

INOUYE), the Senator from Washington (Mrs. MURRAY), the Senator from Alabama (Mr. SHELBY), the Senator from West Virginia (Mr. ROCKEFELLER), and the Senator from Florida (Mr. GRAHAM) were added as cosponsors of S. Res. 43, a resolution expressing the sense of the Senate that the President should designate the week of March 18 through March 24, 2001, as "National Inhalants and Poisons Awareness Week."

## AMENDMENT NO. 16

At the request of Ms. COLLINS, the name of the Senator from Massachusetts (Mr. KENNEDY) was added as a cosponsor of amendment No. 16 proposed to S. 420, an original bill to amend title II, United States Code, and for other purposes.

## AMENDMENT NO. 29

At the request of Mrs. CLINTON, her name was added as a cosponsor of amendment No. 29 proposed to S. 420, an original bill to amend title II, United States Code, and for other purposes.

## STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DODD (for himself and Mr. LIEBERMAN):

S. 513. A bill to amend the Wild and Scenic Rivers Act by designating a segment of the Eightmile River in Connecticut for potential addition to the National Wild and Scenic Rivers System, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. DODD. Mr. President, today, I am pleased to introduce the Eightmile River Wild and Scenic River Study Act of 2001, along with my colleague Senator LIEBERMAN. Representative SIMMONS of Connecticut introduced similar legislation in the House. The Eightmile River system is an important water resource within the Lower Connecticut River watershed.

For more than 30 years, the Wild and Scenic River program has been a successful public-private partnership to preserve certain select rivers in a free-flowing state. Designation as a Wild and Scenic River would ensure that the river and surrounding watershed are protected from development projects under the locally controlled Conservation Management Plan, which works to preserve a river's natural and significant resources.

But before a river receives Designation status as Wild and Scenic, a comprehensive study must be undertaken to determine whether a river possesses recreational, ecological, and scenic significance. Further, it must be demonstrated that there is a strong local and long-term commitment to preserving a river.

I am confident of the Eightmile River's significance and community support. Five years ago, the Connecticut towns of Salem, East Haddam and Lyme joined with educational and environmental groups to form the

Eightmile River Watershed Committee and signed a Conservation Compact to preserve the river. Another local group, the Connecticut River Watershed Council, has been working with local, state, and federal agencies to restore migratory fish to the Eightmile River. The building of fish ladders means that the area can now serve as a restored spawning area for Blue-backed Herring and Atlantic Salmon. Finally, property owners support designation for the Eightmile River in order to preserve the natural resource that flows by and near their property. Clearly, there is a grassroots commitment to retain the integrity of this river.

The State of Connecticut has recognized the Eightmile River as a "River of Importance." Eighty-five percent of the Eightmile River Watershed is forested and more than 180 species of birds, fish, plants and reptiles live there. It is truly one of the most diverse and thriving ecosystems in the lower Connecticut River Valley.

Connecticut is a small state, less than 5,000 square miles, and is densely populated. While the State is actively working to preserve open space, the state consistently ranks near the bottom in the amount of Federal land. Our citizens are committed to balancing conservation and growth. That is why this designation is so important. While the state and local groups have done exceptional work so far, this designation would bring in federal technical assistance and foster coordination among the many concerned groups. It is time to get the formal process started.

For all of these reasons, I am pleased to introduce the Eightmile River Wild and Scenic River Study Act of 2001.

By Mr. DOMENICI (for himself, Mr. BINGAMAN, Mr. FRIST, Mr. LIEBERMAN, Ms. SNOWE, Mr. ROCKEFELLER, Mr. KENNEDY, and Mr. BAYH):

S. 515. A bill to amend the Internal Revenue Code of 1986 to establish a permanent tax incentive for research and development, and for other purposes; to the Committee on Finance.

Mr. DOMENICI. Mr. President, today I am joining my co-sponsors, Senators BINGAMAN, FRIST, LIEBERMAN, SNOWE, KENNEDY and BAYH in introducing the "Private Sector Research and Development Investment Act of 2001" This bill makes the Research Tax Credit permanent and significantly improves the structure of the Credit.

I am very pleased that President Bush has already endorsed a permanent Credit in his Agenda for Tax Relief. In the discussion of his tax package, President Bush notes that:

The credit encourages the technological developments that are an important component of economic growth. . . . This should help spur the sustained, long-term investment in R&D that America needs to develop the next generation of critical technologies.

I wholeheartedly agree.

I am also pleased to join with Senator HATCH and many cosponsors in his

bill to permanently extend the research credit and to increase the rates of the alternative incremental credit.

Today I want to suggest that we go a little further than both of these proposals in revising the Research Tax Credit. We should use the enthusiasm toward making the credit permanent to also improve it. In the process, we can significantly help the innovation process in our nation at the same time that we strengthen our universities and small businesses.

Advanced technologies drive a significant part of our nation's economic strength. Our economy and our standard of living depend on a constant influx of new technologies, processes, and products from our industries. Federal Reserve Chairman Greenspan has frequently reinforced the critical dependence between advanced technology and our economic strength.

Many countries provide labor at lower costs than the United States. Thus, as any new product matures, competitors using overseas labor frequently find ways to undercut our production costs. We maintain our economic strength only by constantly improving our products through innovation. Maintaining and improving our national ability to innovate is critically important to the nation.

Today, we are introducing legislation to improve the Research Tax Credit. The single most important change in our bill is to make the Credit permanent, as the President proposes. But other parts of the Credit would benefit from improvements.

For example, the current Credit references a company's research in 1984-88. That leads to situations where two companies doing the same research today receive different credits, depending on what they did in 1984.

As another example, now there is a "Basic Research Credit" allowed, but rarely used because of the way it is written. We could be using this section to encourage university research, as I have done in this bill. We also provide incentives for research to be done with research consortia.

In summary, this bill incorporates the improvements suggested by the President and in other current bills, and it goes further to strengthen the Credit.

With this new bill, we will significantly strengthen incentives for private companies to undertake research that leads to new processes, new services, and new products. The result will be stronger companies that are better positioned for global competition. Those stronger companies will hire more people at higher salaries with real benefits to our national economy and workforce.

Madam President, I will speak on the subject of the credit that American businesses get for research which is part of the Tax Code. I hope the distinguished chairman of the Finance Committee is aware this year the research tax credit has different

support this year because the President of the United States has asked we make permanent this very important part of our Tax Code that gives American companies, large and small, an opportunity to take part of their research and apply for a research tax credit.

I am introducing a bill today that improves the tax credit. The President asked us to extend it so businesses will know where they are, which has been your position for years. I am sure the Senator will do that. Today I introduce a bill for 8 Senators on both sides of the aisle. We think it has to be improved in two or three ways. We want to make sure in America today that research by businesses, being done with universities, with laboratories, with a consortia of two or three companies and universities, two or three companies and laboratories, we want to make sure that research fits the definition of a research tax credit. That is what the big change has been.

Companies are not doing everything in house. They are doing it with universities, with other companies. They do not all get the tax credit, although it is part of the American marketplace, unless we modify the current tax credit. This bill we introduce does that and six or seven other things to make it more functional. We will be calling it to the attention of your staff as a separate item. Although we support Senator HATCH's bill that says continue it, make it permanent, we think it ought to be improved to fit what is truly the way American businesses are doing business today in the marketplace of science.

I ask the bill for myself, Senator BINGAMAN, and seven other Senators be sent to the desk and appropriately referred.

The PRESIDING OFFICER. The bill will be received and referred.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 58—TO AUTHORIZE THE PRINTING OF A COLLECTION OF THE RULES OF THE COMMITTEES OF THE SENATE

Mr. MCCONNELL submitted the following resolution; which was considered and agreed to:

S. RES. 58

Resolved, That a collection of the rules of the committees of the Senate, together with related materials, be printed as a Senate document, and that there be printed 500 additional copies of such document for the use of the Committee on Rules and Administration.

AMENDMENTS SUBMITTED AND PROPOSED

SA 35. Mr. WELLSTONE proposed an amendment to the bill S. 420, to amend title II, United States Code, and for other purposes.

SA 36. Mr. WELLSTONE proposed an amendment to the bill S. 420, supra.

SA 37. Mr. WELLSTONE proposed an amendment to the bill S. 420, supra.

SA 38. Mr. KENNEDY (for himself, Mr. ROCKEFELLER, and Mrs. CLINTON) proposed an amendment to the bill S. 420, supra.

SA 39. Mr. KENNEDY proposed an amendment to the bill S. 420, supra.

SA 40. Mrs. CARNAHAN submitted an amendment intended to be proposed by her to the bill S. 420, supra; which was ordered to lie on the table.

SA 41. Mr. LEAHY proposed an amendment to the bill S. 420, supra.

TEXT OF AMENDMENTS

SA 35. Mr. WELLSTONE proposed an amendment to the bill S. 420, to amend title II, United States Code, and for other purposes; as follows:

At the appropriate place, insert the following:

SEC. \_\_\_\_ DUTIES WITH RESPECT TO A DEBTOR WHO IS A PLAN ADMINISTRATOR OF AN EMPLOYEE BENEFIT PLAN.

(a) IN GENERAL.—Section 521(a) of title 11, United States Code, as so designated by section 106(d) of this Act, is amended—

(1) in paragraph (4), by striking “and” at the end;

(2) in paragraph (5), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following:

“(6) unless a trustee is serving in the case, if at the time of filing, the debtor, served as the administrator (as defined in section 3 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1002)) of an employee benefit plan, continue to perform the obligations required of the administrator.”

(b) DUTIES OF TRUSTEES.—Section 704(a) of title 11, United States Code, as so designated and otherwise amended by this Act, is amended—

(1) in paragraph (10), by striking “and” at the end;

(2) in paragraph (11), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following:

“(12) where, at the time of the time of the commencement of the case, the debtor served as the administrator (as defined in section 3 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1002)) of an employee benefit plan, continue to perform the obligations required of the administrator.”

(c) CONFORMING AMENDMENT.—Section 1106(a) of title 11, United States Code, is amended by striking paragraph (1) and inserting the following:

“(1) perform the duties of the trustee, as specified in paragraphs (2), (5), (7), (8), (9), (10), (11), and (12) of section 704.”

Amend the table of contents accordingly.

SA 36. Mr. WELLSTONE proposed an amendment to the bill S. 420, to amend title II, United States Code, and for other purposes; as follows:

At the end of subtitle A of title II, add the following:

SEC. 204. DISALLOWANCE OF CERTAIN CLAIMS; PROHIBITION OF COERCIVE DEBT COLLECTION PRACTICES.

(a) IN GENERAL.—Section 502(b) of title 11, United States Code, is amended—

(1) in paragraph (8), by striking “or” at the end;

(2) in paragraph (9), by striking the period at the end and inserting “; or”; and

(3) by adding at the end of the following:

“(10) such claim arises from a transaction—

“(A) that is—

“(i) a consumer credit transaction;

“(ii) a transaction, for a fee—

“(I) in which the deposit of a personal check is deferred; or

“(II) that consists of a credit and a right to a future debit to a personal deposit account; or

“(iii) a transaction secured by a motor vehicle or the title to a motor vehicle; and

“(B) in which the annual percentage rate (as determined in accordance with section 107 of the Truth in Lending Act) exceeds 100 percent.”

(b) UNFAIR DEBT COLLECTION PRACTICES.—

(1) IN GENERAL.—Section 808 of the Fair Debt Collection Practices Act (15 U.S.C. 1692f) is amended—

(A) in the first sentence, by striking “A debt collector” and inserting the following:

“(a) IN GENERAL.—A debt collector”; and

(B) by adding at the end the following:

“(b) COERCIVE DEBT COLLECTION PRACTICES.—

“(1) IN GENERAL.—It shall be unlawful for any person (including a debt collector or a creditor) who, for a fee, defers deposit of a personal check or who makes a loan in exchange for a personal check or electronic access to a personal deposit account—

“(A) to threaten to use or use the criminal justice process to collect on the personal check or on the loan;

“(B) to threaten to use or use any process to seek a civil penalty if the personal check is returned for insufficient funds; or

“(C) to threaten to use or use any civil process to collect on the personal check or the loan that is not generally available to creditors to collect on loans in default.

“(2) CIVIL LIABILITY.—Any person who violates this section shall be liable to the same extent and in the same manner as a debt collector is liable under section 813 for failure to comply with a provision of this title.”

(2) CONFORMING AMENDMENT.—Section 803(6) of the Fair Debt Collection Practices Act (15 U.S.C. 1692a(6)) is amended by striking “808(6)” and inserting “808(a)(6)”.

On page 253, line 15, insert “as amended by this Act,” after “Code.”

On page 253, line 16, strike “period” and insert “semicolon”.

Amend the table of contents accordingly.

SA 37. Mr. WELLSTONE proposed an amendment to the bill S. 420, to amend title II, United States Code, and for other purposes; as follows:

At the appropriate place, insert the following:

SEC. \_\_\_\_ DETERMINATION OF ELIGIBILITY FOR TRADE ADJUSTMENT ASSISTANCE IN CASES INVOLVING TACONITE PELLETS.

For purposes of determining, under section 222 or 250 of the Trade Act of 1974 (19 U.S.C. 2272 and 2331), the eligibility of a group of workers for adjustment assistance under chapter 2 of title II of the Trade Act of 1974, increased imports of semifinished steel slabs shall be considered to be articles like or directly competitive with taconite pellets.

SA 38. Mr. KENNEDY (for himself, Mr. ROCKEFELLER, and Mrs. CLINTON) proposed an amendment to the bill S. 420, to amend title II, United States Code, and for other purposes; as follows:

On page 10 between lines 17 and 18, insert the following:

“(V) In addition, if the debtor does not have health insurance benefits, the debtor's monthly expenses shall include an allowance to purchase a health insurance policy for the debtor, the dependents of the debtor, and the spouse of the debtor in a joint case if the spouse is not otherwise a dependent.

SA 39. Mr. KENNEDY proposed an amendment to the bill S. 420, to amend title II, United States Code, and for other purposes; as follows: