

REID) was added as a cosponsor of S. J. Res. 4, a joint resolution proposing an amendment to the Constitution of the United States relating to contributions and expenditures intended to affect elections.

S. RES. 44

At the request of Mr. COCHRAN, the names of the Senator from Rhode Island (Mr. REED), the Senator from Utah (Mr. BENNETT), the Senator from Maryland (Mr. SARBANES), the Senator from Virginia (Mr. WARNER), the Senator from Louisiana (Mr. BREAUX), and the Senator from Wisconsin (Mr. FEINGOLD) were added as cosponsors of S. Res. 44, a resolution designating each of March 2001, and March 2002, as "Arts Education Month."

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. HATCH:

S. 560. A bill for the relief of Rita Mirembe Revell (a.k.a. Margaret Rita Mirembe); to the Committee on the Judiciary.

Mr. HATCH. Mr. President, I rise today to introduce a private relief bill for Rita Mirembe Revell. Rita is a 15-year-old child from Uganda who was brought to this country in 1994. When Rita was 18 months old she was left with the Daughters of Charity Society, a Catholic organization in Kampala, Uganda. Rita was an orphan, abandoned with no known family.

Rita has resided in the United States under a student visa since 1994. As an orphan the only parents she has ever known are her American guardians, who have sponsored Rita since she was three years old. They want very much to adopt Rita, but they have been unable to get around the mess of international red tape. The Ugandan Government has very strict policies concerning adoption by foreign nationals. Now as Rita approaches her 16th birthday she is in danger of being deported. Rita has formed an intimate bond with her American parents, who hope to complete the adoption as soon as possible. Papers for adoption have already been filed, while there are bureaucratic difficulties, the adoption is not contested by any party.

Understandably, the family is concerned that Rita will be deported before her adoption is finalized. This bill simply gives Rita permanent residency so that she might remain with the only parents she has ever known while her adoption becomes final. Other immigration scenarios would require Rita to return to an unsafe country for an unknown period of time. She has no known family in Uganda. Her new life is in California where she was recently admitted to Loretto High School, an outstanding college preparatory high school.

This bill gives Rita permanent resident status, which will allow her to remain in the country while the adoption process continues. It allows Rita to stay with her American parents in the

country that she now calls home. The bill also offers the comfort of certainty for her parents.

I hope that we can move quickly to grant this relief.

By Ms. COLLINS:

S. 561. A bill to provide that the same health insurance premium conversion arrangements afforded to Federal employees be made available to Federal annuitants and members and retired members of the uniformed services; to the Committee on Governmental Affairs.

Ms. COLLINS. Mr. President, today I am introducing legislation to extend to Federal retirees and both active and retired military personnel the same health insurance premium conversion benefits allowed to current civilian Federal employees. This legislation directs the Office of Personnel Management to establish a system allowing those who participate in the Federal Employees Health Benefits Program, FEHBP, to pay their health insurance premiums from pre-tax income.

The practice of allowing health care participants to use pre-tax income to pay their health insurance premiums is often used in the private sector as a way of recognizing the importance of adequate, affordable health insurance. This system is called premium conversion. Last year, the Office of Personnel Management recognized this concept by establishing a plan to allow most employees of the executive, legislative and judicial branches to participate in premium conversion.

Many Federal retirees also participate in the FEHBP program and as a matter of fairness should be extended the opportunity to participate in premium conversion. In addition, the military currently has a separate health care system, but it is exploring offering health benefits under FEHBP, and therefore military employees or retirees who do participate in FEHBP should also be allowed premium conversion.

I have heard from Federal retirees in Maine who have pointed out the unfairness of not including retired Federal employees in the premium conversion system. This legislation will address this inequity.

I urge my colleagues to review and support this important legislation.

By Mr. REID (for himself, Mr. DASCHLE, Mr. KENNEDY, Mr. DODD, Mr. GRAHAM, Mr. SCHUMER, Mr. REED, Mr. KERRY, Mrs. CLINTON, Mr. CORZINE, Mr. DURBIN, and Mrs. BOXER):

S. 562. A bill to amend the Immigration and Nationality Act with respect to the record of admission for permanent residence in the case of certain aliens; to the Committee on the Judiciary.

Mr. REID, Mr. President, family reunification is the cornerstone of our immigration policy. It is truly one of the most visible areas in government

policy in which we support and strengthen family values.

Family unification translates into strong families and strong families build strong communities. For that reason I am introducing the Working Families Registry Act.

This bill would allow immigrants who have been working and raising families in the country since and before 1986 to apply for permanent residence.

In my home State of Nevada I have met with people who everyday fear being deported and separated from their families. They are married to Americans, have American children and have worked and been paying taxes for many years. They help and do not harm our industry and our economy.

A change in the date of registry would help these families. This bill would solve the problem of immigrants who have been paying taxes, who have feared being deported and separated from their families.

The Working Families Registry Act would update a provision of immigration law known as "registry."

The registry provision originated in a 1929 law and in 1958 that law became available to foreigners who had entered the country illegally or who had overstayed. This criteria remains today and sets a required date for which continuous residence must be shown in order to qualify for permanent U.S. residency. The date of registry currently sits at 1972, and was last adjusted in 1986. My legislation would update the date of registry from 1972 to 1986. A change in the date of registry is necessary.

First, it would address the uncertainty of taxpaying immigrants who would qualify for residence under this bill. Many of these immigrants live in fear of being separated from their families, having their worker's permits stripped and their residency status revoked.

Secondly, the legislation would help strengthen the immigrant contributions to our national economy, tax base, and social fabric. The guaranteed benefits of residence (e.g., access to basic health care and education) provide for a more productive and effective workforce.

Third, we recognize today, as so many legislators did in the past that immigrants who have remained in the country for an extended period of time are highly unlikely to leave.

Fourth, if an update of the registry is not achieved, the validity of this concept will be meaningless when this issue emerges in the future.

Finally, Americans care about this issue.

A recent poll conducted by the National Immigration Forum found that 55 percent of Americans strongly favor legalizing a limited number of undocumented immigrants. That is, those immigrants who have been raising their families and paying their taxes—and who can prove they have been in the United States for more than 5 years.

I believe it is in America's interest to pass The Working Families Registry Act.

Immigrants' relationships with the United States are predicated by the recognition of America's greatness. And, keeping families together, keeps America great.

Please join my efforts to make this bill law, as we continue to seek ways to keep America's working families together.

By Mr. ROCKEFELLER:

S. 564. A bill to amend section 1713 of title 38, United States Code, to provide continuing eligibility for medical care under that section for individuals who become eligible for hospital insurance benefit under part A of title XVIII of the Social Security Act by turning 65; to the Committee on Veterans' Affairs.

Mr. ROCKEFELLER. 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. 564

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

**SECTION 1. CONTINUING ELIGIBILITY FOR BENEFITS UNDER CHAMPVA OF INDIVIDUALS WHO BECOME ELIGIBLE FOR HOSPITAL INSURANCE BENEFITS UNDER THE SOCIAL SECURITY ACT BY TURNING 65.**

Section 1713(d) of title 38, United States Code, is amended—

(1) by inserting “(2)” before “Notwithstanding”; and

(2) by inserting before paragraph (2), as designated by paragraph (1) of this section, the following new paragraph (1):

“(1) Notwithstanding section 1086(d)(1) of title 10 or any other provision of law, an individual eligible for medical care under this section who is also entitled to hospital insurance benefits under part A of title XVIII of the Social Security Act by reason of being 65 years of age or older shall not lose eligibility for medical care under this section by virtue of entitlement to such hospital insurance benefits.”.

By Mr. DODD (for himself, Mr. DASCHLE, Mr. INOUE, Mr. DAYTON, Mr. KERRY, and Mr. KENNEDY):

S. 565. A bill to establish the Commission Voting Rights and Procedures to study and make recommendations regarding election technology, voting, election administration, to establish a grant program under which the Office of Justice Programs and the Civil Rights Division of the Department of Justice shall provide assistance to States and localities in improving election technology and the administration of Federal elections, to require States to meet uniform and nondiscriminatory election technology and administration requirements for the 2004 Federal elections, and for other purposes; to the Committee on Rules and Administration.

Mr. DODD. Mr. President, today I am introducing legislation to address some of the glaring problems that occurred

in the 2000 elections with regard to technology and election administration. The Equal Protection of Voting Rights Act of 2001, and companion legislation introduced in the House by Congressman JOHN CONYERS, will provide much needed guidance, and funds, to state and local election officials to ensure that Federal elections are conducted in a manner that encourages participation and facilitates voting by all Americans in a nondiscriminatory manner.

The right to vote is the cornerstone right in a Democracy. In the words of Thomas Paine, it is “the primary right by which other rights are protected.” Thirty-six years ago last week, on March 15, 1965, President Lyndon Johnson convened a Joint Session of Congress to call for passage of what ultimately became the Voting Rights Act. President Johnson spoke plainly and forcefully that evening. “All Americans,” he said, “must have the right to vote. And we are going to give them that right. All Americans must have the privileges of citizenship regardless of race. And they are going to have those privileges of citizenship regardless of race.”

Yet the sad message of this last election is that the privileges of citizenship have yet to be fully guaranteed to all Americans. Nor are the barriers to exercising this fundamental right limited to race. Inaccessible polling places and visual ballots disenfranchised the disabled and blind across this country. Complicated instructions and a lack of trained personnel discouraged language minorities and the elderly from fully exercising their right to vote. And even if voters were able to get to the polling place, read the ballot and cast it, antiquated technology and insufficient machinery denied Americans of all races, languages, and physical abilities the right to have their vote counted. In short, what happened last November set off alarms across this Nation that threaten to undermine the integrity of our system of Democracy.

The fact is, there is a fundamental flaw in our Federal elections system—and that flaw is the lack of federal direction, leadership, and resources provided to the States and localities to meet their responsibility as the administrators of Federal elections. What we learned last November is that it is not good enough to guarantee the right to vote, if procedures and technology prevent individuals from exercising that right. And it will take more than just the latest technology, or a new “mouse-trap” to fix the problem.

The legislation Congressman CONYERS and I are introducing—The Equal Protection of Voting Rights Act of 2001—is intended to secure the rights of all Americans to participate in our Democracy, by establishing 3 simple national requirements for Federal elections: (1) that voting systems and technology meet national standards; (2) that states provide for provisional voting; and (3) that states provide sample

ballots and voting instructions to voters prior to election day. These requirements must be implemented by the 2004 federal elections, and this legislation provides funding to States and localities to fund the costs of implementing these requirements.

This legislation also creates a temporary Commission to study numerous election reform issues such as election systems and ballot designs, access for the disabled, voter intimidation, access for absent military and overseas voters, the feasibility of a national holiday, and alternative methods of voting to facilitate participation. Within 1 year of enactment, the Commission will adopt a final report, along with recommendations for best practices in the areas of convenient, accessible, nondiscriminatory election systems that accommodate voters with disabilities, the blind, and the limited-English speaking. The Commission will also make recommendations for how the Federal government, on an ongoing basis, can best provide assistance to State and local governments. Finally, the Commission will issue recommendations for best practices which will increase voter registration, the accuracy of voter rolls, and will improve voter education and the training of election personnel and volunteers.

Finally, my legislation provides grant money, administered by the Department of Justice, to states and localities to implement the 3 national requirements for the 2004 and subsequent elections. In order to encourage the States and localities to act to improve voting systems and election administration procedures prior to the 2004 elections, the bill allows States and localities to apply for grants to replace voting equipment and technology and make it accessible to those with disabilities, the blind, and those with limited-English proficiency, to implement new administrative procedures to increase participation and reduce disenfranchisement of minorities; to educate voters and train election personnel and volunteers; and to implement recommendations of the Commission. To be eligible for grant funds, a State must submit a plan providing for uniform, nondiscriminatory voting systems that ensure accessibility for all voters; provides for the accuracy of voting records; and provides for voter education and personnel training.

The Equal Protection of Voting Rights Act of 2001 is endorsed by the following organizations: The National Association for the Advancement of Colored People (NAACP); the AFL-CIO; The National Federation of the Blind; the National Council of La Raza; the American Civil Liberties Union; and the Leadership Conference on Civil Rights.

The issues highlighted in the last election are not a Democratic or a Republican problem. They are an American problem and the solutions to these problems must be, appropriately, non-partisan to succeed.

The Committee on Rules and Administration, on which I serve as Ranking Member, has already held one day of hearings on the topic of Election Reform. What became clear from those hearings is that there is a bipartisan recognition that States and localities need assistance to enable them to efficiently, and effectively, administer Federal elections on a nondiscriminatory basis. I would submit that such assistance needs to take the form of both Federal election requirements for nondiscriminatory, inclusive voting systems, provisional voting, and sample ballot and voting instructions, as well as the financial resources to implement such requirements.

I stand ready to work with colleagues on both sides of the aisle to fashion bipartisan legislation to ensure that all citizens can participate in this Democracy. I urge my colleagues to cosponsor this legislation and look forward to additional hearings in the Rules Committee on this and other election reform proposals.

I ask unanimous consent that a section-by-section analysis of the bill be included in the RECORD following my written remarks.

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

SECTION-BY-SECTION ANALYSIS OF EQUAL PROTECTION OF VOTING RIGHTS ACT OF 2001  
TITLE I—ESTABLISHMENT OF COMMISSION ON VOTING RIGHTS & PROCEDURES

Sec. 101.—Establishment of the Commission.

Sec. 102.—Membership of the Commission. Number and Appointment.—the Commission is composed of 12 members, appointed for the life of the Commission, with 6 appointed by the President and 3 appointed by the Senate Minority Member (unless of the same party as the President, and then by the Senate Majority Leader), and 3 appointed by the House Minority Leader (unless of the same party as the President, and then by the House Majority Leader); the Chairperson and Vice Chairperson are elected by the Commission and may not be affiliated with the same political party; all meetings shall be at the call of the chair and a majority of the members of the Commission shall constitute a quorum, but a lesser number may hold hearings.

Sec. 103.—Duties of the Commission.

(a) Study.—The Commission shall conduct a study of the following issues: election technology and systems; design/uniformity of ballots; access to ballots and polling places for the disabled/visually impaired/limited-English speakers; capacity of voting systems/sufficiency of the number of machines to serve voters; voter registration and standards for reenfranchisement; alternative voting methods (internet); voter intimidation; accuracy of voting procedures and technology; voter/poll worker education and training; access for overseas and military voters; feasibility of establishing a Federal or state holiday; feasibility of establishing modified polling hours; and appropriate role for the Federal government to provide assistance to states & localities and whether a new agency is needed.

(b) Recommendations.—The Commission shall develop recommendations of best practices for:

(1) Voting and election administration which: are nondiscriminatory and accommo-

date the disabled/vision impaired/limited-English speaking; yield the broadest participation; and produce accurate results.;

(2) assistance in Federal elections, which provide the best method for the Federal government to provide on-going, permanent assistance; whether an existing or new Federal agency is required; and

(3) voter participation in Federal elections to increase voter registration; increase accuracy of voter rolls and participation; to improve voter education; and to improve training of election personnel and volunteers.

(c) Reports.—a final report and recommendations are due 1 year after enactment; interim reports are authorized; recommendations must be adopted by majority vote of the Commission with minority opinions included in the report.

Sec. 104.—Powers of the Commission.

The Commission may: hold hearings/issue subpoenas/pay witnesses/accept gifts; and secure administrative support and information from Federal agencies upon joint request of the chair and vice-chair.

Sec. 105.—Commission Personnel Matters.

The Commission members, who are not Federal employees, are compensated at the rate for level IV, Executive Schedule; are allowed travel expenses, as per Title 5; may make use of detailed employees and procure consultant services on the joint action of the chair and vice-chair; and may appoint/terminate an executive director on the joint action of the chair and vice-chair.

Sec. 106.—Termination of the Commission.

The Commission terminates within 45 days of issuance of the final report and recommendations.

Sec. 107.—Authorization of Appropriations for the Commission.

Such sums as are necessary to carry out the title are authorized to remain available, without fiscal year limitation, until expended.

TITLE II—ELECTION TECHNOLOGY AND ADMINISTRATION IMPROVEMENT GRANT PROGRAM

Sec. 201.—Establishment of Grant Program.

(a) In General.—the Attorney General, in consultation with the Federal Election Commission, make grants to States and localities.

(b) Action Through the Office of Justice Programs and Assistant Attorney General for Civil Rights.—The Attorney General acts through the Office of Justice Programs and the Assistant Attorney General for Civil Rights.

Sec. 202.—Authorized Activities.

(a) In General.—States and localities may use grant payments:

(1) to improve, acquire, or replace voting equipment or technology and improve the accessibility of polling places for persons with disabilities, including nonvisual access for voters with visual impairments and assistance to voters with limited English proficiency;

(2) to implement new election administration procedures to increase participation and reduce disenfranchisement, including "same-day" voter registration;

(3) to educate voters and train election personnel;

(4) to implement the final recommendations of the Commission.

(b) Requirements for Election Technology and Administration.—States and localities may use grant payments:

(1) to implement the national voting system requirements under 301(a);

(2) to implement the national provisional voting requirements under 301(b);

(3) to implement the national sample ballot requirements under 301(c).

Sec. 203.—General Policies and Criteria for the Approval of Applications of States and Localities; Requirements of State Plans.

(a) General Policies.—the Attorney General, in consultation with the Federal Election Administration, establishes general policies for grant applications.

(b) Criteria.—the Attorney General establishes criteria for State plans; state plans must include each of the following:

(A) uniform nondiscriminatory voting standards within the State for election administration and technology that—

(i) meet the national requirements for voting systems, provisional voting, and sample ballots;

(ii) provide access for the disabled, the vision impaired, and voters of limited English proficiency;

(iii) provide for ease and convenience of voting, including accuracy, non-intimidation, and non-discrimination;

(iv) ensure compliance with the Voting Accessibility for the Elderly and Handicapped Act;

(v) ensure compliance with the Voting Rights Act;

(vi) ensure compliance with the National Voter Registration Act;

(vii) ensure access for overseas and absent military voters;

(B) provide for accuracy of records and prevent purging that will result in legal voters being eliminated;

(C) provide for voter education and election worker training;

(D) provide an effective means of notifying voters of their rights; and

(E) provide a timetable for meeting the elements of the plan.

Sec. 204.—Submission of Application of States and Localities.

(a) Submission of Applications by States.—The chief executive office of the State submits the grant application along with the state plan, which is developed in consultation with State and local election officials and must make available to the public for review and comment before submission.

(b) Submission of Applications by Localities.—If a State has submitted an application under (a), a locality may submit a grant application that is consistent with the State plan, does not duplicate funding received under the State application.

Sec. 205.—Approval of Applications of States and Localities.

(a) Approval of State Applications.—A State plan received by the Attorney General must be published in the Federal Register and subject to public comments; 30 days after publication, taking into consideration any comments received, the Attorney General, in consultation with the Federal Election Commission, approves or disapproves the State plan.

(a) Approval of Applications of Localities.—If the Attorney General approves the application of a State, then the Attorney General, in consultation with the Federal Election Commission, can approve an application by a locality of that State.

Sec. 206.—Federal Matching Funds.

The Attorney General shall pay the Federal share of grants; Federal Share.—in general, the Federal share is 80%, but the Attorney General may waive that amount and increase the Federal share; Incentive for Early Action.—the Federal share shall be 90% for applications received by March 1, 2002; and Reimbursement for Cost of Meeting Requirements.—100% for costs incurred to meet the national requirements under Title III.

Sec. 207.—Audits and Examinations of States and Localities.

The Attorney General, in consultation with the Federal Election Commission, shall specify what records grant recipients must maintain in order to allow for audits.

Sec. 208.—Reports to Congress and the Attorney General.

The Attorney General submits reports to the Congress annually starting in 2003 describing the activities funded by the grants and any recommendations for legislative or administrative action and grant recipients shall submit any reports to the Attorney General as the Attorney General considers appropriate.

Sec. 209.—Definitions of State and Locality.

The term "State" refers to the several States, the District of Columbia, the Commonwealth of Puerto Rico, American Samoa, Guam and the United States Virgin Islands' the term "locality" means a political subdivision of a State.

Sec. 210.—Authorization of Appropriations. (a) Authorization.—There are authorized to the Department of Justice and the Federal Election Commission for FY 2002, 2003, 2004, 2005 and 2006, such sums as are necessary for awarding grants and paying administrative expenses and carrying out the provisions of the Act.

(b) Limitation.—administrative expenses may not exceed more than 1% of funds.

(c) Supplemental Appropriations.—Supplemental appropriations for FY 2001 are authorized.

#### TITLE III—REQUIREMENTS FOR ELECTION TECHNOLOGY & ADMINISTRATION

Sec. 301.—Uniform and Nondiscriminatory Requirements for election Technology and Administration.

(a) Voting Systems.—Each voting system used in a Federal election shall meet the following requirements:

(1) shall permit the voter to verify and correct votes selected before the ballot is cast and tabulated;

(2) shall notify the voter of the effects of casting more than 1 vote for a candidate [over votes] and allow the voter to correct the ballot before it is cast and tabulated;

(3) shall notify the voter of the effects of not voting for all of the candidates [under votes] and allow the voter to correct the ballot before it is cast and tabulated;

(4) shall produce an audit trail;

(5) shall be accessible for individuals with disabilities and other individuals with special needs, including providing nonvisual access for the blind and visually impaired, which provides the same opportunity for access and participation (including privacy and independence) as for other voters, and provides alternative language accessibility for voters with limited English proficiency; and

(6) has an error rate in counting and tabulating ballots that does not exceed the current error rate standards established by the Voting systems Standards of the Office of Election Administration of the Federal Elections Administration.

(b) Provisional Voting.—Each State must provide for provisional voting in a Federal election so that if the name of a voter who declares to be a registered eligible voter does not appear on the official list, or if it is otherwise asserted that the individual is not eligible to vote—

(1) an election official shall notify the individual that the voter may cast a provisional ballot;

(2) the individual shall be permitted to cast a vote upon written affirmation, before an election official, by the individual that he/she is eligible to vote;

(3) an election official shall transfer the ballot to the appropriate State or local official for prompt verification;

(4) if the appropriate State or local official verifies the affirmation, the vote shall be tabulated; and

(5) the individual shall be notified in writing of the final disposition of the declaration and treatment of the vote.

(c) Sample Ballot.—(1) Not later than 10 days before a Federal election, the appropriate election official shall mail a sample version of the ballot to each registered voter, along with:

(A) information on the date of the election and the polling hours;

(B) instructions on how to cast a vote on the ballot; and

(C) general information on voting rights under Federal and applicable State laws and instructions on how to effectuate those rights

(2) Publication and Posting.—not later than 10 days before a Federal election, the sample ballot which is mailed to each voter shall be published in a newspaper of general circulation and posted publicly at each polling place.

Sec. 302.—Guidelines and Technical Specifications.

(a) Voting Systems Requirement Specifications.—The Office of Election Administration of the Federal Election Commission shall develop national Voting Systems Specifications with respect to the voting systems requirement under 301.

(b) Provisional Voting Guidelines.—The Civil Rights Division of the Department of Justice shall develop initial guidelines with respect to the provisional voting requirement under 301.

(c) Sample Ballot Guidelines.—The Civil Rights Division of the Department of Justice shall develop initial guidelines with respect to the sample ballot requirement under 301.

Sec. 303.—Requiring States to Meet Requirements.

(a) In General.—A State or locality must meet the requirements for voting systems, provisional voting and sample ballots with respect to the regularly scheduled election for Federal office held in the State in 2004, except that if guidelines and technical specifications have not been published, such guidelines and specifications do not have to be complied with until published.

(b) Treatment of Activities Relating to Voting Systems Under Grant Program.—If a State has received grant funds to purchase or modify voting systems in accordance with a state plan, the State shall be deemed to meet the requirement of section 301(a).

Sec. 304.—Enforcement by Attorney General.

The Attorney General may bring a civil action for appropriate relief (including declaratory or injunctive relief) as may be necessary to carry out this title.

#### TITLE IV—MISCELLANEOUS

Sec. 401.—Relationship to Other Laws.

(a) In General.—nothing in this Act may be construed to authorize or require conduct prohibited under the following laws, or supersede, restrict, or limit such laws:

(1) The National Voter Registration Act of 1993;

(2) The Voting Rights Act of 1965;

(3) The Voting Accessibility for the Elderly and Handicapped Act;

(4) The Uniformed and Overseas Citizens Absentee Voting Act;

(5) The Americans with Disabilities Act of 1990.

(b) No Effect on Preclearance or Other Requirements Under Voting Rights Act.—the approval by the Attorney General of a State's grant application shall not be considered to have any effect on requirements for preclearance under section 5 of the Voting Rights Act of 1965 or any other requirements of such Act.

By Mr. HOLLINGS:

S. 566. A bill to amend the Internal Revenue Code of 1986 to provide a 10 percent individual income tax rate for

taxable years beginning in 2001 and a payroll tax credit for those taxpayers who have no income tax liability in 2001; to the Committee on Finance.

Mr. HOLLINGS. Mr. President, I recently introduced, S. Con. Res. 20, a one-year budget proposal which included instructions for a tax cut if either: (1) a true surplus materializes, or (2) we enter a recession. It is now apparent the economy is on a downturn and there is no good reason to await action. That is why I am introducing a one-year tax cut of approximately \$95 billion to stimulate the economy. Any tax cut designed for economic stimulus should be about one percent of GDP. The tax cut will reduce income taxes and payroll taxes as follows:

The 15 percent tax rate will be reduced to 10 percent for the following brackets:

\$0–20,000 for couples;

\$0–16,000 for heads of households;

\$0–10,000 for singles or married filing separately.

The 25 million taxpayers who pay payroll taxes but do not qualify for income tax cuts will receive up to \$500 in payroll tax cuts.

This plan reaches approximately 120 million taxpayers, thus providing relief to more people than any other proposal to date. If passed, this proposal will provide immediate relief by sending a check to these 120 million taxpayers by July 1, 2001.

By Mr. SESSIONS:

S. 567. A bill to amend the Internal Revenue Code of 1986 to provide capital gain treatment under section 631(b) of such Code for outright sales of timber by landowners; to the Committee on Finance.

Mr. SESSIONS. Mr. President, I rise today to introduce legislation which will simplify and update a provision of the tax code that affects the sale of timber. It is both a simplification measure and a fairness measure. I call it the Timber Tax Simplification Act.

Under current law, landowners that are occasional sellers of timber are often classified by the Internal Revenue Service as "dealers." As a result, the small landowner is forced to choose, because of the tax code, between two different methods of selling their timber. The first method, "lump sum" sales, provides for good business practice but is subject to a high income tax. The second method, "pay-as-cut" sales, allows for lower capital gains tax treatment, but often results in an under-realization of the fair value of the contract. Why, one might ask, do these conflicting incentives exist for our nation's timber growers?

Earlier in this century, outright, or "lump sum", sales on a cash in advance, sealed basis, were associated with a "cut and run" mentality that did not promote good forest management. "Pay-as-cut sales", however, in which a timber owner is only paid for timber that is actually harvested, were associated with "enlightened" resource

management. Consequently, in 1943, Congress, in an effort to provide an incentive for improved forest management, passed legislation that allowed capital gains treatment under 631(b) of the IRS Code for pay-as-cut sales, leaving lump-sum sales to pay the much higher rate of income tax. It is said that President Roosevelt opposed the bill and almost vetoed it.

Today, however, Section 631(b), like so many provisions in the IRS Code, is outdated. Forest management practices are much different from what they were in 1943 and lump-sum sales are no longer associated with poor forest management. And, while there are occasional special situations where other methods may be more appropriate, most timber owners prefer this method over the "pay-as-cut" method. The reasons are simple: title to the timber is transferred upon the closing of the sale and the buyer assumes the risk of any physical loss of timber to fire, insects, disease, storms, etc. Furthermore, the price to be paid for the timber is determined and received at the time of the sale.

Unfortunately, in order for timber owners to qualify for the favorable capital gains treatment, they must market their timber on a "pay-as-cut" basis under Section 631(b) which requires timber owners to sell their timber with a "retained economic interest." This means that the timber owner, not the buyer, must bear the risk of any physical loss during the timber sale contract period and must be paid only for the timber that is actually harvested. As a result, this type of sale can be subject to fraud and abuse by the timber buyer. Since the buyer pays only for the timber that is removed and scaled, there is an incentive to waste poor quality timber by breaking the tree during the logging process, underscaling the timber, or removing the timber without scaling. But because 631(b) provides for the favorable tax treatment, many timber owners are forced into exposing themselves to unnecessary risk of loss by having to market their timber in this disadvantageous way instead of the more preferable lump-sum method.

Like many of the provisions in the tax code, Section 631(b) is outdated and prevents good forestry business management. Timber farmers, who have usually spent decades producing their timber "crop", should be able to receive equal tax treatment regardless of the method used for marketing their timber.

In the past, the Joint Committee on Taxation has studied this legislation to consider what impact it might have on the Treasury and found that it would have no real cost—only a "negligible change" according to their analysis.

The IRS has no business stepping in and dictating the kind of sales contract a landowner must choose. My legislation will provide greater consistency by removing the exclusive "retained economic interest" requirement in the

IRC Section 631(b). Reform of 631(b) is important to our nation's non-industrial, private landowners because it will improve the economic viability of their forestry investments and protect the taxpayer from unnecessary exposure to risk of loss. This in turn will benefit the entire forest products industry, the U.S. economy and especially small landowners.

#### SUBMITTED RESOLUTIONS

#### SENATE CONCURRENT RESOLUTION 26—AUTHORIZING THE ROTUNDA OF THE CAPITOL TO BE USED ON JULY 18, 2001, FOR A CEREMONY TO PRESENT CONGRESSIONAL GOLD MEDALS TO THE ORIGINAL 29 NAVAJO CODE TALKERS

Mr. BINGAMAN submitted the following concurrent resolution; which was referred to the Committee on Rules and Administration:

S. CON. RES. 26

*Resolved by the Senate (the House of Representatives concurring), That the Rotunda of the Capitol is authorized to be used on July 18, 2001, for a ceremony to present Congressional Gold Medals to the original 29 Navajo Code Talkers. Physical preparations for the ceremony shall be carried out in accordance with such conditions as the Architect of the Capitol may prescribe.*

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 110. Mrs. HUTCHISON submitted an amendment intended to be proposed by her to the bill S. 27, to amend the Federal Election Campaign Act of 1971 to provide bipartisan campaign reform; which was ordered to lie on the table.

SA 111. Mrs. HUTCHISON submitted an amendment intended to be proposed by her to the bill S. 27, supra; which was ordered to lie on the table.

SA 112. Mr. DOMENICI (for himself, Mr. ENSIGN, and Mr. SESSIONS) proposed an amendment to the bill S. 27, supra.

SA 113. Mr. SPECTER submitted an amendment intended to be proposed by him to the bill S. 27, supra; which was ordered to lie on the table.

SA 114. Mr. SPECTER submitted an amendment intended to be proposed by him to the bill S. 27, supra; which was ordered to lie on the table.

#### TEXT OF AMENDMENTS

SA 110. Mrs. HUTCHISON submitted an amendment intended to be proposed by her to the bill S. 27, to amend the Federal Election Campaign Act of 1971 to provide bipartisan campaign reform; which was ordered to lie on the table; as follows:

On page 37, between lines 14 and 15, insert the following:

**SEC. 305. LIMITATION ON REIMBURSEMENT FROM CAMPAIGNS FOR CONTRIBUTIONS BY SENATE CANDIDATES AND IMMEDIATE FAMILIES OF SENATE CANDIDATES.**

Title III of the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.), as amended

by section 101, is amended by adding at the end the following:

**"SEC. 324. LIMITATION ON REIMBURSEMENT FROM CAMPAIGNS FOR CONTRIBUTIONS BY SENATE CANDIDATES AND IMMEDIATE FAMILIES OF SENATE CANDIDATES.**

"(a) IN GENERAL.—The aggregate amount of contributions made during an election cycle to a candidate for the office of Senator or the candidate's authorized committees from the sources described in subsection (b) that may be reimbursed to those sources shall not exceed \$250,000.

"(b) SOURCES.—A source is described in this subsection if the source is—

"(1) personal funds of the candidate and members of the candidate's immediate family; or

"(2) personal loans incurred by the candidate and members of the candidate's immediate family.

"(c) INDEXING.—The \$250,000 amount under subsection (a) shall be increased as of the beginning of each calendar year based on the increase in the price index determined under section 315(c), except that the base period shall be calendar year 2000."

SA 111. Mrs. HUTCHISON submitted an amendment intended to be proposed by her to the bill S. 27, to amend the Federal Election Campaign Act of 1971 to provide bipartisan campaign reform; which was ordered to lie on the table; as follows:

On page 37, between lines 14 and 15, insert the following:

**SEC. 305. EXEMPTION FOR STATE AND LOCAL POLITICAL COMMITTEES FROM NOTIFICATION AND REPORTING REQUIREMENTS IMPOSED BY PUBLIC LAW 106-230.**

(a) EXEMPTION FROM NOTIFICATION REQUIREMENTS.—Paragraph (5) of section 527(i) of the Internal Revenue Code of 1986 (relating to organizations must notify Secretary that they are section 527 organizations) is amended by striking "or" at the end of subparagraph (A), by striking the period at the end of subparagraph (B) and inserting ", or", and by adding at the end the following new subparagraph:

"(C) which—

"(i) engages in exempt function activity solely in the attempt to influence the selection, nomination, election, or appointment of any individual to any State or local public office or office in a State or local political organization, and

"(ii) is subject to State or local contribution and expenditure reporting requirements relating to selections, nominations, elections, and appointments to such offices, and reports under such requirements are publicly available."

(b) EXEMPTION FROM REPORTING REQUIREMENTS.—Paragraph (5) of section 527(j) of such Code (relating to required disclosures of expenditures and contributions) is amended by striking "or" at the end of subparagraph (D), by striking the period at the end of subparagraph (E) and inserting ", or", and by adding at the end the following new subparagraph:

"(F) to any organization which—

"(i) engages in exempt function activity solely in the attempt to influence the selection, nomination, election, or appointment of any individual to any State or local public office or office in a State or local political organization, and

"(ii) is subject to State or local contribution and expenditure reporting requirements relating to selections, nominations, elections, and appointments to such offices, and reports under such requirements are publicly available."