

EXECUTIVE MESSAGES REFERRED

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

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

REPORTS OF COMMITTEES

The following reports of committees were submitted.

By Mr. BAUCUS, from the Committee on Finance, without amendment:

S. 1979: A bill to provide energy tax incentives. (Rept. No. 107-140).

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. LEAHY for the Committee on the Judiciary:

William Smith Taylor, of Alabama, to be United States Marshal for the Southern District of Alabama for the term of four years.

By Mr. BINGAMAN for the Committee on Energy and Natural Resources:

*Raymond L. Orbach, of California, to be Director of the Office of Science, Department of Energy.

*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.)

NOMINATION DISCHARGED

The following nomination was discharged from the Committee on Health, Education, Labor, and Pensions pursuant to the order of March 1, 2002:

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

Leslie Silverman, of Virginia, to be a Member of the Equal Employment Opportunity Commission for the remainder of the term expiring July 1, 2003.

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. HUTCHINSON:

S. 1978. A bill to amend title I of the Employee Retirement Income Security Act of 1974 and the Internal Revenue Code of 1986 to promote the provision of retirement investment advice to workers managing their retirement income assets; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BAUCUS:

S. 1979. A bill to provide energy tax incentives; from the Committee on Finance; placed on the calendar.

By Mrs. BOXER:

S. 1980. A bill to require a training program for all airline personnel responsible for

checking passenger identification, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mrs. BOXER:

S. 1981. A bill to enhance penalties for fraud in connection with identification documents that facilitates an act of domestic terrorism; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 653

At the request of Mr. BAYH, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 653, a bill to amend part D of title IV of the Social Security Act to provide grants to States to encourage media campaigns to promote responsible fatherhood skills, and for other purposes.

S. 999

At the request of Mr. BINGAMAN, the names of the Senator from Colorado (Mr. CAMPBELL) and the Senator from Pennsylvania (Mr. SPECTER) were added as cosponsors of S. 999, a bill to amend title 10, United States Code, to provide for a Korea Defense Service Medal to be issued to members of the Armed Forces who participated in operations in Korea after the end of the Korean War.

S. 1476

At the request of Mr. CLELAND, the name of the Senator from Wisconsin (Mr. FEINGOLD) was added as a cosponsor of S. 1476, a bill to authorize the President to award a gold medal on behalf of the Congress to Reverend Doctor Martin Luther King, Jr. (posthumously) and his widow Coretta Scott King in recognition of their contributions to the Nation on behalf of the civil rights movement.

S. 1677

At the request of Mr. BINGAMAN, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 1677, a bill to amend title I of the Employee Retirement Income Security Act of 1974 to create a safe harbor for retirement plan sponsors in the designation and monitoring of investment advisers for workers managing their retirement income assets.

S. RES. 185

At the request of Mr. ALLEN, the name of the Senator from New Mexico (Mr. BINGAMAN) was added as a cosponsor of S. Res. 185, a resolution recognizing the historical significance of the 100th anniversary of Korean immigration to the United States.

S. RES. 207

At the request of Mr. BINGAMAN, the names of the Senator from Virginia (Mr. ALLEN), the Senator from Indiana (Mr. BAYH), the Senator from California (Mrs. BOXER), the Senator from Washington (Ms. CANTWELL), the Senator from Georgia (Mr. CLELAND), the Senator from Maine (Ms. COLLINS), the Senator from Illinois (Mr. DURBIN), the Senator from California (Mrs. FEINSTEIN), the Senator from Michigan (Mr. LEVIN), the Senator from Washington (Mrs. MURRAY), the Senator from Flor-

ida (Mr. NELSON), the Senator from Oregon (Mr. SMITH), the Senator from Maine (Ms. SNOWE), the Senator from Minnesota (Mr. WELLSTONE), and the Senator from Oregon (Mr. WYDEN) were added as cosponsors of S. Res. 207, a resolution designating March 31, 2002, and March 31, 2003, as "National Civilian Conservation Corps Day."

S. RES. 209

At the request of Mr. SMITH of New Hampshire, the name of the Senator from Colorado (Mr. ALLARD) was added as a cosponsor of S. Res. 209, a resolution to express the sense of the Senate regarding prenatal care for women and children.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. HUTCHINSON:

S. 1978. A bill to amend title I of the Employee Retirement Income Security Act of 1974 and the Internal Revenue Code of 1986 to promote the provision of retirement investment advice to workers managing their retirement income assets; to the Committee on Health, Education, Labor, and Pensions.

Mr. HUTCHINSON. 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. 1978

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 "Retirement Security Advice Act of 2002".

SEC. 2. PROHIBITED TRANSACTION EXEMPTION FOR THE PROVISION OF INVESTMENT ADVICE.

(a) AMENDMENTS TO THE EMPLOYEE RETIREMENT INCOME SECURITY ACT OF 1974.—

(1) EXEMPTION FROM PROHIBITED TRANSACTIONS.—Section 408(b) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1108(b)) is amended by adding at the end the following new paragraph:

"(14)(A) Any transaction described in subparagraph (B) in connection with the provision of investment advice described in section 3(21)(A)(ii), in any case in which—

"(i) the investment of assets of the plan is subject to the direction of plan participants or beneficiaries,

"(ii) the advice is provided to the plan or a participant or beneficiary of the plan by a fiduciary adviser in connection with any sale, acquisition, or holding of a security or other property for purposes of investment of plan assets, and

"(iii) the requirements of subsection (g) are met in connection with the provision of the advice.

"(B) The transactions described in this subparagraph are the following:

"(i) the provision of the advice to the plan, participant, or beneficiary;

"(ii) the sale, acquisition, or holding of a security or other property (including any lending of money or other extension of credit associated with the sale, acquisition, or holding of a security or other property) pursuant to the advice; and

"(iii) the direct or indirect receipt of fees or other compensation by the fiduciary adviser or an affiliate thereof (or any employee, agent, or registered representative of