

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S5185–S5404

Measures Introduced: Nine bills and two resolutions were introduced, as follows: S. 915–923, and S. Res. 91–91. **Page S5269**

Measures Passed:

World War II Memorial Construction: Committee on Energy and Natural Resources was discharged from further consideration H.R. 1696, to expedite the construction of the World War II memorial in the District of Columbia, after agreeing to the following amendment proposed thereto:

Pages S5260–62

Warner (for Stevens) Amendment No. 745, in the nature of a substitute. **Pages S5261–62**

Tax Relief Reconciliation: Senate resumed consideration of H.R. 1836, to provide for reconciliation pursuant to section 104 of the concurrent resolution on the budget for fiscal year 2002, taking action on the following amendments proposed thereto:

Pages S5185–S5260

Adopted:

Fitzgerald Amendment No. 670, to provide that no Federal income tax shall be imposed on amounts received by victims of the Nazi regime or their heirs or estates. **Pages S5185, S5249**

By a unanimous vote of 99 yeas (Vote No. 129), Smith (of N.H.) Amendment No. 680, to remove the limitation that certain survivor benefits can only be excluded with respect to individuals dying after December 31, 1996. **Pages S5227–28, S5258**

Rejected:

By 48 yeas to 50 nays (Vote No. 116), Carnahan/Daschle Amendment No. 674, to provide a marginal tax rate reduction for all taxpayers. **Pages S5185, S5218–20, S5249**

By 35 yeas to 64 nays (Vote No. 119), Graham Amendment No. 687, of a perfecting nature. **Pages S5185, S5252**

By 39 yeas to 60 nays (Vote No. 120), Graham Amendment No. 688, to provide a reduction in

State estate tax revenues in proportion to the reduction in Federal estate tax revenues. **Pages S5185, S5252–53**

By 39 yeas to 60 nays (Vote No. 123), Dodd Amendment No. 695, to limit the reduction in the 39.6% rate to 38% and to replace the estate tax repeal with increases in the unified credit and the family-owned business exclusion so that the savings may be used for Federal debt reduction and improvements to the Nation's nontransportation infrastructure. **Pages S5208–14, S5254**

By 43 yeas to 56 nays (Vote No. 124), Dorgan Amendment No. 713, replacing the estate tax repeal with a phased-in increase in the exemption amount to \$4,000,000, an unlimited qualified family-owned business exclusion beginning in 2003, and a reduction in the top rate to 45 percent. **Pages S5216–18, S5220–22, S5255**

By 49 yeas to 49 nays (Vote No. 126), McCain Amendment No. 660, to limit the reduction in the 39.6 rate bracket to 1 percentage point and to increase the maximum taxable income subject to the 15 percent rate. **Pages S5224–25, S5256**

Withdrawn:

Baucus (for Biden) Amendment No. 676, to allow a credit to holders of qualified bonds issued by Amtrak. **Page S5246**

Landrieu Amendment No. 686, to expand the adoption credit and adoption assistance programs. **Pages S5185, S5252**

Hatch Amendment No. 697, to amend the Internal Revenue Code of 1986 to permanently extend the research credit and to increase the rates of the alternative incremental credit. **Pages S5195–98, S5253**

Hatch (for Kerry) Amendment No. 701 (to Amendment No. 697), to allow a credit against income tax for medical research related to developing vaccines against wide-spread diseases. **Pages S5197–98, S5253**

Jeffords Amendment No. 707, to amend the Internal Revenue Code of 1986 to expand the dependent care credit. **Pages S5202–08, S5254**

Pending:

Collins/Warner Amendment No. 675, to provide an above-the-line deduction for qualified professional development expenses of elementary and secondary

school teachers and to allow a credit against income tax to elementary and secondary school teachers who provide classroom materials. **Pages S5185, S5249**

Feingold/Kohl Amendment No. 724, to eliminate the Medicaid death tax. **Page S5229**

Feingold Amendment No. 725, to increase the income limits applicable to the 10 percent rate bracket for individual income taxes. **Pages S5229–30**

Feingold Motion to Commit the bill to the Committee on Finance with instructions to report back within three days. **Page S5230**

Feingold Amendment No. 726, to preserve the estate tax for estates of more than \$100 million in size and increase the income limits applicable to the 10 percent rate bracket for individual income taxes. **Pages S5230–31**

Reid (for Harkin) Amendment No. 727, to delay the effective date of the reductions in the tax rate relating to the highest rate bracket until the enactment of legislation that ensures the long-term solvency of the social security and medicare trust funds. **Page S5231**

Lincoln Amendment No. 711, to eliminate expenditures for tuition, fees, and room and board as qualified elementary and secondary education expenses for distributions made from education individual retirement accounts. **Pages S5231–32**

Kerry Amendment No. 721, to exempt individual taxpayers with adjusted gross incomes below \$100,000 from the alternative minimum tax and modify the reduction in the top marginal rate. **Pages S5235–36**

Lieberman/Daschle Amendment No. 693, to provide immediate tax refund checks to help boost the economy and help families pay for higher gas prices and energy bills and to modify the reduction in the maximum marginal rate of tax. **Pages S5237–38**

Gramm Amendment No. 736, to ensure debt reduction by providing for a mid-course review process. **Pages S5238–42**

Corzine Motion to Commit the bill to the Committee on Finance with instructions to report back within 3 days. **Pages S5243–45**

Baucus (for Conrad) Amendment No. 743, to increase the standard deduction and to strike the final two reductions in the 36 and 39.6 rate brackets. **Page S5245**

Baucus (for Conrad) Amendment No. 744, to increase the standard deduction and to reduce the final reduction in the 39.6 percent rate bracket to 1 percentage point. **Pages S5245–46**

Reid (for Carper) Amendment No. 747, to provide responsible tax relief for all income taxpayers, by way of a \$1,200,000,000,000 tax cut, and to make available an additional \$150,000,000,000 for critical investments in education, particularly for

meeting the Federal Government's commitments under IDEA, Head Start, and the bipartisan education reform and ESEA reauthorization bill. **Page S5248**

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

By 47 yeas to 51 nays (Vote No. 115), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected a motion to waive the Congressional Budget Act of 1974 with respect to consideration of Gregg Amendment No. 656, to provide a temporary reduction in the maximum capital gains rate from 20 percent to 15 percent. Subsequently, a point of order that the amendment was in violation of section 305(b)(2) of the Congressional Budget Act was sustained, and the amendment thus fell. **Pages S5185–90, S5246–48, S5248**

By 48 yeas to 51 nays (Vote No. 117), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected a motion to waive the Congressional Budget Act of 1974 with respect to consideration of Rockefeller Amendment No. 679, to delay the reduction of the top income tax rate for individuals until a real Medicare prescription drug benefit is enacted. Subsequently, a point of order that the amendment was in violation of section 305(b)(2) of the Congressional Budget Act was sustained, and the amendment thus fell. **Pages S5185, S5249–50**

By 49 yeas to 50 nays (Vote No. 118), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected a motion to waive the Congressional Budget Act of 1974 with respect to consideration of Bayh Modified Amendment No. 685, to preserve and protect the surpluses by providing a trigger to delay tax reductions and new mandatory spending and limit discretionary spending if certain debt targets are not met over the next 10 years. Subsequently, a point of order that the amendment was in violation of section 305(b)(2) of the Congressional Budget Act was sustained, and the amendment thus fell. **Pages S5185, S5242–43, S5250–52**

Allen Amendment No. 751 (to Amendment No. 685), to provide for a tax cut accelerator, fell when Bayh Modified Amendment No. 685 (listed above) was ruled out of order. **Pages S5251–52**

By 41 yeas to 58 nays (Vote No. 121), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected a motion to waive the Congressional Budget Act of 1974 with respect to consideration of Wellstone Motion to Commit the bill to the Committee on Finance with instructions to report back not later than that date that is 3 days after the date on which this motion is adopted. Subsequently, a point of order that the

amendment was in violation of the Congressional Budget Act was sustained, and the motion thus fell.

Page S5253

Wellstone Amendment No. 692 (to instructions on Motion to Commit), to establish a reserve account to provide funds for Federal education programs, fell when the Motion to Commit (listed above) was ruled out of order.

Pages S5190–95

By 39 yeas to 60 nays (Vote No. 122), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected a motion to waive the Congressional Budget Act of 1974 with respect to consideration of Byrd Amendment No. 703, to strike all marginal rate tax cuts except for the establishment of the 10 percent rate and strike all estate and gift tax provisions taking effect after 2006 in order to provide funds to strengthen social security, extend the solvency of the Social Security Trust Funds, maintain progressivity in the social security benefit system, continue to lift more seniors out of poverty, extend the solvency of the Medicare Trust Funds, and provide prescription drug benefits. Subsequently, a point of order that the amendment was in violation of section 305(b)(2) of the Congressional Budget Act was sustained, and the amendment thus fell.

Pages S5198–S5202, S5253–54

Senate sustained a point of order against Kyl Amendment No. 691, to amend the Internal Revenue Code of 1986 to allow a credit against income tax for contributions to charitable organizations which provide scholarships for children to attend elementary and secondary schools, as being in violation of section 305(b)(2) of the Congressional Budget Act of 1974, and the amendment thus fell.

Pages S5214–16, S5254

By 43 yeas to 56 nays (Vote No. 125), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected a motion to waive the Congressional Budget Act of 1974 with respect to consideration of Bingaman Amendment No. 717, to provide energy conservation and production tax incentives. Subsequently, a point of order that the amendment was in violation of section 305(b)(2) of the Congressional Budget Act was sustained, and the amendment thus fell.

Pages S5222–24, S5255–56

By 43 yeas to 56 nays (Vote No. 127), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected a motion to waive the Congressional Budget Act of 1974 with respect to consideration of McCain Motion to Commit the bill to the Committee on Finance with instructions to report back forthwith. Subsequently, a point of order that the amendment was in violation

of section 305(b)(2) of the Congressional Budget Act was sustained, and the motion thus fell.

Pages S5225–27, S5256–57

By 11 yeas to 88 nays (Vote No. 128), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected a motion to waive the Congressional Budget Act of 1974 with respect to consideration of Smith (of N.H.) Amendment No. 723 (to Amendment No. 680), to make permanent the moratorium on the imposition of taxes on the Internet. Subsequently, a point of order that the amendment was in violation of section 305(b)(2) of the Congressional Budget Act was sustained, and the amendment thus fell.

Pages S5227–28, S5257–58

By 48 yeas to 51 nays (Vote No. 130), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected a motion to waive the Congressional Budget Act of 1974 with respect to consideration of Reid (for Kennedy) Amendment No. 684, to provide that reductions of the top marginal income tax rate will not take effect unless funding is provided at the levels authorized in amendments to S. 1, Better Education for Students and Teachers Act, that have been adopted by the Senate with respect to the Individuals With Disabilities Education Act, title I (State Grants for Disadvantaged Students) and part A of title II (Teacher Quality) of the Elementary and Secondary Education Act of 1965 (as amended by S. 1), and provisions of such Act concerning the education of students with limited English proficiency, and after school care in 21st Century Learning Centers. Subsequently, a point of order that the amendment was in violation of section 305(b)(2) of the Congressional Budget Act was sustained, and the amendment thus fell.

Pages S5228–29, S5258–59

By a unanimous vote of 99 yeas (Vote No. 131), Senate upheld a ruling of the Chair that a quorum call is not in order.

Page S5260

A unanimous-consent agreement was reached providing for further consideration of the bill and certain amendments on Tuesday, May 22, 2001.

Pages S5399–S5400

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

Transmitting, pursuant to law, a report on U.S. Trade and Investment Policy toward Sub-Saharan Africa and Implementation of the African Growth and Opportunity Act; to the Committee on Finance. (PM–21)

Page S5265

Nominations Received: Senate received the following nominations:

Sharon Prost, of the District of Columbia, to be United States Circuit Judge for the Federal Circuit. 1 Marine Corps nomination in the rank of general. Routine lists in the Army, Navy. **Pages S5400-04**

Executive Communications: **Pages S5265-66**

Petitions and Memorials: **Pages S5266-69**

Executive Reports of Committees: **Page S5269**

Measures Referred: **Page S5265**

Statements on Introduced Bills: **Pages S5271-78**

Additional Cosponsors: **Pages S5269-71**

Amendments Submitted: **Pages S5279-S5399**

Additional Statements: **Pages S5263-65**

Notices of Hearings: **Page S5399**

Authority for Committees: **Page S5399**

Privilege of the Floor: **Page S5399**

Record Votes: Seventeen record votes were taken today. (Total—131) **Pages S5248-50, S5252-58, S5260**

Adjournment: Senate met at 9:31 a.m., and adjourned at 11:53 p.m., until 9:30 a.m., on Tuesday, May 22, 2001.

Committee Meetings

(Committees not listed did not meet)

NOMINATIONS

Committee on Armed Services: Committee ordered favorably reported the nominations of David S.C. Chu, to be Under Secretary of Defense for Personnel and Readiness, Gordon England, to be Secretary of the Navy, Thomas E. White, to be Secretary of the Army, James G. Roche, to be Secretary of the Air Force, Alfred Rascon, of California, to be Director of Selective Service, and Col. Van P. Williams, Jr, Air National Guard of the United States officer for appointment in the Reserve of the Air Force to the grade of Brigadier General.

House of Representatives

Chamber Action

Bills Introduced: 13 public bills, H.R. 1917-1929; and 1 resolution, H. Con. Res. 139, were introduced. **Pages H2386-87**

Reports Filed: Reports were filed today as follows:

H.R. 1831, to provide certain relief for small businesses from liability under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (H. Rept. 107-70, Pt. 1);

H.R. 1831, to provide certain relief for small businesses from liability under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (H. Rept. 107-70, Pt. 2);

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. Rept. 107-71);

H. Con. Res. 76, authorizing the use of the East Front of the Capitol Grounds for performances sponsored by the John F. Kennedy Center for the Performing Arts (H. Rept. 107-72);

H. Con. Res. 79, authorizing the use of the Capitol Grounds for the Greater Washington Soap Box Derby (H. Rept. 107-73); and

H. Con. Res. 87, authorizing the 2001 District of Columbia Special Olympics Law Enforcement Torch

Run to be run through the Capitol Grounds (H. Rept. 107-74). **Page H2386**

Speaker Pro Tempore: Read a letter from the Speaker wherein he appointed Representative Pence to act as Speaker pro tempore for today. **Page H2337**

Recess: The House recessed at 12:32 p.m. and reconvened at 2 p.m. **Page H2337**

Congressional Recognition for Excellence in Arts Education Awards Board: The Chair announced the Speaker's appointment of Representatives McKeon and Biggert to the Congressional Recognition for Excellence in Arts Education Awards Board. **Page H2338**

Commission on the Future of the United States Aerospace Industry: The Chair announced the Speaker's appointment of Mr. F. Whitten Peters of Washington, D.C. and Mrs. Tillie Fowler of Jacksonville, Florida to the Commission on the Future of the United States Aerospace Industry. **Page H2338**

Suspensions: The House agreed to suspend the rules and pass the following measures:

National Pearl Harbor Remembrance Day: H. Con. Res. 56, expressing the sense of the Congress regarding National Pearl Harbor Remembrance Day