

with an amendment in the nature of a substitute:

S. 1379: A bill to amend the Public Health Service Act to establish an Office of Rare Diseases at the National Institutes of Health, and for other purposes. (Rept. No. 107-129).

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. LEVIN for the Committee on Armed Services.

*Everet Beckner, of New Mexico, to be Deputy Administrator for Defense Programs, National Nuclear Security Administration.

Air Force nominations beginning Colonel Larry D. New and ending Colonel Michael F. Planert, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on September 5, 2001.

Mr. LEVIN. Mr. President, for the Committee on Armed Services I report favorably the following nomination lists which were printed in the RECORDS on the dates indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that these nominations lie at the Secretary's desk for the information of Senators.

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

Army nomination of Robert W. Siegert.

Army nominations beginning CATHERINE M. BANFIELD and ending JACK M. WEDAM, which nominations were received by the Senate and appeared in the Congressional Record on December 5, 2001.

Army nominations beginning MARY CARSTENSEN and ending WILLIAM L. TOZIER, which nominations were received by the Senate and appeared in the Congressional Record on December 5, 2001.

Air Force nominations beginning GERARD W. STALNAKER and ending EVERETT G. WILLARD JR., which nominations were received by the Senate and appeared in the Congressional Record on December 11, 2001.

Air Force nominations beginning JAMES A. BARLOW and ending GLENN S. ROBERTS, which nominations were received by the Senate and appeared in the Congressional Record on December 11, 2001.

Air Force nominations beginning CYNTHIA M. CADET and ending DAVID G. YOUNG III, which nominations were received by the Senate and appeared in the Congressional Record on December 11, 2001.

Army nominations beginning JOSEPH L. CULVER and ending CHARLES R. JAMES JR., which nominations were received by the Senate and appeared in the Congressional Record on December 11, 2001.

Army nominations beginning BARRY D. KEELING and ending ERNESTO E. MARRA, which nominations were received by the Senate and appeared in the Congressional Record on December 11, 2001.

Army nomination of James J. Waldeck III.

By Mr. BAUCUS for the Committee on Finance.

*B. John Williams, Jr., of Virginia, to be Chief Counsel for the Internal Revenue Service and an Assistant General Counsel in the Department of the Treasury.

*Janet Hale, of Virginia, to be an Assistant Secretary of Health and Human Services.

*Joan E. Ohl, of West Virginia, to be Commissioner on Children, Youth, and Families, Department of Health and Human Services.

*James B. Lockhart, III, of Connecticut, to be Deputy Commissioner of Social Security for a term of six years.

*Harold Daub, of Nebraska, to be a Member of the Social Security Advisory Board for the remainder of the term expiring September 30, 2006.

*Richard Clarida, of Connecticut, to be an Assistant Secretary of the Treasury.

*Kenneth Lawson, of Florida, to be an Assistant Secretary of the Treasury.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mrs. LINCOLN:

S. 1835. A bill to amend the Federal Deposit Insurance Act to clarify what lending entities are subject to section 44(f) of that Act, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. COCHRAN:

S. 1836. A bill to amend the Public Health Service Act to establish scholarship and loan repayment programs regarding the provision of veterinary services in veterinarian shortage areas; to the Committee on Health, Education, Labor, and Pensions.

By Mr. TORRICELLI (for himself, Mr.

GRASSLEY, Mr. NELSON of Nebraska, and Mr. HARKIN):

S. 1837. A bill to establish a board if inquiry to review the activities of United States intelligence, law enforcement, and other agencies leading up to the terrorist attacks of September 11, 2001; to the Committee on the Judiciary.

By Mrs. BOXER (for herself and Mr. CORZINE):

S. 1838. A bill to amend the Employee Retirement Income Security Act of 1974 and the Internal Revenue Code of 1986 to ensure that individual account plans protect workers by limiting the amount of employer stock each worker may hold and encouraging diversification of investment of plan assets, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. ALLARD (for himself, Mrs. CLINTON, Mr. SHELBY, and Mr. FEINGOLD):

S. 1839. A bill to amend the Bank Holding Company Act of 1956, and the Revised Statutes of the United States to prohibit financial holding companies and national banks from engaging, directly or indirectly, in real estate brokerage or real estate management activities, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. COCHRAN:

S. 1840. A bill to amend title XVIII of the Social Security Act to remove the 20 percent inpatient limitation under the medicare program on the proportion of hospice care that certain rural hospice programs may provide; to the Committee on Finance.

By Mr. SCHUMER (for himself and Mrs. CLINTON):

S. 1841. A bill to award congressional gold medals on behalf of the officers, emergency workers, and other employees of the Federal Government and any State or local government, including any interstate government entity, who responded to the attacks on the World Trade Center in New York City and perished in the tragic events of September 11, 2001; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. CLELAND:

S. 1842. A bill to modify the project for beach erosion control, Tybee Island, Georgia; to the Committee on Environment and Public Works.

By Mr. STEVENS (for himself and Mr. MURKOWSKI):

S. 1843. A bill to extend hydro-electric licenses in the State of Alaska; to the Committee on Energy and Natural Resources.

By Mr. BINGAMAN (for himself and Mr. DOMENICI):

S. 1844. A bill to authorize a pilot program for purchasing buses by public transit authorities that are recipients of assistance or grants from the Federal Transit Administration; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. KERRY:

S. 1845. A bill to amend title 5, United States Code, to create a presumption that disability of a Federal employee in fire protection activities caused by certain conditions is presumed to result from the performance of such employee's duty; to the Committee on Governmental Affairs.

By Mr. SCHUMER (for himself and Mrs. CLINTON):

S. 1846. A bill to prohibit oil and gas drilling in Finger Lakes National Forest in the State of New York; to the Committee on Energy and Natural Resources.

By Mr. CRAPO (for himself and Mr. CRAIG):

S. 1847. A bill to increase the Government's share of development project costs at certain qualifying airports; to the Committee on Commerce, Science, and Transportation.

ADDITIONAL COSPONSORS

S. 847

At the request of Mr. DAYTON, the name of the Senator from Missouri (Mrs. CARNAHAN) was added as a cosponsor of S. 847, a bill to impose tariff-rate quotas on certain casein and milk protein concentrates.

S. 917

At the request of Ms. COLLINS, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. 917, a bill to amend the Internal Revenue Code of 1986 to exclude from gross income amounts received on account of claims based on certain unlawful discrimination and to allow income averaging for backpay and frontpay awards received on account of such claims, and for other purposes.

S. 990

At the request of Mr. SMITH of New Hampshire, the name of the Senator from Missouri (Mrs. CARNAHAN) was added as a cosponsor of S. 990, a bill to amend the Pittman-Robertson Wildlife Restoration Act to improve the provisions relating to wildlife conservation and restoration programs, and for other purposes.

S. 1140

At the request of Mr. HATCH, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 1140, a bill to amend chapter 1 of title 9, United States Code, to provide for greater fairness in the arbitration process relating to motor vehicle franchise contracts.

S. 1500

At the request of Mr. KYL, the name of the Senator from Montana (Mr. BURNS) was added as a cosponsor of S. 1500, a bill to amend the Internal Revenue Code of 1986 to provide tax and other incentives to maintain a vibrant travel and tourism industry, to keep working people working, and to stimulate economic growth, and for other purposes.

S. 1707

At the request of Mr. JEFFORDS, the names of the Senator from California (Mrs. FEINSTEIN), the Senator from Tennessee (Mr. THOMPSON) and the Senator from Nebraska (Mr. NELSON) were added as cosponsors of S. 1707, a bill to amend title XVIII of the Social Security Act to specify the update for payments under the medicare physician fee schedule for 2002 and to direct the Medicare Payment Advisory Commission to conduct a study on replacing the use of the sustainable growth rate as a factor in determining such update in subsequent years.

S. 1712

At the request of Mr. GRASSLEY, the name of the Senator from Ohio (Mr. VOINOVICH) was added as a cosponsor of S. 1712, a bill to amend the procedures that apply to consideration of interstate class actions to assure fairer outcomes for class members and defendants, and for other purposes.

S. 1752

At the request of Mr. CORZINE, the name of the Senator from Hawaii (Mr. INOUE) was added as a cosponsor of S. 1752, a bill to amend the Public Health Service Act with respect to facilitating the development of microbicides for preventing transmission of HIV and other sexually transmitted diseases.

S. 1761

At the request of Mr. CAMPBELL, the name of the Senator from Hawaii (Mr. INOUE) was added as a cosponsor of S. 1761, a bill to amend title XVIII of the Social Security Act to provide for coverage of cholesterol and blood lipid screening under the medicare program.

S. 1765

At the request of Mr. FRIST, the names of the Senator from Nevada (Mr. ENSIGN) and the Senator from Florida (Mr. GRAHAM) were added as cosponsors of S. 1765, a bill to improve the ability of the United States to prepare for and respond to a biological threat or attack.

S. 1767

At the request of Mr. KENNEDY, the name of the Senator from Massachu-

setts (Mr. KERRY) was added as a cosponsor of S. 1767, a bill to amend title 38, United States Code, to provide that certain service in the American Field Service ambulance corps shall be considered active duty for the purposes of all laws administered by the Secretary of Veteran's Affairs, and for other purposes.

S. 1799

At the request of Mr. COCHRAN, his name was added as a cosponsor of S. 1799, a bill to strengthen the national security by encouraging and assisting in the expansion and improvement of educational programs to meet critical needs at the elementary, secondary, and higher education levels.

S. 1800

At the request of Mr. COCHRAN, his name was added as a cosponsor of S. 1800, a bill to strengthen and improve the management of national security, encourage Government service in areas of critical national security, and to assist government agencies in addressing deficiencies in personnel possessing specialized skills important to national security and incorporating the goals and strategies for recruitment and retention for such skilled personnel into the strategic and performance management systems of Federal agencies.

S. CON. RES. 72

At the request of Ms. LANDRIEU, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. Con. Res. 72, a concurrent resolution expressing the sense of Congress that a commemorative postage stamp should be issued honoring Martha Matilda Harper, and that the Citizens' Stamp Advisory Committee should recommend to the Postmaster General that such a stamp be issued.

AMENDMENT NO. 2597

At the request of Mr. TORRICELLI, the names of the Senator from New Hampshire (Mr. SMITH), the Senator from North Carolina (Mr. HELMS), the Senator from Florida (Mr. GRAHAM), the Senator from Nevada (Mr. ENSIGN), and the Senator from Virginia (Mr. ALLEN) were added as cosponsors of amendment No. 2597.

AMENDMENT NO. 2603

At the request of Mr. MCCAIN, the name of the Senator from Oregon (Mr. SMITH) was added as a cosponsor of amendment No. 2603.

At the request of Mr. ROBERTS, his name was added as a cosponsor of amendment No. 2603 supra.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. BOXER (for herself and Mr. CORZINE):

S. 1838. A bill to amend the Employee Retirement Income Security Act of 1974 and the Internal Revenue Code of 1986 to ensure that individual account plans protect workers by limiting the

amount of employer stock each worker may hold and encouraging diversification of investment of plan assets, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mrs. BOXER. Mr. President, today Senator CORZINE and I are introducing the Pension Protection and Diversification Act of 2001, PPDA.

I authored and Congress passed a bill in 1997 amending ERISA. That law bars employers from forcing employees to invest employee voluntary contributions to their 401(k) in the employer's real estate or equities with a couple of exceptions. I believe that what Enron did violated the law I authored. Enron "locked down" its pension fund for a period of time during which the company's stock plummeted. That lockdown effectively forced Enron employees to have their voluntary contributions and earnings on those contributions invested in Enron's plunging stock. That said, we are introducing the PPDA today in order to protect employees from losing their retirement savings in the future the way that Enron employees lost theirs.

Enron employees were naturally drawn to Enron stock because of its meteoric rise. But when the stock crashed, it took many Enron employees' savings down with it. There are two lessons we should learn from this situation. First, Enron workers had far too much of their individual 401(k) account plans invested in Enron stock. And second, Enron forced its employees to hold its matching contribution in Enron stock to the employee's 401(k) account for far too long.

Unfortunately, Enron employees are not alone in their 401(k) investment habits. There are far too many workers in far too many companies disproportionately investing their retirement savings in employer stock.

The "Pension Protection and Diversification Act of 2001", PPDA, will encourage workers to diversify their retirement savings and to encourage employers to give workers the power to diversify their retirement plans.

Toward that end, the bill limits to 20 percent the investment an employee can have in any one stock across their individual account plans with an employer. Studies show that employees do not diversify their investments sufficiently even when they have the power to diversify. In the Enron case, too many workers followed their employer's lead and invested too much of their own money in Enron stock. This provision, based on the opinions that financial management experts have expressed in numerous articles over the last few years, is designed to discourage that gamble.

The PPDA also limits to 90 days the time that an employer can force an employee to hold a matching employer stock contribution. Too often, the current holding period on stock ownership