

Nominees:

The Honorable Patrick Kennedy, of Illinois, to be Representative of the United States of America to the United Nations for U.N. Management and Reform, with the rank of Ambassador.

Mrs. Laura Kennedy, of New York, to be Ambassador to Turkmenistan.

The Honorable Ronald Neumann, of Virginia, to be Ambassador to the State of Bahrain.

Mrs. Marcelle Wahba, of California, to be Ambassador to the United Arab Emirates.

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. HOLLINGS. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet for a hearing on Protecting Against Genetic Discrimination: The Limits Of Existing Laws during the session of the Senate on Thursday, September 13, 2001, At 10:00 a.m.

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. HOLLINGS. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet in executive session during the session of the Senate on Thursday, September 13, 2001.

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

COMMITTEE ON THE JUDICIARY

Mr. HOLLINGS. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a markup on Thursday, September 13, 2001 at 10:30 a.m., in SD226.

I. Unfinished business:

S. 754, the Drug Competition Act of 2001 [Leahy/Kohl/Schumer/Durbin/Feingold/Cantwell/Grassley].

S. 1319/H.R. 2215, The Department of Justice FY2002 Authorization Bill [Leahy/Hatch].

S. 1140, the Motor Vehicle Franchise Contract Arbitration Fairness Act of 2001 [Hatch/Feingold/Grassley/Leahy].

II. Nominations:

To Be United States Attorney:

Michael G. Heavican—District of Nebraska; Paul J. McNulty—Eastern District of Virginia; Colm F. Connolly—District of Delaware; Roscoe C. Howard, Jr.—District of the District of Columbia; Michael J. Sullivan—District of Massachusetts; Joseph S. Van Bokkelen—Northern District of Indiana; Stephen B. Pence—Western District of Kentucky; Gregory F. Van Tatenhove—Eastern District of Kentucky; Thomas B. Heffelfinger—District of Minnesota; Patrick L. Meehan—Eastern District of Pennsylvania; Mary Beth Buchanan—Western District of Pennsylvania; Peter W. Hall—District of Vermont.

III. Bills:

S. 1315, The Judicial Improvement and Integrity Act of 2001 [Leahy/Hatch].

S. Res. 159, Designating the Week Beginning September 16, 2001 as “National Historically Black Colleges and Universities Week.” [Thurmond].

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

COMMITTEE ON THE JUDICIARY

Mr. HOLLINGS. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a nominations hearing on Thursday, September 13, 2001, at 2:00 p.m. in Dirksen 226.

Panel I: Senator Thad Cochran (R-MS); Senator Christopher Dodd (D-CT); Senator Joseph Lieberman (D-CT); Senator Trent Lott (R-MS); Senator Diane Feinstein (D-CA); Senator Chuck Hagel (R-NE); Senator Hillary Clinton (D-NY); Senator Ben Nelson (D-NE).

Panel II: Barrington D. Parker, Jr., to be United States Circuit Judge for the Second Circuit.

Panel III: Laurie Smith Camp, to be United States District Judge for the District of Nebraska; Michael P. Mills, to be United States District Judge for the Northern District of Mississippi.

Panel IV: John W. Gillis, to be Director of the Office of Victims of Crime.

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

SUBCOMMITTEE ON FISHERIES, WILDLIFE, AND WATER

Mr. HOLLINGS. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works, Subcommittee on Fisheries, Wildlife, and Water be authorized to meet on Thursday, September 13, 2001 at 10:00 a.m. to conduct a hearing on improving the utilization of available water and wastewater infrastructure funding. The hearing will be held in the Rm. SD-406.

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

SUBCOMMITTEE ON PUBLIC HEALTH

Mr. HOLLINGS. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions, Subcommittee on Public Health, be authorized to meet for a hearing on Revitalizing Protections for Humans Subjects in Research during the session of the Senate on Thursday, September 13, 2001, at 2:00 p.m.

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

SUBCOMMITTEE ON TECHNOLOGY AND SPACE

Mr. HOLLINGS. Mr. President, I ask unanimous consent that the Subcommittee on Technology and Space of the Committee on Commerce, Science, and Transportation be authorized to meet on Thursday, September 13, 2001, at 2:00 p.m. on Digital Divide.

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

PRIVILEGES OF THE FLOOR

Mr. GREGG. I ask unanimous consent that Rebecca Farmer and Casey McGinley, members of Senator KYL's staff, be granted the privilege of the floor during the pending debate on H.R. 2500.

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

Mr. GREGG. Mr. President, I ask unanimous consent that the following staff members be granted the privilege of the floor for purposes of debate on this bill: Jeff Kuhnreich, John Barth, Joe Lozano, and Jeff Taylor of Senator HATCH's staff.

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

JOINT REFERRAL OF NOMINATION

Mr. REID. Mr. President, I ask unanimous consent that the nomination of Harold Craig Manson, of Colorado, to be Assistant Secretary for Fish and Wildlife, sent to the Senate by the President on September 4, 2001, be referred jointly to the Committee on Energy and Natural Resources and the Committee on Environment and Public Works.

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

THE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed, en bloc, to the consideration of Calendar Nos. 138 and 139.

The PRESIDING OFFICER. The clerk will report the joint resolutions by title.

The legislative clerk read as follows:

A joint resolution (S.J. Res. 19) providing for the reappointment of Anne d'Harnoncourt as a citizen regent of the Board of Regents of the Smithsonian Institution.

A joint resolution (S.J. Res. 20) providing for the appointment of Roger W. Sant as a citizen regent of the Board of Regents of the Smithsonian Institution.

There being no objection, the Senate proceeded to the consideration of the joint resolutions.

Mr. REID. Mr. President, I ask unanimous consent that these joint resolutions be considered read three times, passed, and the motions to reconsider be laid upon the table, en bloc; that any statements relating to these resolutions be printed in the RECORD; further, that the consideration of these items appear separately in the RECORD, with the above occurring with no intervening action.

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

REAPPOINTMENT OF ANNE D'HARNONCOURT AS A CITIZEN REGENT OF THE BOARD OF REGENTS OF THE SMITHSONIAN INSTITUTION

The joint resolution (S.J. Res. 19), providing for the reappointment of Anne d'Harnoncourt as a citizen regent of the Board of Regents of the Smithsonian Institution, which had been reported from the Committee on Rules and Administration, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S.J. RES. 19

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

That, in accordance with section 5581 of the Revised Statutes of the United States (20 U.S.C. 43), the vacancy on the Board of Regents of the Smithsonian Institution, in the class other than Members of Congress, occurring by reason of the expiration of the term of Anne d'Harnoncourt of Pennsylvania, is filled by reappointment of the incumbent for a term of 6 years. The reappointment shall take effect on December 29, 2001.

PROVIDING FOR THE APPOINTMENT OF ROGER W. SANT AS A CITIZEN REGENT OF THE SMITHSONIAN INSTITUTION

The joint resolution (S.J. Res. 20), providing for the appointment of Roger W. Sant as a citizen regent of the Board of Regents of the Smithsonian Institution, which had been reported from the Committee on Rules and Administration, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S.J. RES. 20

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, in accordance with section 5581 of the Revised Statutes of the United States (20 U.S.C. 43), the vacancy on the Board of Regents of the Smithsonian Institution, in the class other than Members of Congress, occurring by reason of the resignation of Howard H. Baker, Jr., of Washington, D.C., is filled by the appointment of Roger W. Sant of Washington, D.C. The appointment is for a term of 6 years and shall take effect on the date of enactment of this joint resolution.

AMENDING THE IMMIGRATION AND NATIONALITY ACT

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 1424, introduced earlier today by Senator KENNEDY.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 1424) to amend the Immigration and Nationality Act to provide permanent authority for the admission of "S" visa non-immigrants.

There being no objection, the Senate proceeded to the consideration of the bill.

Mr. LEAHY. Mr. President, in this time of tragedy, there are a few things Congress can do to provide immediate assistance. Passage of this legislation is one of them.

This bill restores the 'S' visa, which Congress created as part of the 1994 Violent Crime Control Act. The visa allows foreign nationals with critical information about criminal cases, especially events of terrorism, to remain in the United States legally for the purpose of cooperating with law enforcement. An application for the visa must be made by a Federal, State, or local law enforcement agency or by a court.

The provision authorizing the 'S' visa expired yesterday, so without this legislation law enforcement will be unable to take advantage of it. The State and Justice Departments have requested that we reinstitute the 'S' visa. I urge the Senate to grant this request and to give law enforcement the support it needs in this area.

This is a limited program, but it serves an important purpose. The number of 'S' visas granted in a year is limited to 200 for those providing information about crimes and an additional 50 specifically devoted to those who can provide information about terrorism.

Our law enforcement officials face a terrible responsibility in seeking out the perpetrators of these evil acts. I am pleased to cosponsor this legislation, and hope that it helps in this search.

Mr. REID. Mr. President, I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

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

The bill (S. 1424) was read the third time and passed.

(The text of S. 1424 is printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

SMALL BUSINESS TECHNOLOGY TRANSFER PROGRAM REAUTHORIZATION ACT OF 2001

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 142, S. 856.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 856) to reauthorize the Small Business Technology Transfer Program, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

AMENDMENT NO. 1569

Mr. REID. Mr. President, I understand Senators KERRY and BOND have a substitute amendment at the desk.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID], for Mr. KERRY, for himself and Mr. BOND, proposes an amendment numbered 1569.

The amendment is as follows:

(Purpose: To provide for a complete substitute)

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Small Business Technology Transfer Program Reauthorization Act of 2001".

SEC. 2. EXTENSION OF PROGRAM AND EXPENDITURE AMOUNTS.

(a) IN GENERAL.—Section 9(n)(1) of the Small Business Act (15 U.S.C. 638(n)(1)) is amended to read as follows:

"(1) REQUIRED EXPENDITURE AMOUNTS.—

"(A) IN GENERAL.—With respect to each fiscal year through fiscal year 2009, each Fed-

eral agency that has an extramural budget for research, or research and development, in excess of \$1,000,000,000 for that fiscal year, shall expend with small business concerns not less than the percentage of that extramural budget specified in subparagraph (B), specifically in connection with STTR programs that meet the requirements of this section and any policy directives and regulations issued under this section.

"(B) EXPENDITURE AMOUNTS.—The percentage of the extramural budget required to be expended by an agency in accordance with subparagraph (A) shall be—

"(i) 0.15 percent for each fiscal year through fiscal year 2003; and

"(ii) 0.3 percent for fiscal year 2004 and each fiscal year thereafter."

(b) CONFORMING AMENDMENT.—Section 9 of the Small Business Act (15 U.S.C. 638) is amended in subsections (b)(4) and (e)(6), by striking "pilot" each place it appears.

SEC. 3. INCREASE IN AUTHORIZED PHASE II AWARDS.

(a) IN GENERAL.—Section 9(p)(2)(B)(ix) of the Small Business Act (15 U.S.C. 638(p)(2)(B)(ix)) is amended—

(1) by striking "\$500,000" and inserting "\$750,000"; and

(2) by inserting before the semicolon at the end the following: "and shorter or longer periods of time to be approved at the discretion of the awarding agency where appropriate for a particular project".

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall be effective beginning in fiscal year 2004.

SEC. 4. AGENCY OUTREACH.

Section 9(o) of the Small Business Act (15 U.S.C. 638(o)) is amended—

(1) in paragraph (12), by striking "and" at the end;

(2) in paragraph (13), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

"(14) implement an outreach program to research institutions and small business concerns for the purpose of enhancing its STTR program, in conjunction with any such outreach done for purposes of the SBIR program; and".

SEC. 5. POLICY DIRECTIVE MODIFICATIONS.

Section 9(p) of the Small Business Act (15 U.S.C. 638(p)) is amended by adding at the end the following:

"(3) MODIFICATIONS.—Not later than 120 days after the date of enactment of this paragraph, the Administrator shall modify the policy directive issued pursuant to this subsection to clarify that the rights provided for under paragraph (2)(B)(v) apply to all Federal funding awards under this section, including the first phase (as described in subsection (e)(6)(A)), the second phase (as described in subsection (e)(6)(B)), and the third phase (as described in subsection (e)(6)(C))."

SEC. 6. STTR PROGRAM DATA COLLECTION.

(a) IN GENERAL.—Section 9(o) of the Small Business Act (15 U.S.C. 638(o)), as amended by this Act, is amended by adding at the end the following:

"(15) collect, and maintain in a common format in accordance with subsection (v), such information from awardees as is necessary to assess the STTR program, including information necessary to maintain the database described in subsection (k)."

(b) DATABASE.—Section 9(k) of the Small Business Act (15 U.S.C. 638(k)) is amended—

(1) in paragraph (1)—

(A) by inserting "or STTR" after "SBIR" each place it appears;

(B) in subparagraph (C), by striking "and" at the end;

(C) in subparagraph (D), by striking the period at the end and inserting ";" and"; and

(D) by adding at the end the following: