

carry out part B of the Individuals with Disabilities Education Act (20 U.S.C. 1411 et seq.) for any fiscal year prior to fiscal year 2007 is sufficient to fully fund such part for the fiscal year at the originally promised level, which promised level would provide to each State 40 percent of the average per-pupil expenditure for providing special education and related services for each child with a disability in the State.

“(B) APPLICABLE INTEREST RATE.—Effective January 1, 2007, the applicable interest rate that will apply to an amount made available to a State under subsection (e) shall be—

“(i) 0 percent with respect to years in which the amount appropriated to carry out part B of the Individuals with Disabilities Education Act (20 U.S.C. 1411 et seq.) is not sufficient to provide to each State at least 20 percent of the average per-pupil expenditure for providing special education and related services for each child with a disability in the State;

“(ii) 2.5 percent with respect to years in which the amount described in clause (i) is not sufficient to provide to each State at least 30 percent of such average per-pupil expenditure;

“(iii) 3.5 percent with respect to years in which the amount described in clause (i) is not sufficient to provide to each State at least 40 percent of such average per-pupil expenditure; and

“(iv) 4.5 percent with respect to years in which the amount described in clause (i) is sufficient to provide to each State at least 40 percent of such average per-pupil expenditure.

“(d) FEDERAL RESPONSIBILITIES.—The Secretary shall—

“(1) be responsible for ensuring that funds provided under this section are properly distributed;

“(2) ensure that funds provided under this section are used only to pay for—

“(A) the interest on qualified school construction bonds; or

“(B) a cost described in subsection (b)(1)(A)(ii); and

“(3) not have authority to approve or disapprove school construction plans assisted pursuant to this section, except to ensure that funds made available under this section are used only to supplement, and not supplant, the amount of school construction, rehabilitation, and repair, and acquisition of land for school facilities, in the State that would have occurred in the absence of such funds.

“(e) FUNDING.—

“(1) SET-ASIDE OF FEDERAL FUNDS.—

“(A) IN GENERAL.—Notwithstanding any other provision of law (including section 9201(a) and the provisions of this Act) there shall be made available to carry out this section for each fiscal year, an amount equal to 20 percent of the total amount of Federal funds appropriated for such fiscal year for Federal programs to provide assistance for school construction, renovation, or repair.

“(B) TRANSFER OF FUNDS.—Not later than 60 days after the beginning of each fiscal year, the Secretary of the Treasury shall transfer to the Secretary of Education the amounts described in subparagraph with respect to the fiscal year involved and the Secretary shall utilize such amounts to carry out this section.

“(2) ALLOCATIONS.—

“(A) IN GENERAL.—Subject to subparagraph (C), of the amount available under paragraph (1) for a fiscal year, the Secretary shall make available to each State submitting a request under this section a loan amount that bears the same relation to such available amount as the amount the State received under part A of title I for fiscal year 2001 bears to the

loan amount received by all States under such part for such year.

“(B) DISBURSAL.—The Secretary shall disburse the amount made available to a State under subparagraph (A) or (C), on an annual basis, during the period beginning on October 1, 2001, and ending September 30, 2018.

“(C) SMALL STATE MINIMUM.—

“(i) MINIMUM.—No State shall receive a loan amount under subparagraph (A) for a fiscal year that is less than an amount equal to .5 percent of the total amount made available for such fiscal year under paragraph (1).

“(ii) STATES.—In this subparagraph, the term ‘State’ means each of the several States of the United States, the District of Columbia, and the Commonwealth of Puerto Rico.”.

NOTICE OF HEARINGS

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. MURKOWSKI. Mr. President, I would like to announce for the information of the Senate and the public that a legislative hearing has been scheduled before the Committee on Energy and Natural Resources.

The hearing will take place on Tuesday, May 22, 2001, at 2:30 p.m., in room SH-216 of the Hart Senate Office Building in Washington, DC.

The purpose of this hearing is to receive testimony on the Administration's energy plan and the following bills: S. 388, the National Energy Security Act of 2001; and S. 597, the Comprehensive and Balanced Energy Policy Act of 2001.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Committee on Energy and Natural Resources, U.S. Senate, 364 Dirksen Senate Office Building, Washington, DC 20510-6150.

For further information, please call Trici Heninger, Staff Assistant, or Bryan Hannegan, Staff Scientist, at (202) 224-4971.

SUBCOMMITTEE ON WATER AND POWER

Mr. SMITH. Mr. President, I would like to announce for the information of the Senate and the public that an oversight hearing has been scheduled before the Subcommittee on Water and Power.

The hearing will take place on Wednesday, May 23, 2001, at 2 p.m., in room SD-366 of the Dirksen Senate Office Building in Washington, DC.

The purpose of this hearing is to conduct oversight on the Lower Klamath River Basin.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Subcommittee on Water and Power, Committee on Energy and Natural Resources, U.S. Senate, SH-212 Senate Hart Office Building, Washington, DC 20510-6150.

For further information, please call Trici Heninger, Staff Assistant, or Colleen Deegan, Counsel, at (202) 224-8115.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. JEFFORDS. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be authorized to meet during the session of the Senate on Wednesday, May 16, 2001. The purpose of this hearing will be to review the credit title of the upcoming farm bill.

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

COMMITTEE ON ARMED SERVICES

Mr. JEFFORDS. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on Wednesday, May 16, 2001, at 10 a.m., in executive session to consider certain pending nominations.

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

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. JEFFORDS. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet on the nominations of Maria Cine to be Assistant Secretary of Commerce and Director General of U.S. and Foreign Commercial Service; Kathleen Cooper to be Under Secretary of Commerce for Economic Affairs; Bruce Melman to be Secretary of Commerce for Technology Policy of the Department of Commerce; Sean O'Hollaren to be Assistant Secretary of Governmental Affairs; Donna McLean to be Assistant Secretary for Budget Programs and Chief Financial Officer of the Department of Transportation; and Tim Muris to be a Commissioner of the Federal Trade Commission on Wednesday, May 16, 2001, at 9:30 a.m.

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. JEFFORDS. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on Wednesday, May 16, for purposes of conducting a full committee business meeting which is scheduled to begin at 9:30 a.m. The purpose of this business meeting is to consider pending calendar business, as follows:

Agenda Item No. 1, S. 230.—To direct the Secretary of the Interior to convey a former Bureau of Land Management administrative site to the City of Carson City, Nevada, for use as a senior center.

Agenda Item No. 2, S. 254.—To provide further protections for the watershed of the Little Sandy river as part of the Bull Run Watershed Management Unit, Oregon, and for other purposes.

Agenda Item No. 3, S. 329.—To require the Secretary of the Interior to conduct a theme

study on the peopling of America, and for other purposes.

Agenda Item No. 4, S. 498.—Entitled the "National Discovery Trails Act of 2001".

Agenda Item No. 5, S. 506.—To amend the Alaska Native Claims Settlement Act, to provide for a land exchange between the Secretary of Agriculture and the Huna Totem Corporation, and for other purposes.

Agenda Item No. 6, S. 507.—To implement further the Act (Public Law 94-241) approving the Covenant to Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America, and for other purposes.

Agenda Item No. 7, S. 509.—To establish the Kenai Mountains-Turnagain Arm National Heritage Area in the State of Alaska, and for other purposes.

Agenda Item No. 10.—Nomination of Francis S. Blake to be Deputy Secretary of Energy.

Agenda Item No. 11.—Nomination of Robert Gordon Card to be Under Secretary of Energy.

Agenda Item No. 12.—Nomination of Bruce Marshall Carnes to be Chief Financial Officer of the Department of Energy.

Agenda Item No. 13.—Nomination of David Garman to be Assistant Secretary for Energy Efficiency and Renewable Energy of the Department of Energy.

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. JEFFORDS. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on Wednesday, May 16, immediately following the committee business meeting to conduct a hearing. The committee will consider the nominations of J. Steven Griles to be the Deputy Secretary of the Interior; Lee Sara Liberman Otis to be the General Counsel for the Department of Energy; Jesse Hill Roberson to be the Assistant Secretary for Environmental Management of the Department of Energy; Nora Mead Brownell to be a Commissioner of the Federal Energy Regulatory Commission; and Patrick Henry Wood III to be a Commissioner of the Federal Energy Regulatory Commission.

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

COMMITTEE ON FINANCE

Mr. JEFFORDS. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on Wednesday, May 16, 2001, to consider the nominations of Claude Allen to be Deputy Secretary, Department of Health and Human Services; Thomas Scully to be Administrator of the Health Care Financing Administration, Department of Health and Human Services; Piyush Jindal to be Assistant Secretary for Planning and Evaluation, Department of Health and Human Services; Peter R. Fisher to be Under Secretary for Domestic Finance, U.S. Department of Treasury; James Gurule to be Under Secretary of the Treasury for Enforcement, U.S. Department of Treasury; Linnet F. Deily to be Deputy U.S. Trade Representative, with the

Rank of Ambassador, Executive Office of the President; and, Peter Allgeier to be Deputy U.S. Trade Representative, with the Rank of Ambassador, Executive Office of the President.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. JEFFORDS. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Wednesday, May 16, 2001, at 10 a.m. and 3 p.m., to hold two nomination hearings as follows: at 10 a.m., in SD-419, the Honorable A. Elizabeth Jones, of Maryland, to be Assistant Secretary of State for European Affairs and Stephen Brauer, of Missouri, to be Ambassador to Belgium at 3 p.m., in SD-419, the Honorable Thelma J. Askey, of Tennessee, to be Director of the Trade and Development Agency and the Honorable Peter S. Watson, of California, to be President of the Overseas Private Investment Corporation.

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

COMMITTEE ON VETERANS' AFFAIRS

Mr. JEFFORDS. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be authorized to meet to hold a hearing on the following nominations for the Department of Veterans Affairs: Leo S. Mackay, Jr. to be Deputy Secretary; Robin J. Higgins to be Under Secretary for Memorial Affairs; Maureen P. Cragin to be Assistant Secretary for Public and Intergovernmental Affairs; Jacob Lozada to be Assistant Secretary for Human Resources and Administration; and Gordon H. Mansfield to be Assistant Secretary for Congressional Affairs.

The hearing will be held on Wednesday, May 16, 2001, at 9:30 a.m., in room 418 of the Russell Senate Office Building.

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. JEFFORDS. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on Wednesday, May 16, 2001, at 2 p.m., to hold a closed hearing on intelligence matters.

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

PRIVILEGES OF THE FLOOR

Mr. REID. Mr. President, I ask unanimous consent that Deborah Forbes, a detailee in Senator KENNEDY's office, be granted floor privileges for the duration of the education debate.

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

Mr. JEFFORDS. Mr. President, I ask unanimous consent Heather Smith, an American Planning Association congressional fellow in my office, be granted floor privileges for the duration of the debate on the bill.

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

APPOINTMENTS

The PRESIDING OFFICER. The Chair, on behalf of the Vice President, pursuant to 22 U.S.C. 276d-276g, as amended, appoints the following Senators as members of the Senate Delegation to the Canada-U.S. interparliamentary Group during the First Session of the 107th Congress, to be held in Canada, May 17-21, 2001: The Senator from Iowa (Mr. GRASSLEY) and the Senator from Ohio (Mr. VOINOVICH).

The Chair, on behalf of the Vice President, pursuant to 22 U.S.C. 276d-276g, as amended, appoints the following Senators as members of the Senate Delegation to the Canada-U.S. Interparliamentary Group during the First Session of the 107th Congress, to be held in Canada, May 17-21, 2001: The Senator from South Carolina (Mr. HOLLINGS), the Senator from Vermont (Mr. LEAHY), the Senator from Maryland (Mr. SARBANES), and the Senator from Hawaii (Mr. AKAKA).

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Ms. COLLINS. Mr. President, I ask unanimous consent that the Senate immediately proceed to executive session to consider the following nomination on the Executive Calendar: No. 77.

I further ask unanimous consent that the nomination be confirmed, the motion to reconsider be laid upon the table, that any statements relating to the nomination appear at this point in the RECORD, and the President be immediately notified of the Senate's action. I also ask unanimous consent that the Senate then return to legislative session.

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

The nomination was considered and confirmed, as follows:

DEPARTMENT OF COMMERCE

James J. Jochum, of Virginia, to be an Assistant Secretary of Commerce.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now return to legislative session.

ORDERS FOR THURSDAY, MAY 17, 2001

Ms. COLLINS. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until the hour of 9 a.m. on Thursday, May 17. I further ask consent that on Thursday, immediately following the prayer, the Journal of proceedings be approved to date, the morning hour be deemed to have expired, and the time for the two leaders be reserved for their use later in the day.

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