

educating certified operators for electric power generation plants.

“(b) **ROLE.**—The Center shall provide both training and continuing education relating to electric power generation plant technologies and operations. The Center shall conduct training and education activities on site and through Internet-based information technologies that allow for learning at remote sites.

“(c) **CRITERIA FOR COMPETITIVE SELECTION.**—The Secretary shall establish the Center at an institution of higher education with expertise in plant technology and operation and that can provide onsite as well as Internet-based training.

**SA 2994.** Mr. INHOFE (for himself and Mr. SMITH of New Hampshire) submitted an amendment intended to be proposed to amendment SA 2917 proposed by Mr. DASCHLE (for himself and Mr. BINGAMAN) to the bill (S. 517) to authorize funding the Department of Energy to enhanced its mission areas through technology transfer and partnerships for fiscal years 2002 through 2006, and for other purposes; which was ordered to lie on the table as follows:

At the appropriate place insert the following:

**SEC. \_\_\_\_ . PHASEOUT OF TAX SUBSIDIES FOR ETHANOL FUEL AS MARKET SHARE OF SUCH FUEL INCREASES.**

(a) **IN GENERAL.**—Not later than December 15 of 2002, and each subsequent calendar year, the Secretary of the Treasury shall determine the percentage increase (if any) of the ethanol fuel market share for the preceding calendar year over the highest ethanol fuel market share for any preceding calendar year and shall, notwithstanding any provision of the Internal Revenue Code of 1986, reduce by the same percentage the ethanol fuel subsidies under sections 40, 4041, 4081, and 4091 of such Code beginning on January 1 of the subsequent calendar year.

(b) **ETHANOL FUEL MARKET SHARE.**—For purposes of this section, the ethanol fuel market share for any calendar year shall be determined from data of the Energy Information Administration of the Department of Energy.

(c) **ETHANOL FUEL.**—For purposes of this section, the term ‘ethanol fuel’ means any fuel the alcohol in which is ethanol.

(d) **FLOOR STOCK TAXES.**—

(1) **IMPOSITION OF TAX.**—In the case of ethanol fuel which is held on any tax increase date by any person, there is hereby imposed a floor stocks tax in an amount determined by the Secretary to equal the reduction in ethanol fuel subsidies described in subsection (a) beginning on such date.

(2) **LIABILITY FOR TAX AND METHOD OF PAYMENT.**—

(A) **LIABILITY FOR TAX.**—A person holding ethanol fuel on any tax increase date to which the tax imposed by paragraph (1) applies shall be liable for such tax.

(B) **METHOD OF PAYMENT.**—The tax imposed by paragraph (1) shall be paid in such manner as the Secretary shall prescribe.

(C) **TIME FOR PAYMENT.**—The tax imposed by paragraph (1) shall be paid on or before the date which is 6 months after such tax increase date.

(3) **DEFINITIONS.**—For purposes of this subsection—

(A) **TAX INCREASE DATE.**—The term ‘tax increase date’ means any January 1 on which begins a reduction in ethanol fuel subsidies described in subsection (a).

(B) **HELD BY A PERSON.**—Ethanol fuel shall be considered as ‘held by a person’ if title thereto has passed to such person (whether or not delivery to the person has been made).

(C) **SECRETARY.**—The term ‘Secretary’ means the Secretary of the Treasury or the Secretary’s delegate.

(4) **EXCEPTION FOR EXEMPT USES.**—The tax imposed by paragraph (1) shall not apply to ethanol fuel held by any person exclusively for any use to the extent a credit or refund of the tax imposed by section 4041, 4081, or 4091 of the Internal Revenue Code of 1986 is allowable for such use.

(5) **EXCEPTION FOR FUEL HELD IN VEHICLE TANK.**—No tax shall be imposed by paragraph (1) on ethanol fuel held in the tank of a motor vehicle or motorboat.

(6) **EXCEPTION FOR CERTAIN AMOUNTS OF FUEL.**—

(A) **IN GENERAL.**—No tax shall be imposed by paragraph (1) on ethanol fuel held on any tax increase date by any person if the aggregate amount of ethanol fuel held by such person on such date does not exceed 2,000 gallons. The preceding sentence shall apply only if such person submits to the Secretary (at the time and in the manner required by the Secretary) such information as the Secretary shall require for purposes of this paragraph.

(B) **EXEMPT FUEL.**—For purposes of subparagraph (A), there shall not be taken into account fuel held by any person which is exempt from the tax imposed by paragraph (1) by reason of paragraph (4) or (5).

(C) **CONTROLLED GROUPS.**—For purposes of this paragraph—

(i) **CORPORATIONS.**—

(I) **IN GENERAL.**—All persons treated as a controlled group of corporations shall be treated as 1 person.

(II) **CONTROLLED GROUP OF CORPORATIONS.**—The term ‘controlled group of corporations’ has the meaning given to such term by subsection (a) of section 1563 of such Code; except that for such purposes the phrase ‘more than 50 percent’ shall be substituted for the phrase ‘at least 80 percent’ each place it appears in such subsection.

(ii) **NONINCORPORATED PERSONS UNDER COMMON CONTROL.**—Under regulations prescribed by the Secretary, principles similar to the principles of clause (i) shall apply to a group of persons under common control where 1 or more of such persons is not a corporation.

(7) **OTHER LAWS APPLICABLE.**—All provisions of law, including penalties, applicable with respect to the taxes imposed by section 4081 of such Code shall, insofar as applicable and not inconsistent with the provisions of this subsection, apply with respect to the floor stock taxes imposed by paragraph (1) to the same extent as if such taxes were imposed by such section 4081.

**UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR**

Mr. BINGAMAN. Madam President, I ask unanimous consent that on Tuesday, March 12, immediately following the Pledge of Allegiance, the Senate proceed to executive session to consider Calendar No. 706; that the time prior to 10:45 a.m. be equally divided between the chairman and the ranking member of the Judiciary Committee, or their designees, for debate on the nomination; that at 10:45 a.m. the Senate vote on confirmation of the nomination, the motion to reconsider be laid on the table, the President be immediately notified of the Senate’s action, that any statements thereon be printed in the RECORD, and the Senate return to legislative session.

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

Mr. BINGAMAN. Madam President, as in executive session, I ask unanimous consent that it be in order to ask for the yeas and nays on the nomination at this time.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. BINGAMAN. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

**NATIONAL GIRL SCOUT WEEK**

Mr. BINGAMAN. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 225, which was introduced earlier today.

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

The assistant legislative clerk read as follows:

A resolution (S. Res. 225) designating the week of March 10 through March 16, 2002, as National Girl Scout Week.

Mr. BINGAMAN. Madam President, I ask unanimous consent that the resolution and the preamble be agreed to, the motion to reconsider be laid on the table, and that any statements regarding this matter be printed in the RECORD.

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

The resolution (S. Res. 225) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today’s RECORD under ‘Submitted Resolutions’.)

**NATIONAL SAFE PLACE WEEK**

Mr. BINGAMAN. Madam President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. Res. 218, and that the Senate immediately proceed to its consideration.

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

The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 218) designating the week beginning March 17, 2002, as National Safe Place Week.

Mr. BINGAMAN. Madam President, I ask unanimous consent that the resolution and the preamble be agreed to, the motion to reconsider be laid on the table, and that any statements regarding the matter be printed in the RECORD.

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

The resolution (S. Res. 218) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

## S. RES. 218

Whereas today's youth are vital to the preservation of our country and will be the future bearers of the bright torch of democracy;

Whereas youth need a safe haven from various negative influences such as child abuse, substance abuse and crime, and they need to have resources readily available to assist them when faced with circumstances that compromise their safety;

Whereas the United States needs increased numbers of community volunteers acting as positive influences on the Nation's youth;

Whereas the Safe Place program is committed to protecting our Nation's most valuable asset, our youth, by offering short term "safe places" at neighborhood locations where trained volunteers are available to counsel and advise youth seeking assistance and guidance;

Whereas Safe Place combines the efforts of the private sector and non-profit organizations uniting to reach youth in the early stages of crisis;

Whereas Safe Place provides a direct means to assist programs in meeting performance standards relative to outreach/community relations, as set forth in the Federal Runaway and Homeless Youth Act guidelines;

Whereas the Safe Place placard displayed at businesses within communities stands as a beacon of safety and refuge to at-risk youth;

Whereas over 641 communities in 39 states and more than 11,000 locations have established Safe Place programs;

Whereas over 53,000 young people have gone to Safe Place locations to get help when faced with crisis situations;

Whereas through the efforts of Safe Place coordinators across the country each year more than one-half million students learn that Safe Place is a resource if abusive or neglectful situations exist; and

Whereas increased awareness of the program's existence will encourage communities to establish Safe Places for the Nation's youth throughout the country: Now, therefore, be it

*Resolved*, That the Senate—

(1) proclaims the week of March 17 through March 23, 2002 as "National Safe Place Week" and

(2) requests that the President issue a proclamation calling upon the people of the United States and interested groups to promote awareness of and volunteer involvement in the Safe Place programs, and to observe the week with appropriate ceremonies and activities.

#### ORDERS FOR TUESDAY, MARCH 12, 2002

Mr. BINGAMAN. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until the hour of 10:30 a.m. on Tuesday, March 12; that following the prayer and pledge, the Journal of pro-

ceedings be approved to date, the morning hour be deemed expired, the time of the two leaders be reserved for their use later in the day, and the Senate begin consideration of Executive Calendar No. 706, as under the previous order; further, that the Senate recess from 12:30 p.m. to 2:15 p.m. for the weekly party conferences.

The PRESIDING OFFICER. Is there objection?

The Chair hears none, and it is so ordered.

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#### PROGRAM

Mr. BINGAMAN. Madam President, the next rollcall vote will occur at 10:45 a.m. and it will be on Executive Calendar nomination No. 706.

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#### ADJOURNMENT UNTIL 10:30 A.M. TOMORROW

Mr. BINGAMAN. Madam President, if there is no further business to come before the Senate, I ask unanimous consent the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 5:11 p.m., adjourned until Tuesday, March 12, 2002, at 10:30 a.m.