health.

(3) SPECIFIED RISK MATERIAL.—

(A) IN GENERAL.—The term "specified risk material" means—

(i) the skull, brain, trigeminal ganglia, eyes, tonsils, spinal cord, vertebral column, or dorsal root ganglia of—

(I) cattle and bison 30 months of age and older; or

(II) sheep, goats, deer, and elk 12 months of age and older;

(ii) the intestinal tract of a ruminant of any age; and

(iii) any other material of a ruminant that may carry a prion disease, as determined by the Secretary, based on scientifically credible research.

(B) MODIFICATION.—The Secretary shall conduct an annual review of scientific research and may modify the definition of specified risk material based on scientifically credible research (including the conduct of ante-mortem and post-mortem tests certified by the Secretary of Agriculture).

(4) SECRETARY.—The term "Secretary" means the Secretary of Health and Human Services.

#### SEC. 3. PROTECTION OF ANIMAL FEED AND PUBLIC HEALTH.

It shall be unlawful for any person to introduce into interstate or foreign commerce a covered article if the covered article contains—

(1)(A) specified risk material from a ruminant; or

(B) any material from a ruminant that—

(i) was in any foreign country at a time at which there was a risk of transmission of BSE in the country, as determined by the Secretary of Agriculture; and

(ii) may contain specified risk material from a ruminant; or

(2) any material from a ruminant exhibiting signs of a neurological disease.

#### SEC. 4. ENFORCEMENT.

(a) COOPERATION.—The Secretary and the heads of other Federal agencies, as appropriate, shall cooperate with the Attorney General in enforcing this Act.

(b) DUE PROCESS.—Any person subject to enforcement action under this section shall have the opportunity for an informal hearing on the enforcement action as soon as practicable after, but not later than 10 days after, the enforcement action is taken.

(c) REMEDIES.—In addition to any remedies available under other provisions of law, the

head of a Federal agency may enforce this Act by—

(1) seizing and destroying an article that is introduced into interstate or foreign commerce in violation of this Act; or

(2) issuing an order requiring any person that introduces an article into interstate or foreign commerce in violation of this Act—

(A) to cease the violation;

(B)(i) to recall any article that is sold; and

(ii) to refund the purchase price to the purchaser;

(C) to destroy the article or forfeit the article to the United States for destruction; or

(D) to cease operations at the facility at which the article is produced until the head of the appropriate Federal agency determines that the operations are no longer in violation of this Act.

(d) CIVIL AND MONETARY PENALTIES.—The Secretary is directed to promulgate regulations on the appropriate level of civil and monetary penalties necessary to carry out the provisions of this Act, within 180 days following enactment of this Act.

#### SEC. 5. TRAINING STANDARDS.

The Secretary, in consultation with the Secretary of Agriculture, shall issue training standards to industry for the removal of specified risk materials.

#### SEC. 6. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated \$5,000,000 to carry out this Act.

#### SEC. 7. EFFECTIVE DATE.

This Act takes effect on the date that is 180 days after the date of enactment of this Act.

By Mrs. HUTCHISON:

S. 2052. A bill to amend the National Trails System Act to designate El Camino Real de Los Tejas as a National Historic Trail; to the Committee on Energy and Natural Resources.

Mrs. HUTCHISON. Mr. President, I rise today to introduce legislation to recognize the oldest highway in Texas and establish the El Camino Real de Los Tejas National Historic Trail.

This bill will preserve a vital piece of Texas history for generations to come. The El Camino Real trail established a key corridor for settlers, immigrants and militaries helping lay the groundwork for our state's future. It also served as a path for such Texas heroes as Davy Crockett and Sam Houston who both fought in the struggle for Texas independence from Mexico.

The 300-year-old corridor also served as a critical trade route, a post road, cattle trail and a military highway. The trail opened America to Texas and Texas to the world. Still today the trail collectively represents a series of roads and paths extending more than 2,500 miles in length from the Rio Grande River near Eagle Pass and Laredo through San Antonio, Bastrop, and Nacogdoches, Texas to Natchitoches, Louisiana. While 2,500 miles of the trail are in 40 Texas counties, the last 80 miles are in Louisiana.

The El Camino Real served as a strategic corridor during Texas' struggle for independence. Critical supplies made their way via the El Camino Real for the Republic of Texas Army as they victoriously forged ahead to defeat the Mexican Army in the Texas Revolution.