

(d) SECTION 15 NOT TO APPLY.—No amendment made by this section shall be treated as a change in a rate of tax for purposes of section 15 of the Internal Revenue Code of 1986.

**SA 2757.** Mr. GRAMM (for himself and Mrs. HUTCHISON) submitted an amendment intended to be proposed to amendment SA 2698 submitted by Mr. DASCHLE and intended to be proposed to the bill (H.R. 622) to amend the Internal Revenue Code of 1986 to expand the adoption credit, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place insert the following:

**SEC. . ACCELERATION OF 25 PERCENT INDIVIDUAL INCOME TAX RATE.**

(a) IN GENERAL.—The table contained in paragraph (2) of section 1(i) (relating to reductions in rates after June 30, 2001) is amended—

(1) by striking “27.0%” and inserting “25.0%”, and

(2) by striking “26.0% and inserting “25.0%.”

(b) REDUCTION NOT TO INCREASE MINIMUM TAX.—

(1) Subparagraph (A) of section 55(d)(1) is amended by striking “(\$49,000 in the case of taxable years beginning in 2001, 2002, 2003, and 2004)” and inserting “(\$49,000 in the case of taxable years beginning in 2001, \$52,200 in the case of taxable years beginning in 2002 or 2003, \$50,700 in the case of taxable years beginning in 2004, and \$50,100 in the case of taxable years beginning in 2005)”.

(2) Subparagraph (B) of section 55(d)(1) is amended by striking “(\$35,750 in the case of taxable years beginning in 2001, 2002, 2003, and 2004)” and inserting “(\$35,750 in the case of taxable years beginning in 2001, \$37,350 in the case of taxable years beginning in 2002 or 2003, \$36,600 in the case of taxable years beginning in 2004, and \$36,300 in the case of taxable years beginning in 2005)”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2001.

(d) SECTION 15 NOT TO APPLY.—NO AMENDMENT MADE BY THIS SECTION SHALL BE TREATED AS A CHANGE IN RATE OF TAX FOR PURPOSES OF SECTION 15 OF THE INTERNAL REVENUE CODE OF 1986.

**SA 2758.** Mr. KYL (for himself, Mr. GRAMM, Mr. ENSIGN, Mr. NICKLES, and Mr. HUTCHINSON) proposed an amendment to amendment SA 2698 submitted by Mr. DASCHLE and intended to be proposed to the bill (H.R. 622) to amend the Internal Revenue Code of 1986 to expand the adoption credit, and for other purposes; as follows:

At the end, add the following:

**SEC. . PERMANENT REPEAL OF ESTATE TAXES.**

Section 901 of the Economic Growth and Tax Relief Reconciliation Act of 2001 is amended—

(1) by striking “this Act” and all that follows through “2010.” in subsection (a) and inserting “this Act (other than title V) shall not apply to taxable, plan, or limitation years beginning after December 31, 2010.”, and

(2) by striking “, estates, gifts, and transfers” in subsection (b).

**SA 2759.** Mrs. HUTCHISON (for herself and Mr. GRASSLEY) submitted an amendment intended to be proposed by her to the bill (H.R. 622) to amend the Internal Revenue Code of 1986 to ex-

pand the adoption credit, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

**SEC. . 2-YEAR EXTENSION OF CREDIT FOR PRODUCING ELECTRICITY FROM WIND.**

Section 45(c)(3)(A) of the Internal Revenue Code of 1986 (relating to wind facility) is amended by striking “January 1, 2002” and inserting “January 1, 2004”.

**SA 2760.** Ms. COLLINS (for herself Mr. WARNER, and Ms. LANDRIEU) submitted an amendment intended to be proposed by her to the bill H.R. 622 to amend the Internal Revenue Code of 1986 to expand the adoption credit, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. —. ADJUSTED GROSS INCOME DETERMINED BY TAKING INTO ACCOUNT CERTAIN EXPENSES OF ELEMENTARY AND SECONDARY SCHOOL TEACHERS.**

(a) IN GENERAL.—Section 62(a)(2) (relating to certain trade and business deductions of employees) is amended by adding at the end the following:

“(D) CERTAIN EXPENSES OF ELEMENTARY AND SECONDARY SCHOOL TEACHERS.—The deductions allowed by section 162 which consist of expenses, not in excess of \$1,000, paid or incurred by an eligible educator—

“(i) by reason of the participation of the educator in professional development courses related to the curriculum and academic subjects in which the educator provides instruction or to the students for which the educator provides instruction, and

“(ii) in connection with books, supplies (other than nonathletic supplies for courses of instruction in health or physical education), computer equipment (including related software and services) and other equipment, and supplementary materials used by the eligible educator in the classroom.”.

(b) ELIGIBLE EDUCATOR.—Section 62 is amended by adding at the end the following:

“(d) DEFINITION; SPECIAL RULES.—

“(1) ELIGIBLE EDUCATOR.—

“(A) IN GENERAL.—For purposes of subsection (a)(2)(D), the term ‘eligible educator’ means, with respect to any taxable year, an individual who is a kindergarten through grade 12 teacher, instructor, counselor, principal, or aide in a school for at least 900 hours during a school year.

“(B) SCHOOL.—The term ‘school’ means any school which provides elementary education or secondary education (kindergarten through grade 12), as determined under State law.

“(2) COORDINATION WITH EXCLUSIONS.—A deduction shall be allowed under subsection (a)(2)(D) for expenses only to the extent the amount of such expenses exceeds the amount excludable under section 135, 529(c)(1), or 530(d)(2) for the taxable year.”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning in calendar years 2002 and 2003.

**SA 2761.** Ms. COLLINS (for herself, Mr. WARNER, and Ms. LANDRIEU) submitted an amendment intended to be proposed by her to the bill H.R. 622, to amend the Internal Revenue Code of 1986 to expand the adoption credit, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. —. ADJUSTED GROSS INCOME DETERMINED BY TAKING INTO ACCOUNT CERTAIN EXPENSES OF ELEMENTARY AND SECONDARY SCHOOL TEACHERS.**

(a) IN GENERAL.—Section 62(a)(2) (relating to certain trade and business deductions of employees) is amended by adding at the end the following:

“(D) CERTAIN EXPENSES OF ELEMENTARY AND SECONDARY SCHOOL TEACHERS.—In the case of taxable years beginning during 2002 or 2003, the deductions allowed by section 162 which consist of expenses, not in excess of \$250, paid or incurred by an eligible educator in connection with books, supplies (other than nonathletic supplies for courses of instruction in health or physical education), computer equipment (including related software and services) and other equipment, and supplementary materials used by the eligible educator in the classroom.”.

(b) ELIGIBLE EDUCATOR.—Section 62 is amended by adding at the end the following:

“(d) DEFINITION; SPECIAL RULES.—

“(1) ELIGIBLE EDUCATOR.—

“(A) IN GENERAL.—For purposes of subsection (a)(2)(D), the term ‘eligible educator’ means, with respect to any taxable year, an individual who is a kindergarten through grade 12 teacher, instructor, counselor, principal, or aide in a school for at least 900 hours during a school year.

“(B) SCHOOL.—The term ‘school’ means any school which provides elementary education or secondary education (kindergarten through grade 12), as determined under State law.

“(2) COORDINATION WITH EXCLUSIONS.—A deduction shall be allowed under subsection (a)(2)(D) for expenses only to the extent the amount of such expenses exceeds the amount excludable under section 135, 529(c)(1), or 530(d)(2) for the taxable year.”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2001.

**NOTICES OF HEARINGS/MEETINGS**

**SUBCOMMITTEE ON NATIONAL PARKS**

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

The hearing will take place on Thursday, February 14, 2002, beginning at 2:30 p.m. in room 366 of the Dirksen Senate Office Building in Washington, DC.

The purpose of the hearing is to receive testimony on the following bills:

S. 202 and H.R. 2440, to rename Wolf Trap Farm Park as Wolf Trap National Park for the Performing Arts;

S. 1051 and H.R. 1456, to expand the boundary of the Booker T. Washington National Monument, and for other purposes;

S. 1061 and H.R. 2238, to authorize the Secretary of the Interior to acquire Fern Lake and the surrounding watershed in the States of Kentucky and Tennessee for addition to Cumberland Gap National Historical Park, and for other purposes;

S. 1649, to amend the Omnibus Parks and Public Lands Management Act of 1996 to increase the authorization of appropriations for the Vancouver National Historic Reserve and for the

preservation of Vancouver Barracks; and

H.R. 2234, to revise the boundary of the Tumacacori National Historical Park in the State of Arizona.

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 National Parks, Committee on Energy and Natural Resources, United States Senate, 312 Dirksen Senate Office Building, Washington, DC 20510.

For further information, please contact David Brooks of the committee staff at (202) 224-9863.

#### AUTHORITY FOR COMMITTEES TO MEET

##### COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on Tuesday, January 29, 2002, at 10 a.m. to conduct an oversight hearing on the Financial War on Terrorism and the Administration's Implementation of the Anti-Money Laundering Provisions of the USA Patriot Act.

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

##### COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. REID. 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 Tuesday, January 29 at 9:30 a.m. The Committee will conduct a hearing to receive testimony on the impact of the Enron collapse on energy markets.

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

##### COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works, Subcommittee on Clean Air, Wetlands, and Climate Change be authorized to meet on Tuesday, January 29, 2002 at 9:30 a.m. to conduct a hearing to hear testimony on compliance options for electric power generators to meet new limits on carbon and mercury emissions contained in S. 556. The hearing will be held in SD-406.

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

#### PRIVILEGE OF THE FLOOR

Mr. GRASSLEY. Mr. President, on behalf of Senator McCain, I ask unanimous consent that his legislative fellow, Navy Lieutenant Commander Paul Gronemeyer, be granted the privilege of the floor during consideration of the Adoption Tax Credit Act.

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

Mr. BAUCUS. I ask unanimous consent that Dana Casterlin, Julius Shapiro, Charles Donefer, and Jonathan Seibald, interns with the Senate Finance Committee, be granted the privilege of the floor during the Senate's consideration of H.R. 622.

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

Mr. ALLARD. Mr. President, I ask unanimous consent a fellow from my office, Carol Welsch, be granted the privilege of the floor.

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

#### RECESS

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

Thereupon, the Senate, at 5:55 p.m., recessed until 8:31 p.m., and reassembled when called to order by the Presiding Officer (Mr. REED).

The PRESIDING OFFICER. The Senator from Michigan.

#### EXECUTIVE SESSION

##### EXECUTIVE CALENDAR

Mr. LEVIN. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider Calendar No. 540; that the nomination be confirmed; the motion to reconsider be laid on the table; the President be immediately notified of the Senate's action; any statements thereon be printed in the RECORD; and the Senate return to legislative session.

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

The nomination was considered and confirmed as follows:

##### DEPARTMENT OF THE INTERIOR

Steven A. Williams, of Kansas, to be Director of the United States Fish and Wildlife Service.

#### LEGISLATIVE SESSION

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

#### JOINT SESSION OF THE TWO HOUSES—ADDRESS BY THE PRESIDENT OF THE UNITED STATES (H. DOC. NO 107-157)

The PRESIDING OFFICER. The Senate will proceed to the Hall of the House of Representatives to hear the address by the President of the United States.

Thereupon, the Senate, preceded by the Assistant Sergeant at Arms, Ann Harkins, the Secretary of the Senate, Jeri Thomson, and the Vice President of the United States, RICHARD B. CHENEY, proceeded to the Hall of the House

of Representatives to hear the address by the President of the United States, George W. Bush.

(The address delivered by the President of the United States to the joint session of the two Houses of Congress is printed in the proceedings of the House of Representatives in today's RECORD.)

#### ADJOURNMENT UNTIL MONDAY, FEBRUARY 4, 2002, AT 1 P.M.

At the conclusion of the joint session of the two Houses, and in accordance with the provisions of H. Con. Res. 95, at 10:07 p.m., the Senate adjourned until Monday, February 4, 2002, at 1 p.m.

#### NOMINATIONS

Executive nominations received by the Senate January 29, 2002:

##### DEPARTMENT OF JUSTICE

JOHN SCHICKEL, OF KENTUCKY, TO BE UNITED STATES MARSHAL FOR THE EASTERN DISTRICT OF KENTUCKY FOR THE TERM OF FOUR YEARS, VICE JOE RUSSELL MULLINS, RESIGNED.

WILLIAM R. WHITTINGTON, OF LOUISIANA, TO BE UNITED STATES MARSHAL FOR THE WESTERN DISTRICT OF LOUISIANA FOR THE TERM OF FOUR YEARS, VICE JAMES ROBERT OAKES, TERM EXPIRED.

STEPHEN GILBERT FITZGERALD, OF WISCONSIN, TO BE UNITED STATES MARSHAL FOR THE WESTERN DISTRICT OF WISCONSIN FOR A TERM OF FOUR YEARS, VICE LAS S. NEVILLE, TERM EXPIRED.

J.C. NEVILLE, OF WEST VIRGINIA, TO BE UNITED STATES MARSHAL FOR THE NORTHERN DISTRICT OF WEST VIRGINIA FOR A TERM OF FOUR YEARS, VICE LEONARD TRUPO, TERM EXPIRED.

JAMES ANTHONY ROSE, OF WYOMING, TO BE UNITED STATES MARSHAL FOR THE DISTRICT OF WYOMING FOR THE TERM OF FOUR YEARS, VICE JUAN ABRAN DEHERRERA, TERM EXPIRED.

##### IN THE NAVY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVAL RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

##### To be rear admiral

REAR ADM. (LH) DURET S. SMITH, 0000  
REAR ADM. (LH) JERRY D. WEST, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVAL RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

##### To be rear admiral

REAR ADM. (LH) ROBERT R. PERCY III, 0000

##### IN THE AIR FORCE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTION 12203:

##### To be colonel

SANDRA G. MATHEWS, 0000  
MARGARET M. NONNEMACHER, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTION 12203:

##### To be colonel

REBECCA A. DOBBS, 0000  
MAX S. KUSH, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTION 12203:

##### To be colonel

ERNEST H. BARNETT, 0000  
RICHARD C. BEAN, 0000  
GLENN H. BROWN, 0000  
MICHAEL J. CIANCI, 0000  
TIMOTHY I. FINAN, 0000  
MICHAEL E. IMMLER, 0000  
DEXTER A. LEE, 0000  
SANDRA K. MEADOWS, 0000  
MARK L. POPE, 0000  
MARCO P. RESNICK, 0000  
RONALD W. SCHMIDT, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTION 12203:

##### To be colonel

SANDRA H. ALFORD, 0000