

Daily Digest

HIGHLIGHTS

Senate passed H.R. 3525, U.S. Border Security.

The House agreed to the Senate amendment to H.R. 586, Tax Relief Guarantee Act of 2002 with an amendment.

Senate

Chamber Action

Routine Proceedings, pages S2871–S2991

Measures Introduced: Twenty-two bills and one resolution were introduced, as follows: S. 2194–2215, and S. Res. 246. **Pages S2950–51**

Measures Reported:

H. Con. Res. 243, expressing the sense of the Congress that the Public Safety Officer Medal of Valor should be presented to the public safety officers who have perished and select other public safety officers who deserve special recognition for outstanding valor above and beyond the call of duty in the aftermath of the terrorist attacks in the United States on September 11, 2001.

S. Con. Res. 66, to express the sense of the Congress that the Public Safety Officer Medal of Valor should be awarded to public safety officers killed in the line of duty in the aftermath of the terrorist attacks of September 11, 2001.

S. Con. Res. 75, to express the sense of the Congress that the Public Safety Officer Medal of Valor should be presented to public safety officers killed or seriously injured as a result of the terrorist attacks perpetrated against the United States on September 11, 2001, and to those who participated in the search, rescue and recovery efforts in the aftermath of those attacks. **Page S2950**

Measures Passed:

U.S. Border Security: By a unanimous vote of 97 yeas (Vote No. 75), Senate passed H.R. 3525, to enhance the border security of the United States, after taking action on the following amendments proposed thereto: **Pages S2916–32**

Adopted:

Byrd Amendment No. 3163, to substitute October 26, 2004, for October 26, 2003, for the achieve-

ment of requirements with respect to machine-readable, tamper-resistant entry and exit documents.

Pages S2921–23

Byrd Amendment No. 3164, to increase the penalty for noncompliance with the requirements to provide manifest information. **Pages S2923–24**

Kennedy Amendment No. 3160, to make certain managers' amendments to the bill. **Page S2924**

By a unanimous vote of 97 yeas (Vote No. 73) Byrd Amendment No. 3161, to revise provisions relating to the compliance by institutions and other entities with record keeping and reporting requirements with respect to nonimmigrant students and exchange visitors. **Pages S2918–20, S2931**

By a unanimous vote of 97 yeas (Vote No. 74) Byrd Amendment No. 3162, to require as a condition of a country's designation or continued designation as a program country under the Visa Waiver Program that the country reports to the United States Government the theft of blank passports issued by that country. **Pages S2920–21, S2931**

Technical Amendments: Senate passed H.R. 861, to make technical amendments to section 10 of title 9, United States Code, clearing the measure for the President. **Page S2989**

National Biotechnology Week: Committee on the Judiciary was discharged from further consideration of S. Res. 243, designating the week of April 21 through April 28, 2002, as "National Biotechnology Week", and the resolution was then agreed to. **Page S2989**

Enhanced Penalties for Enabling Terrorists Act: Committee on the Judiciary was discharged from further consideration of S. 1981, to enhance penalties for fraud in connection with identification documents that facilitates an act of domestic terrorism, and the bill was then passed. **Page S2989**

Public Safety Officer Medal of Valor: Senate agreed to H. Con. Res. 243, expressing the sense of the Congress that the Public Safety Officer Medal of Valor should be presented to the public safety officers who have perished and select other public safety officers who deserve special recognition for outstanding valor above and beyond the call of duty in the aftermath of the terrorist attacks in the United States on September 11, 2001. **Pages S2989–90**

Public Safety Officer Medal of Valor: Senate agreed to S. Con. Res. 75, to express the sense of the Congress that the Public Safety Officer Medal of Valor should be presented to public safety officers killed or seriously injured as a result of the terrorist attacks perpetrated against the United States on September 11, 2001, and to those who participated in the search, rescue and recovery efforts in the aftermath of those attacks. **Page S2990**

Public Safety Officer Medal of Valor: Senate agreed to S. Con. Res. 66, to express the sense of the Congress that the Public Safety Officer Medal of Valor should be awarded to public safety officers killed in the line of duty in the aftermath of the terrorist attacks of September 11, 2001. **Pages S2990–91**

Energy Policy Act: Senate continued consideration of S. 517, to authorize funding for the Department of Energy to enhance its mission areas through technology transfer and partnerships for fiscal years 2002 through 2006, taking action on the following amendments proposed thereto:

Pages S2871–S2906, S2911–16, S2936

Adopted:

Bingaman (for Carnahan) Modified Amendment No. 3015 (to Amendment No. 2917), to require a National Academy of Sciences study of procedures for the selection and assessment of certain routes for the shipment of spent nuclear fuel from research nuclear reactors. **Pages S2898–S2901**

Bingaman (for Voinovich) Modified Amendment No. 3024 (to Amendment No. 2917), to promote the safe and efficient supply of energy while maintaining strong environmental protections. **Pages S2898–S2901**

Bingaman (for Grassley) Modified Amendment No. 3078 (to Amendment No. 2917), to require the General Services Administration to conduct a study regarding Federal procurement initiatives relating to use of recycled products and fleet and transportation efficiency. **Pages S2898–S2901**

Bingaman (for Dorgan) Amendment No. 3141 (to Amendment No. 2917), to promote a plan that would enhance and accelerate the development of fuel cell technology to result in the deployment of 2.5 million hydrogen-fueled fuel cell vehicles by 2020. **Pages S2898–S2901**

Bingaman (for Cantwell) Amendment No. 3148 (to Amendment No. 2917), to improve energy efficiency in industries that use high power density facilities. **Pages S2901–04**

Bingaman (for Reid) Amendment No. 3149 (to Amendment No. 2917), to authorize the Secretary of Energy to carry out research in the use of precious metals in catalysis for the purpose of developing improved catalytic converters. **Pages S2901–04**

Bingaman Amendment No. 3150 (to Amendment No. 2917), to provide for a report on energy savings and water use. **Pages S2901–04**

Bingaman (for Schumer) Amendment No. 3151 (to Amendment No. 2917), to provide funds to States to establish and carry out energy efficient appliance rebate programs. **Pages S2901–04**

Bingaman (for Landrieu) Amendment No. 3152 (to Amendment No. 2917), to assist small businesses to become more energy efficient. **Pages S2901–04**

Bingaman (for Corzine) Amendment No. 3153 (to Amendment No. 2917), to establish energy efficiency provisions for public housing agencies. **Pages S2901–04**

Bingaman (for Kennedy) Amendment No. 3154 (to Amendment No. 2917), to provide for cleaner school buses. **Pages S2901–04**

Bingaman (for Lincoln) Amendment No. 3155 (to Amendment No. 2917), to direct the Secretary of Energy to establish a decommissioning pilot program to decommission and decontaminate the sodium-cooled fast breeder experimental test-site reactor located in northwest Arkansas. **Pages S2901–04**

Bingaman (for Murkowski) Amendment No. 3156 (to Amendment No. 2917), to provide for certain clean coal funding. **Pages S2901–04**

By 88 yeas to 10 nays (Vote No. 72), Murkowski Amendment No. 3159 (to Amendment No. 2917), to make the United States energy policy toward Iraq consistent with the national security policies of the United States. **Pages S2911–16**

Withdrawn:

Stevens Amendment No. 3133 (to Amendment No. 3132), to create jobs for Americans, to strengthen the United States steel industry, to reduce dependence on foreign sources of crude oil and energy, and to promote national security. **Page S2872**

Kerry/McCain Amendment No. 2999 (to Amendment No. 2917), to provide for increased average fuel economy standards for passenger automobiles and light trucks. **Pages S2872, S2890–93**

Schumer Amendment No. 3030 (to Amendment No. 2917), to strike the section establishing a renewable fuel content requirement for motor vehicle fuel. **Pages S2872, S2894**

Lott Amendment No. 3028 (to Amendment No. 2917), to provide for the fair treatment of Presidential judicial nominees. **Pages S2872, S2904**

Graham Amendment No. 3070 (to Amendment No. 2917), to clarify the provisions relating to the Renewable Portfolio Standard. **Pages S2872, S2904**

Pending:

Daschle/Bingaman Further Modified Amendment No. 2917, in the nature of a substitute.

Pages S2871–S2906, S2911–16, S2936

Dayton/Grassley Amendment No. 3008 (to Amendment No. 2917), to require that Federal agencies use ethanol-blended gasoline and biodiesel-blended diesel fuel in areas in which ethanol-blended gasoline and biodiesel-blended diesel fuel are available. **Pages S2872, S2893**

Landrieu/Kyl Amendment No. 3050 (to Amendment No. 2917), to increase the transfer capability of electric energy transmission systems through participant-funded investment. **Page S2872**

Schumer/Clinton Amendment No. 3093 (to Amendment No. 2917), to prohibit oil and gas drilling activity in Finger Lakes National Forest, New York. **Page S2872**

Dayton Amendment No. 3097 (to Amendment No. 2917), to require additional findings for FERC approval of an electric utility merger. **Page S2872**

Feinstein/Boxer Amendment No. 3115 (to Amendment No. 2917), to modify the provision relating to the renewable content of motor vehicle fuel to eliminate the required volume of renewable fuel for calendar year 2004. **Page S2872**

Murkowski/Breaux/Stevens Amendment No. 3132 (to Amendment No. 2917), to create jobs for Americans, to reduce dependence on foreign sources of crude oil and energy, to strengthen the economic self determination of the Inupiat Eskimos and to promote national security. **Page S2872**

Reid Amendment No. 3145 (to Amendment No. 3008), to require that Federal agencies use ethanol-blended gasoline and biodiesel-blended diesel fuel in areas in which ethanol-blended gasoline and biodiesel-blended diesel fuel are available. **Page S2893**

During consideration of this measure today, Senate also took the following actions:

By 36 yeas to 64 nays (Vote No. 70), three-fifths of those Senators duly chosen and sworn not having voted in the affirmative, Senate rejected the motion to close further debate on Stevens Amendment No. 3133 (to Amendment No. 3132), listed above.

Page S2890

By 46 yeas to 54 nays (Vote No. 71), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to close further debate on Murkowski/Breaux/Stevens Amendment No. 3132 (to Amendment No. 2917), listed above. **Page S2890**

Gramm/Kyl Amendment No. 3144 (to Amendment No. 2999), to make permanent the repeal of the death tax, fell when Kerry/McCain Amendment No. 2999 (to Amendment No. 2917), listed above, was withdrawn. **Pages S2890–93**

A motion was entered to close further debate on Daschle/Bingaman Further Modified Amendment No. 2917 (listed above) and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a cloture vote will occur on Tuesday, April 23, 2002. **Page S2936**

A unanimous-consent agreement was reached providing for further consideration of the bill at 2 p.m., on Monday, April 22, 2002. Further, that Senators have until 1:30 p.m., to file first degree amendments. **Page S2991**

Nominations Confirmed: Senate confirmed the following nomination:

By a unanimous vote of 94 yeas (Vote No. EX. 76), Legrome D. Davis, of Pennsylvania, to be United States District Judge for the Eastern District of Pennsylvania. **Pages S2932–35, S2991**

Messages From the House: **Pages S2948–49**

Executive Communications: **Pages S2949–50**

Executive Reports of Committees: **Page S2950**

Additional Cosponsors: **Pages S2951–52**

Statements on Introduced Bills/Resolutions: **Pages S2952–77**

Additional Statements: **Pages S2938–48**

Amendments Submitted: **Pages S2977–88**

Notices of Hearings/Meetings: **Page S2988**

Authority for Committees to Meet: **Pages S2988–89**

Privilege of the Floor: **Page S2989**

Record Votes: Seven record votes were taken today. (Total—76) **Pages S2890, S2916, S2931, S2932, S2935**

Adjournment: Senate met at 9:45 a.m., and adjourned at 8:40 p.m., until 1 p.m., on Monday, April 22, 2002. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S2991).

Committee Meetings

(Committees not listed did not meet)

APPROPRIATIONS—ENERGY AND WATER DEVELOPMENT

Committee on Appropriations: Subcommittee on Energy and Water Development concluded hearings on proposed budget estimates for fiscal year 2003 for energy and water development programs, after receiving testimony in behalf of funds for their respective activities from Jessie H. Roberson, Assistant Secretary for Environmental Management, and David Garman, Assistant Secretary for Energy Efficiency and Renewable Energy, both of the Department of Energy.

APPROPRIATIONS—TREASURY LAW ENFORCEMENT

Committee on Appropriations: Subcommittee on Treasury and General Government concluded hearings on proposed budget estimates for fiscal year 2003 for Department of the Treasury, focusing on the United States Customs Service, after receiving testimony from Robert C. Bonner, Commissioner, United States Customs Service, and Jimmy Gurule, Under Secretary for Enforcement, both of the Department of the Treasury.

BUSINESS MEETING

Committee on Commerce, Science, and Transportation: Committee ordered favorably reported the following business items:

S. 1991, to establish a national rail passenger transportation system, reauthorize Amtrak, improve security and service on Amtrak, with an amendment in the nature of a substitute;

S. 2039, to expand aviation capacity in the Chicago area, with an amendment in the nature of a substitute;

S. 1220, to authorize the Secretary of Transportation to establish a grant program for the rehabilitation, preservation, or improvement of railroad track, with amendments;

S. 1739, to authorize grants to improve security on over-the-road buses;

S. 1750, to make technical corrections to the HAZMAT provisions of the USA PATRIOT Act, with an amendment in the nature of a substitute;

S. 1871, to direct the Secretary of Transportation to conduct a rail transportation security risk assessment, with amendments;

H.R. 2546, to amend title 49, United States Code, to prohibit States from requiring a license or fee on account of the fact that a motor vehicle is

providing interstate pre-arranged ground transportation service, with amendments; and

The nominations of Vice Admiral Thad W. Allen, to be Chief of Staff, Rear Admiral Thomas J. Barrett, to be Vice Admiral, Vice Commandant, Rear Admiral James D. Hull, to be Vice Admiral, Commander, Atlantic Area, and Rear Admiral Terry M. Cross, to be Vice Admiral, Commander, Pacific Area, all of the United States Coast Guard, Department of Transportation.

NATIONAL HERITAGE AREAS

Committee on Energy and Natural Resources: Subcommittee on National Parks concluded hearings on S. 1441/H.R. 695, to establish the Oil Region National Heritage Area, S. 1526, to establish the Arabia Mountain National Heritage Area in the State of Georgia, S. 1638, to authorize the Secretary of the Interior to study the suitability and feasibility of designating the French Colonial Heritage Area in the State of Missouri as a unit of the National Park System, S. 1809/H.R. 1776, to authorize the Secretary of the Interior to study the suitability and feasibility of establishing the Buffalo Bayou National Heritage Area in west Houston, Texas, S. 1939, to establish the Great Basin National Heritage Area, Nevada and Utah, and S. 2033, to authorize appropriations for the John H. Chafee Blackstone River Valley National Heritage Corridor in Massachusetts and Rhode Island, after receiving testimony from Senators Reid, Cleland, Santorum, and Chafee; Brenda Barrett, National Coordinator for Heritage Areas, National Park Service, Department of the Interior; James Baker, Missouri Department of Natural Resources, St. Genevieve; Denys M. Koyle, Great Basin Heritage Area Partnership, Baker, Nevada; Ronald E. Shoup, Oil City Area Chamber of Commerce, Oil City, Pennsylvania; and Kelly Jordan, Arabia Mountain Heritage Area Alliance, Lithonia, Georgia.

CORPORATE GOVERNANCE

Committee on Finance: Committee held hearings to examine corporate governance and executive compensation, focusing on non-qualified deferred compensation, split dollar life insurance, and stock based compensation, receiving testimony from Senators Levin and Enzi; Carolyn Kay Brancato, The Conference Board, Ira T. Kay, Watson Wyatt Worldwide, and John H. Biggs, TIAA-CREF, all of New York, New York; Sarah Teslik, Council of Institutional Investors, Washington, D.C.; Robert C. Pozen, Harvard University, Cambridge, Massachusetts; Kathryn J. Kennedy, John Marshall Law School Center for Tax Law and Employee Benefits, Chicago, Illinois; and Mark G. Heesen, National Venture Capital Association, Arlington, Virginia.

Hearings recessed subject to call.