

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2006.

**SEC. 214. TREATMENT OF THE SALE OF INTEREST IN A QUALIFIED SUBCHAPTER S SUBSIDIARY.**

(a) IN GENERAL.—Subparagraph (C) of section 1361(b)(3) (relating to treatment of terminations of qualified subchapter S subsidiary status) is amended—

(1) by striking “For purposes of this title,” and inserting the following:

“(i) IN GENERAL.—For purposes of this title,” and

(2) by inserting at the end the following new clause:

“(ii) TERMINATION BY REASON OF SALE OF STOCK.—If the failure to meet the requirements of subparagraph (B) is by reason of the sale of stock of a corporation which is a qualified subchapter S subsidiary, the sale of such stock shall be treated as if—

“(I) the sale were a sale of an undivided interest in the assets of such corporation (based on the percentage of the corporation’s stock sold), and

“(II) the sale were followed by an acquisition by such corporation of all of its assets (and the assumption by such corporation of all of its liabilities) in a transaction to which section 351 applies.”

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2006.

**SEC. 215. ELIMINATION OF ALL EARNINGS AND PROFITS ATTRIBUTABLE TO PRE-1983 YEARS FOR CERTAIN CORPORATIONS.**

In the case of a corporation which is—

(1) described in section 1311(a)(1) of the Small Business Job Protection Act of 1996, and

(2) not described in section 1311(a)(2) of such Act,

the amount of such corporation’s accumulated earnings and profits (for the first taxable year beginning after December 31, 2006) shall be reduced by an amount equal to the portion (if any) of such accumulated earnings and profits which were accumulated in any taxable year beginning before January 1, 1983, for which such corporation was an electing small business corporation under subchapter S of the Internal Revenue Code of 1986.

**SEC. 216. EXPANSION OF QUALIFYING BENEFICIARIES OF AN ELECTING SMALL BUSINESS TRUST.**

(a) NO LOOK THROUGH FOR ELIGIBILITY PURPOSES.—Clause (v) of section 1361(c)(2)(B) is amended by adding at the end the following new sentence: “This clause shall not apply for purposes of subsection (b)(1)(C).”

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2006.

**SA 221.** Mr. DURBIN proposed an amendment to amendment SA 157 proposed by Mr. DEMINT to the bill H.R. 2, to amend the Fair Labor Standards Act of 1938 to provide for an increase in the Federal minimum wage; as follows:

At the end of the amendment add the following:

Section 2 of the bill shall take effect one day after date of enactment.

**NOTICES OF HEARINGS/MEETINGS**

**COMMITTEE ON INDIAN AFFAIRS**

Mr. DORGAN. Mr. President, I would like to announce that the Committee on Indian Affairs will meet on Thursday, February 1, 2007, at 9:30 a.m. in

Room 485 of the Russell Senate Office Building to conduct a confirmation hearing on the President’s nomination of Mr. Carl Joseph Artman, to be Assistant Secretary-Indian Affairs, U.S. Department of the Interior, to be followed immediately by a business meeting to approve the nomination of Mr. Carl Joseph Artman, to be Assistant Secretary-Indian Affairs, U.S. Department of the Interior.

Those wishing additional information may contact the Indian Affairs Committee at 224–2251.

**COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP**

Mr. KERRY. Mr. President, the chairman would like to inform the members of the committee that the committee will hold a hearing entitled “Assessing Federal Small Business Assistance Programs for Veterans and Reservists,” on Wednesday, January 31, 2007, at 10 a.m. in Russell 428A.

**PRIVILEGES OF THE FLOOR**

Mr. CORNYN. Mr. President, I first ask unanimous consent that two members of my staff, Reed O’Connor and Ramona McGee, be granted the privilege of the floor for the duration of the 110th Congress.

The PRESIDING OFFICER. Without objection, it is so ordered.

**APPOINTMENT**

The PRESIDING OFFICER. The Chair, on behalf of the Vice President, pursuant to 22 U.S.C. 276h–276k, as amended, appoints the following Senator as Chairman of the Senate Delegation to the Mexico-U.S. Inter-parliamentary Group during the 110th Congress: The Senator from Connecticut (Mr. DODD).

**COMMENDING THE UNIVERSITY OF NEBRASKA—LINCOLN WOMEN’S VOLLEYBALL TEAM**

Mr. REID. Madam President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration and the Senate now proceed to S. Res. 44.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 44) commending the University of Nebraska-Lincoln women’s volleyball team for winning the National Collegiate Athletic Association Division I Women’s Volleyball Championship.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. Madam President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, and I ask that a statement by Senator NELSON of Nebraska be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

• Mr. NELSON of Nebraska. Madam President, today I wish to congratulate the No. 1 volleyball team in America: the University of Nebraska Cornhuskers Women’s Volleyball Team.

The Cornhuskers won their third national title with a 3–1 victory over Stanford University on December 16, 2006. Previously, Nebraska captured National Collegiate Athletic Association’s Women’s Division I Volleyball Championships in 1995 and 2000.

The win moved Nebraska into a tie for second place on the list of all-time NCAA Volleyball Championships among all schools. The title was also the second for the Huskers under Coach John Cook, who led Nebraska to the 2000 title in his first season as Nebraska’s head coach.

Nebraska ended its 2006 season with a 33–1 record. The team’s .971 winning percentage led the Nation and was the second-best mark in school history. The Huskers also became just the third team in NCAA history to be ranked No. 1 for the entire season.

In addition, the Cornhuskers are the first team outside of the Pacific Ten Conference to win a national title in women’s volleyball since Nebraska’s last title in 2000. After finishing runner-up last year, Nebraska became just the third volleyball team to ever win the National Championship season after losing in the NCAA’s final match. Pennsylvania State University, Penn State, and the University of California at Los Angeles, UCLA, are the only other schools to accomplish such a feat.

Attendance at the championship match, played at the Qwest Center in Omaha, NE, totaled 17,209, an all-time collegiate volleyball record. The total attendance for the entire championship session of 34,222 also set an NCAA record. The previous record was 23,978 set during the 1998 Championships in Madison, WI.

On their way to winning the national title, several Huskers collected prestigious individual honors as well. Nebraska’s 6-foot, 5-inch junior right-side hitter, Sarah Pavan, led the way, winning the American Volleyball Coaches Association’s, AVCA, Division I National Player of the Year award and the 2006–2007 Honda Sports Award for volleyball. Pavan became the fourth Husker to win each award. Along with Pavan, sophomore outside hitter Jordan Larson was named an AVCA First Team All-American, while junior middle blocker Tracy Stalls was a second-team selection and redshirt freshman setter Rachel Holloway was a third-team honoree.

It is a tremendous accomplishment to win a National Championship, and the University of Nebraska’s Women’s Volleyball Team is to be commended for its excellence and for the pride it has instilled in all Nebraskans.●

The resolution (S. Res. 44) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 44

Whereas the University of Nebraska-Lincoln women's volleyball team (referred to in this preamble as the "Huskers") won the 2006 National Collegiate Athletic Association (NCAA) Division I Women's Volleyball National Championship at the Qwest Center in Omaha, Nebraska, on December 16, 2006;

Whereas Husker junior Sarah Pavan was chosen as the Nation's top collegiate female volleyball player, winning the 2006-07 Honda Sports Award for volleyball;

Whereas Sarah Pavan was named the ESPN Magazine Academic All-American of the Year, becoming the University of Nebraska's 234th Academic All-American and the university's 29th Academic All-American in volleyball;

Whereas the University of Nebraska leads the Nation in the number of players named Academic All-Americans;

Whereas the Huskers completed the 2006 season with a record of 33-1;

Whereas Husker head coach John Cook has led the team to 3 national championships;

Whereas the Huskers made their sixth appearance in the NCAA finals;

Whereas the 2006 Huskers are only the third team in the history of the NCAA to lead the American Volleyball Coaches Association poll for an entire season;

Whereas the entire Husker volleyball team should be commended for its determination, work ethic, attitude, and heart;

Whereas the University of Nebraska is building an impressive legacy of excellence in its volleyball program; and

Whereas the University of Nebraska volleyball players have brought great honor to themselves, their families, their university, and the State of Nebraska: Now, therefore, be it

*Resolved*, That the Senate—

(1) commends the University of Nebraska-Lincoln women's volleyball team for winning the 2006 National Collegiate Athletic Association Division I Women's Volleyball National Championship; and

(2) recognizes the achievements of the players, coaches, students, and staff whose hard work and dedication made winning the Championship possible.

#### ORDERS FOR TUESDAY, JANUARY 30, 2007

Mr. REID. Madam President, I ask unanimous consent that when the Sen-

ate completes its business today, it stand adjourned until 10 a.m., Tuesday, January 30; that on Tuesday, following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, and the time for the two leaders be reserved for their use later in the day; that there then be a period for the transaction of morning business for 60 minutes, with Senators permitted to speak for up to 10 minutes each, with the first 30 minutes under the control of the majority and the final 30 minutes under the control of the minority; that following morning business, the Senate resume consideration of H.R. 2, the minimum wage bill, and that the time until 12:15 p.m. be equally divided and controlled between the two leaders or their designees with the time from 11:55 a.m. to 12:05 p.m. under the control of the Republican leader and the time from 12:05 p.m. to 12:15 p.m. under the control of the majority leader; that at 12:15 p.m., without further intervening action or debate, the Senate proceed to vote on the motion to invoke cloture on the Baucus-Reid substitute amendment No. 100; that following the vote, regardless of the outcome, the Senate stand in recess until 2:15 p.m. in order to accommodate the respective party conferences; provided further, that Members have until 11 a.m. to file any second-degree amendments.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Madam President, does the distinguished Republican leader have anything this evening?

Mr. McCONNELL. I would say to my friend, the majority leader, I have no additional observations to make at the moment.

#### ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. REID. Madam President, if there is no further business today, I ask unanimous consent that the Senate stand adjourned under the previous order.

There being no objection, the Senate, at 5:35 p.m., adjourned until Tuesday, January 30, 2007, at 10 a.m.

#### NOMINATIONS

Executive nominations received by the Senate January 29, 2007:

##### DEPARTMENT OF DEFENSE

JAMES R. CLAPPER, JR., OF VIRGINIA, TO BE UNDER SECRETARY OF DEFENSE FOR INTELLIGENCE, VICE STEPHEN A. CAMBONE.

##### SECURITIES INVESTOR PROTECTION CORPORATION

WILLIAM HERBERT HEYMAN, OF NEW YORK, TO BE A DIRECTOR OF THE SECURITIES INVESTOR PROTECTION CORPORATION FOR A TERM EXPIRING DECEMBER 31, 2008, VICE THOMAS WATERS GRANT, TERM EXPIRED.

##### IN THE AIR FORCE

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADES INDICATED UNDER TITLE 10, U.S.C. SECTION 12203:

##### To be major general

BRIGADIER GENERAL SHELBY G. BRYANT, 0000  
BRIGADIER GENERAL MICHAEL D. DUBIE, 0000  
BRIGADIER GENERAL HOWARD M. EDWARDS, 0000  
BRIGADIER GENERAL NORMAN L. ELLIOTT, 0000  
BRIGADIER GENERAL STEVEN E. FOSTER, 0000  
BRIGADIER GENERAL ROBERT D. IRETON, 0000  
BRIGADIER GENERAL EMIL III LASSEN, 0000  
BRIGADIER GENERAL GEORGE T. LYNN, 0000  
BRIGADIER GENERAL ROBERT B. NEWMAN, JR., 0000  
BRIGADIER GENERAL TIMOTHY R. RUSH, 0000  
BRIGADIER GENERAL STEPHEN M. SISCHO, 0000

##### To be brigadier general

COLONEL TRAVIS D. BALCH, 0000  
COLONEL CRAIG W. BLANKENSTEIN, 0000  
COLONEL WILLIAM J. CRISLER, JR., 0000  
COLONEL JOHNNY O. HAIKEY, 0000  
COLONEL RODNEY K. HUNTER, 0000  
COLONEL JEFFREY R. JOHNSON, 0000  
COLONEL VERLE L. JOHNSTON, JR., 0000  
COLONEL JEFFREY S. LAWSON, 0000  
COLONEL BRUCE R. MACOMBER, 0000  
COLONEL GREGORY L. MARSTON, 0000  
COLONEL JAMES M. MCCORMACK, 0000  
COLONEL DEBORAH C. MCMANUS, 0000  
COLONEL JOHN E. MOONEY, JR., 0000  
COLONEL DANIEL L. PEABODY, 0000  
COLONEL KENNY RICKET, 0000  
COLONEL SCOTT B. SCHOFIELD, 0000  
COLONEL JOHN G. SHEEDY, 0000  
COLONEL JOHN B. SOLEAU, JR., 0000  
COLONEL FRANCIS A. TURLEY, 0000  
COLONEL JAMES R. WILSON, 0000  
COLONEL PAUL G. WORCESTER, 0000

##### IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C. SECTION 624:

##### To be brigadier general

COL. STEPHEN L. JONES, 0000