

Daily Digest

HIGHLIGHTS

Senate and House of Representatives met in Joint Session to receive the President's State of the Union Message.

See Final Résumé of Congressional Activity and History of Bills of the 107th Congress, First Session.

Senate

Chamber Action

Routine Proceedings, pages S193–S256

Measures Introduced: Four bills and one resolution were introduced, as follows: S. 1904–S. Con. Res. 95. **Page S235**

Measures Passed:

Ronald Reagan Boyhood Home National Historic Site: Senate passed H.R. 400, to authorize the Secretary of the Interior to establish the Ronald Reagan Boyhood Home National Historic Site, clearing the measure for the President. **Pages S193–94**

Adjournment Resolution: Senate agreed to S. Con. Res. 95, providing for a conditional adjournment or recess of the Senate and a conditional adjournment of the House of Representatives. **Page S206**

Adoption Tax Credit: Senate continued consideration of H.R. 622, to amend the Internal Revenue Code of 1986 to expand the adoption credit, taking action on the following amendments proposed thereto: **Pages S195–S220**

Adopted:

By 90 yeas to 2 nays (Vote No. 7), Nickles (for Bond) Amendment No. 2717, to amend the Internal Revenue Code of 1986 to provide for a temporary increase in expensing under section 179 of such code. **Pages S195, S200–02**

By 92 yeas to 2 nays (Vote No. 9), Allen Amendment No. 2702 (to the language proposed to be stricken by Amendment No. 2698), to exclude from gross income certain terrorist attack zone compensation of civilian uniformed personnel. **Pages S195, S215–16, S218**

Reid (for Baucus/Torricelli/Bayh) Modified Amendment No. 2718 (to Amendment No. 2698), to amend the Internal Revenue Code of 1986 to pro-

vide for a special depreciation allowance for certain property acquired after December 31, 2001, and before January 1, 2004, and to increase the Federal medical assistance percentage under the Medicaid program for calendar years 2002 and 2003. **Pages S195, S202–04, S216–18, S218–19**

Pending:

Daschle/Baucus Amendment No. 2698, in the nature of a substitute. **Pages S195–S220**

Reid (for Baucus) Amendment No. 2721 (to Amendment No. 2698), to provide emergency agriculture assistance. **Page S195**

Bunning/Inhofe Modified Amendment No. 2699 (to the language proposed to be stricken by Amendment No. 2698), to provide that the exclusion from gross income for foster care payments shall also apply to payments by qualified placement agencies. **Page S195**

Hatch/Bennett Amendment No. 2724 (to the language proposed to be stricken by Amendment No. 2698), to amend the Internal Revenue Code of 1986 to allow the carryback of certain net operating losses for 7 years. **Page S195**

Domenici Amendment No. 2723 (to the language proposed to be stricken by Amendment No. 2698), to provide for a payroll tax holiday. **Page S195**

Allard/Hatch/Allen Amendment No. 2722 (to the language proposed to be stricken by Amendment No. 2698), to amend the Internal Revenue Code of 1986 to permanently extend the research credit and to increase the rates of the alternative incremental credit. **Page S195**

Smith (NH) Amendment No. 2732 (to the language proposed to be stricken by Amendment No. 2698), to provide a waiver of the early withdrawal penalty for distributions from qualified retirement plans to individuals called to active duty during the

national emergency declared by the President on September 14, 2001. **Pages S207–10**

Smith (NH) Amendment No. 2733 (to the language proposed to be stricken by Amendment No. 2698), to prohibit a State from imposing a discriminatory tax on income earned within such State by nonresidents of such State. **Pages S207–10**

Smith (NH) Amendment No. 2734 (to the language proposed to be stricken by Amendment No. 2698), to provide that tips received for certain services shall not be subject to income or employment taxes. **Pages S207–10**

Smith (NH) Amendment No. 2735 (to the language proposed to be stricken by Amendment No. 2698), to allow a deduction for real property taxes whether or not the taxpayer itemizes other deductions. **Pages S207–10**

Sessions Amendment No. 2736 (to the language proposed to be stricken by Amendment No. 2698), to amend the Internal Revenue Code of 1986 to provide tax incentives for economic recovery and provide for the payment of emergency extended unemployment compensation. **Pages S210–12**

Grassley (for McCain) Amendment No. 2700 (to the language proposed to be stricken by Amendment No. 2698), to amend the Internal Revenue Code of 1986 to provide a special rule for members of the uniformed services and Foreign Service in determining the exclusion of gain from the sale of a principal residence. **Pages S212–15**

Kyl Amendment No. 2758 (to the language proposed to be stricken by Amendment No. 2698), to remove the sunset on the repeal of the estate tax. **Page S220**

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

By 57 yeas to 35 nays (Vote No. 6), three-fifths of those Senators duly chosen and sworn not having voted in the affirmative, Senate rejected the motion to waive section 302(f) of the Congressional Budget Act of 1974 with respect to Durbin Amendment No. 2714 (to Amendment No. 2698), to provide enhanced unemployment compensation benefits. Subsequently, a point of order that the amendment was in violation of section 302(f) of the Congressional Budget Act of 1974 for exceeding the spending allocation of Senate Committee on Finance was sustained, and the amendment thus fell. **Pages S195–S200**

By 54 yeas to 41 nays (Vote No. 8), three-fifths of those Senators duly chosen and sworn not having voted in the affirmative, Senate rejected the motion to waive section 302(f) of the Congressional Budget Act of 1974 with respect to Reid (for Harkin) Amendment No. 2719 (to Amendment No. 2698), to provide for a temporary increase in the Federal medical assistance percentage for the Medicaid pro-

gram for fiscal year 2002. Subsequently, a point of order that the amendment was in violation of section 302(f) of the Congressional Budget Act of 1974 for exceeding the spending allocation of Senate Committee on Finance was sustained, and the amendment thus fell. **Pages S195, S204–05, S215**

By 62 yeas to 33 nays (Vote No. 10), three-fifths of those Senators duly chosen and sworn having voted in the affirmative, Senate agreed to the motion to waive section 311(a)(2)(b) of the Congressional Budget Act of 1974 with respect to Reid (for Baucus/Torricelli/Bayh) Modified Amendment No. 2718 (to Amendment No. 2698), listed above. Subsequently, a point of order that the amendment was in violation of section 311(a)(2)(b) of the Congressional Budget Act of 1974 falls. **Pages S195, S206–07**

A unanimous-consent agreement was reached providing for further consideration of the bill at 2 p.m. on Monday, February 4, 2002, with votes expected to occur after 5 p.m. **Page S230**

Escort Committee—Agreement: A unanimous-consent agreement was reached providing that the Presiding Officer of the Senate be authorized to appoint a committee on the part of the Senate to join with a like committee on the part of the House of Representatives to escort the President of the United States into the House Chamber for the joint session to be held at 9 p.m., on Tuesday, January 29, 2002. **Page S220**

Messages From the President: Senate received the following message from the President of the United States:

Transmitting, the report on the State of the Union; ordered to lie on the table. (PM–65)

Pages S232–35

Nominations Confirmed: Senate confirmed the following nomination:

Steven A. Williams, of Kansas, to be Director of the United States Fish and Wildlife Service.

Pages S255, S256

Nominations Received: Senate received the following nominations:

John Schickel, of Kentucky, to be United States Marshal for the Eastern District of Kentucky for the term of four years.

William R. Whittington, of Louisiana, to be United States Marshal for the Western District of Louisiana for the term of four years.

Stephen Gilbert Fitzgerald, of Wisconsin, to be United States Marshal for the Western District of Wisconsin for a term of four years.

J.C. Rafferty, of West Virginia, to be United States Marshal for the Northern District of West Virginia for a term of four years.

James Anthony Rose, of Wyoming, to be United States Marshal for the District of Wyoming for the term of four years.

3 Navy nominations in the rank of admiral.

A routine list in the Air Force. **Pages S255–56**

Messages From the House: **Page S235**

Additional Cosponsors: **Pages S235–36**

Statements on Introduced Bills/Resolutions:
Pages S236–39

Additional Statements: **Pages S230–32**

Amendments Submitted: **Pages S239–54**

Notices of Hearings/Meetings: **Pages S254–55**

Authority for Committees to Meet: **Page S255**

Privilege of the Floor: **Page S255**

Record Votes: Five record votes were taken today. (Total—10) **Pages S199–S200, S202, S215, S218, S219**

Adjournment: Senate met at 10:30 a.m. and, pursuant to the provisions of S. Con. Res. 95, adjourned at 10:07 p.m., until 1 p.m., on Monday, February 4, 2002.

Committee Meetings

(Committees not listed did not meet)

FINANCIAL WAR ON TERRORISM

Committee on Banking, Housing, and Urban Affairs: Committee concluded oversight hearings to examine the Administration's implementation of the anti-money laundering provisions (title III) of the USA PATRIOT Act (Public Law 107–56), and its efforts to disrupt terrorist financing activities, after receiving testimony from Senators Levin and Grassley; Representatives Oxley and LaFalce; Kenneth W. Dam, Deputy Secretary of the Treasury; Michael Chertoff, Assistant Attorney General, Criminal Division, Department of Justice; Richard Spillenkothen, Director, Division of Banking Supervision and Regulation, Board of Governors of the Federal Reserve System; and Annette L. Nazareth, Director, Division of Market Regulation, U.S. Securities and Exchange Commission.

U.S. ECONOMY

Committee on the Budget: Committee concluded hearings to examine issues surrounding the United States economy and the federal budget, including economic

and budgetary effects of certain tax cuts contained in the Economic Growth and Tax Relief Reconciliation Act of 2001, after receiving testimony from Robert D. Reischauer, Urban Institute, and Peter R. Orszag, Brookings Institution, both of Washington, D.C.; and Brian S. Wesbury, Griffin, Kubik, Stephens and Thompson, Inc., Chicago, Illinois.

ENRON CORPORATION COLLAPSE

Committee on Energy and Natural Resources: Committee concluded hearings to examine the implications for consumers and energy markets of the Enron bankruptcy, focusing on maintaining the needed investment and competition in natural gas and electricity production and transmission, after receiving testimony from Patrick Wood, III, Chairman, Federal Energy Regulatory Commission, Department of Energy; James E. Newsome, Chairman, Commodity Futures Trading Commission, William M. Nugent, Maine Public Utilities Commission, Augusta, on behalf of the National Association of Regulatory and Utility Commissioners; Vincent Viola, New York Mercantile Exchange, New York, New York; Robert McCullough, McCullough Research, Portland, Oregon; and Lawrence J. Makovich, Cambridge Energy Research Associates, Cambridge, Massachusetts, on behalf of the North American Energy Group.

ELECTRIC POWER GENERATORS

Committee on Environment and Public Works: Subcommittee on Clean Air, Wetlands, Private Property, and Nuclear Safety held hearings on S. 556, to amend the Clean Air Act to reduce emissions from electric powerplants, focusing on technologies to limit the emissions of carbon and mercury from power plants and other compliant alternatives, receiving testimony from Robert S. Kripowicz, Acting Assistant Secretary of Energy for Fossil Energy; Edward C. Lowe, General Electric Power Systems, Schenectady, New York; Phil Amick, Global Energy, Inc., Cincinnati, Ohio; Richard L. Sandor, Environmental Financial Products LLC, Chicago, Illinois; Michael D. Durham, ADA Environmental Solutions, Littleton, Colorado; Richard L. Miller, Hamon Research-Cottrell, Inc., Somerville, New Jersey; Frank Alix, Powerspan Corporation, New Durham, New Hampshire; and George R. Offen, Electric Power Research Institute, Palo Alto, California.

Hearings recessed subject to call.