

Daily Digest

HIGHLIGHTS

Senate passed H.R. 4, Energy Policy Reform.

The House passed H.R. 3231, Barbara Jordan Immigration Reform and Accountability Act.

Senate

Chamber Action

Routine Proceedings, pages S3337–S3457

Measures Introduced: Eighty-six bills and three resolutions were introduced, as follows: S. 2250–2335, and S. Res. 252–254. **Pages S3433–35**

Measures Reported:

S. 864, to amend the Immigration and Nationality Act to provide that aliens who commit acts of torture, extrajudicial killings, or other specified atrocities abroad are inadmissible and removable and to establish within the Criminal Division of the Department of Justice an Office of Special Investigations having responsibilities under that Act with respect to all alien participants in war crimes, genocide, and the commission of acts of torture and extrajudicial killings abroad, with an amendment in the nature of a substitute. (S. Rept. No. 107–144)

H.R. 495, to designate the Federal building located in Charlotte Amalie, St. Thomas, United States Virgin Islands, as the “Ron de Lugo Federal Building”.

H.R. 819, to designate the Federal building located at 143 West, Liberty Street, Medina, Ohio, as the “Donald J. Pease Federal Building”.

H.R. 3093, to designate the Federal building and United States courthouse located at 501 Bell Street in Alton, Illinois, as the “William L. Beatty Federal Building and United States Courthouse”.

H.R. 3282, to designate the Federal building and United States courthouse located at 400 North Main Street in Butte, Montana, as the “Mike Mansfield Federal Building and United States Courthouse”.

S. Res. 109, designating the second Sunday in the month of December as “National Children’s Memorial Day” and the last Friday in the month of April as “Children’s Memorial Flag Day”, with an amendment.

S. Res. 245, designating the week of May 5 through May 11, 2002, as “National Occupational Safety and Health Week”.

S. Res. 249, designating April 30, 2002, as “Dia de los Ninos: Celebrating Young Americans”.

S. 410, to amend the Violence Against Women Act of 2000 by expanding legal assistance for victims of violence grant program to include assistance for victims of dating violence.

S. 1721, to designate the building located at 1 Federal Plaza in New York, New York, as the “James L. Watson United States Court of International Trade Building”, with amendments.

S. 1974, to make needed reforms in the Federal Bureau of Investigation, with an amendment in the nature of a substitute.

S. Con. Res. 102, proclaiming the week of May 4 through May 11, 2002, as “National Safe Kids Week”. **Page S3433**

Measures Passed:

Energy Policy Act: By 88 yeas to 11 nays (Vote No. 94), Senate passed H.R. 4, to enhance energy conservation, research and development and to provide for security and diversity in the energy supply for the American people, after striking all after the enacting clause and inserting in lieu thereof the text of S. 517, Senate companion measure, as amended, and after taking action on the following amendments proposed thereto: **Pages S3342–S3418**

Adopted:

Bingaman (for Fitzgerald) Amendment No. 3258 (to Amendment No. 2917), to strike the provision authorizing loan guarantees for an Alaska natural gas transportation project. **Page S3360**

Subsequently, the adoption was vitiated.

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Feinstein Modified Amendment No. 3170 (to Amendment No. 2917), to reduce the period of time in which the Administrator may act on a petition by

1 or more States to waive the renewable fuel content requirement. **Page S3360**

Bingaman (for Baucus) Amendment No. 3082 (to Amendment No. 2917), to provide that certain gasoline and diesel fuel be treated as entered into the customs territory of the United States. **Pages S3354, S3359–60**

Bingaman (for Breaux) Amendment No. 3130 (to Amendment No. 2917), to amend the Internal Revenue Code of 1986 to allow a credit against income tax for taxpayers owning certain commercial power takeoff vehicles. **Pages S3360–61**

Bingaman (for Harkin) Amendment No. 3331 (to Amendment No. 2917), to further encourage development of hydrogen refueling infrastructure. **Page S3361**

Bingaman (for Gramm) Amendment No. 3336 (to Amendment No. 2917), to amend the Internal Revenue Code of 1986 to provide for nonrecognition of gain on dispositions of dairy property which is certified by the Secretary of Agriculture as having been the subject of an agreement under the bovine tuberculosis eradication program. **Page S3365**

Reid Amendment No. 3338 (to Amendment No. 2917), to amend the Internal Revenue Code of 1986 to modify energy credit for combined heat and power system property. **Page S3361**

Bingaman (for Baucus) Amendment No. 3349 (to Amendment No. 2917), to modify the credit for the production of fuel from nonconventional sources regarding refined coal. **Page S3361**

Bingaman (for Baucus) Amendment No. 3350 (to Amendment No. 2917), to modify the credit for the production of electricity to include small irrigation power. **Page S3362**

Bingaman (for Baucus) Amendment No. 3351 (to Amendment No. 2917), to modify the credit for residential energy efficient property by substituting natural gas furnaces for natural gas heat pumps. **Page S3362**

Bingaman (for Baucus/Grassley) Amendment No. 3352 (to Amendment No. 2917), to modify the incentives for biodiesel. **Page S3362**

Bingaman (for Baucus) Amendment No. 3353 (to Amendment No. 2917), to amend the Internal Revenue Code of 1986 to provide for the treatment of sales or dispositions to implement Federal Energy Regulatory Commission or State electric restructuring policy. **Pages S3363–64**

Bingaman (for Hollings) Amendment No. 3356 (to Amendment No. 2917), to apply temporary regulations to certain output contracts. **Page S3364**

Reid (for Bingaman) Amendment No. 3359 (to Amendment No. 2917), to modify the credit for new energy efficient homes by treating a manufac-

tured home which meets the energy star standard as a 30 percent home. **Page S3364**

Durbin Amendment No. 3342 (to Amendment No. 2917), to strike the nonbusiness use limitation with respect to the credit for the installation of certain small wind energy systems. **Page S3365**

Murray/Cantwell Amendment No. 3326, to modify the specifications for a fuel cell power plant eligible for the extension of the energy tax credit. **Pages S3381–82**

By 52 yeas to 47 nays (Vote No. 89), Harkin Amendment No. 3195 (to Amendment No. 2917), to direct the Secretary of Energy to revise the seasonal energy efficiency ratio standard for central air conditioners and central air conditioning heat pumps within 60 days. **Pages S3342, S3365–71, S3390**

Reid (for Brownback) Modified Amendment No. 3239 (to Amendment No. 2917), to establish a greenhouse gas inventory, reductions registry, and information system. **Pages S3354–57, S3394**

Bingaman (for Lincoln) Amendment No. 3343 (to Amendment No. 2917), to modify the credit for the production of fuel from nonconventional sources to include production of fuel from agricultural and animal waste. **Page S3396**

Bingaman (for Lincoln) Amendment No. 3344 (to Amendment No. 2917), to amend the Internal Revenue Code of 1986 to clarify excise tax exemptions for agricultural aerial applicators. **Page S3396**

Murkowski Amendment No. 3362 (to Amendment No. 2917), to amend the Internal Revenue Code to modify the definition of Rural Airport. **Page S3396**

Murkowski Amendment No. 3363 (to Amendment No. 2917), to amend the Internal Revenue Code to exempt small seaplanes from ticket taxes. **Page S3396**

Reid (for Kohl) Modified Amendment No. 3346 (to Amendment No. 2917), to modify the credit for the production of electricity to include municipal biosolids and recycled sludge. **Pages S3388, S3396–97**

Reid (for Sessions) Modified Amendment No. 3335 (to Amendment No. 2917), to amend the Internal Revenue Code of 1986 to extend the credit for the production of fuel from non-conventional sources with respect to certain existing facilities. **Pages S3354, S3360, S3397**

Reid (for Thomas) Amendment No. 3364 (to Amendment No. 2917), to amend the Internal Revenue Code of 1986 to exempt receipts of tax-exempt rural electric cooperatives for the construction of line extensions to encourage development of section 29 qualified fuel sources. **Page S3390**

Bingaman (for Torricelli) Amendment No. 3360 (to Amendment No. 2917), to provide incentives for

water conservation through the installation of water submeters. **Page S3397**

Reid (for Conrad/Smith (NH)) Modified Amendment No. 3355 (to Amendment No. 2917), to amend the Internal Revenue Code of 1986 to extend the energy credit to stationary microturbine power plants. **Pages S3354, S3359–60, S3395**

Bingaman Amendment No. 3380 (to Amendment No. 2917), to authorize rural and remote community electrification grants. **Page S3397**

Bingaman (for Johnson) Modified Amendment No. 3196 (to Amendment No. 2917), to provide for the investment in, the enhancement of, and the efficiency of electric power transmission systems. **Page S3397**

Bingaman (for Wellstone) Modified Amendment No. 3209 (to Amendment No. 2917), to carry out pilot programs that aid accurate carbon storage and sequestration accounting. **Pages S3397–98**

Bingaman (for Wyden) Amendment No. 3230 (to Amendment No. 2917), to provide additional borrowing authority for the construction, acquisition, and replacement of the transmission system of the Bonneville Power Administration and to carry out other duties of the Administrator of the Bonneville Power Administration. **Pages S3398–99**

Reid (for Levin) Amendment No. 3366 (to Amendment No. 2917), to modify the incentives for alternative fuel motor vehicles and refueling properties. **Page S3399**

Daschle/Bingaman Further Modified Amendment No. 2917, in the nature of a substitute. **Pages S3342–S3418**

Rejected:

Reid (for Boxer) Amendment No. 3139 (to Amendment No. 2917), to provide for equal liability treatment of vehicle fuels and fuel additives. (By 57 yeas to 42 nays (Vote No. 87), Senate tabled the amendment.) **Page S3364**

Feinstein Amendment No. 3225 (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. (By 60 yeas to 39 nays (Vote No. 88), Senate tabled the amendment.) **Pages S3351–54, S3364**

Reid (for Kyl) Amendment No. 3332 (to Amendment No. 2917), to strike the extension of the credit for producing electricity from wind. **Pages S3354, S3386–88**

Carper Amendment No. 3198 (to Amendment No. 2917), to decrease the United States dependence on imported oil by the year 2015. (By 57 yeas to 42 nays (Vote No. 90), Senate tabled the amendment.) **Pages S3371–81, S3390–91**

Reid (for Kyl) Amendment No. 3333 (to Amendment No. 2917), to strike the provisions relating to

alternative vehicles and fuels incentives. (By 91 yeas to 8 nays (Vote No. 91), Senate tabled the amendment.) **Pages S3354, S3382–86, S3391–92**

Reid (for Graham) Amendment No. 3370 (to Amendment No. 2917), to strike section 2308 of Division H (relating to energy tax incentives). (By 73 yeas to 26 nays (Vote No. 92), Senate tabled the amendment.) **Pages S3354, S3388–90, S3392–93**

Reid (for Graham) Amendment No. 3372 (to Amendment No. 2917), to limit the effective dates of the provisions of Division H (relating to energy tax incentives). (By 70 yeas to 29 nays (Vote No. 93), Senate tabled the amendment.) **Pages S3354, S3388, S3393**

Withdrawn:

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 S3351**

Reid (for Hagel) Further Modified Amendment No. 3146 (to Amendment No. 2917), to establish a national registry for accurate and reliable reports of greenhouse gas emissions, and to further encourage voluntary reductions in such emissions. **Pages S3354, S3157–59, S3395**

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

Reid (for Boxer) Amendment No. 3311 (to Amendment No. 3139), to provide for equal liability treatment of vehicle fuels and fuel additives, fell when Amendment No. 3139 (listed above), was tabled. **Pages S3342–51**

Senate vitiated the March 21, 2002 adoption of Bingaman Amendment No. 3059 (to Amendment No. 2917), to authorize rural and remote community electrification grants. **Page S3397**

Senate insisted on its amendment, requested a conference with the House thereon, and the Chair was authorized to appoint conferees on the part of the Senate. **Page S3418**

Subsequently, S. 517 was returned to the Senate Calendar. **Page S3417**

Dia de los Ninos: Celebrating Young Americans: Senate agreed to S. Res. 249, designating April 30, 2002, as “Dia de los Ninos: Celebrating Young Americans”. **Pages S3455–56**

National Charter Schools Week: Senate agreed to S. Res. 254, designating April 29, 2002, through May 3, 2002, as “National Charter Schools Week”. **Pages S3449–50, S3456–57**

Andean Trade Preference Expansion Act: Senate began consideration of the motion to proceed to consideration of H.R. 3009, to extend the Andean

Trade Preference Act, to grant additional trade benefits under that Act. **Page S3457**

A motion was entered to close further debate on the motion to proceed to consideration of the bill and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a cloture vote will occur at 6 p.m., on Monday, April 29, 2002.

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A unanimous-consent agreement was reached providing for further consideration of the motion to proceed to consideration of the bill at 10 a.m., on Friday, April 26, 2002.

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Nominations Confirmed: Senate confirmed the following nominations:

By unanimous vote of 99 yeas (Vote No. Ex. 85), Percy Anderson, of California, to be United States District Judge for the Central District of California.

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By unanimous vote of 99 yeas (Vote No. Ex. 86), John F. Walter, of California, to be United States District Judge for the Central District of California.

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By unanimous vote of 99 yeas (Vote No. Ex. 95), Joan E. Lancaster, of Minnesota, to be United States District Judge for the District of Minnesota.

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By unanimous vote of 97 yeas (Vote No. Ex. 96), William C. Griesbach, of Wisconsin, to be United States District Judge for the Eastern District of Wisconsin.

Pages S3419–20, S3457

Nominations Received: Senate received the following nominations:

Richard M. Russell, of Virginia, to be an Associate Director of the Office of Science and Technology Policy.

James Franklin Jeffrey, of Virginia, to be Ambassador to the Republic of Albania.

Mark Sullivan, of Maryland, to be United States Director of the European Bank for Reconstruction and Development.

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Messages From the House: **Page S3432**

Measures Referred: **Page S3432**

Executive Communications: **Page S3432**

Petitions and Memorials: **Pages S3432–33**

Executive Reports of Committees: **Page S3433**

Additional Cosponsors: **Pages S3435–36**

Statements on Introduced Bills/Resolutions: **Pages S3436–49**

Additional Statements: **Pages S3427–32**

Amendments Submitted: **Pages S3450–52**

Authority for Committees to Meet: **Pages S3452–53**

Privilege of the Floor: **Pages S3453–54**

Record Votes: Twelve record votes were taken today. (Total — 96)

Pages S3338, S3364, S3390, S3391–94, S3417, S3419, S3420

Adjournment: Senate met at 9:30 a.m., and adjourned at 7:37 p.m., until 10 a.m., on Friday, April 26, 2002. (For Senate’s program, see the remarks of the Acting Majority Leader in today’s Record on page S3457).

Committee Meetings

(Committees not listed did not meet)

APPROPRIATIONS — FOREST SERVICE

Committee on Appropriations: Subcommittee on Interior concluded hearings on proposed budget estimates for fiscal year 2003 for the Forest Service, after receiving testimony from Dale N. Bosworth, Chief, Forest Service, Department of Agriculture.

COOPERATIVE THREAT REDUCTION PROGRAM BRIEFING

Committee on Armed Services: Committee met in closed session to receive a briefing on the Administration’s request for a waiver in the certifications required for the Cooperative Threat Reduction Program and on a recent report from the Joint Atomic Energy Intelligence Committee from representatives of the Department of Defense, Department of Energy, Department of State, and the Central Intelligence Agency.

TRANSPORTATION EQUITY ACT

Committee on Banking, Housing, and Urban Affairs: Subcommittee on Housing and Transportation concluded hearings on proposed legislation authorizing funds for the Transportation Equity Act for the 21st Century (TEA–21), after receiving testimony from Jennifer L. Dorn, Administrator, Federal Transit Administration, Department of Transportation; Faye L. Moore, Southeastern Pennsylvania Transportation Authority, Philadelphia; Beverly A. Scott, Rhode Island Public Transit Authority, Providence; and Larry Worth, Northeast Colorado Association of Local Governments, Ft. Morgan.

ONLINE PERSONAL PRIVACY ACT

Committee on Commerce, Science, and Transportation: Committee concluded hearings on S. 2201, to protect the online privacy of individuals who use the Internet, after receiving testimony from Barbara Lawler, Hewlett Packard Company, Marc Rotenberg, Electronic Privacy Information Center, Paul Misener, Amazon.com, Frank Torres, Consumers Union, and John C. Dugan, Covington and Burling, on behalf of the Financial Services Coordinating Council, all of Washington, D.C.