

S. 2076

At the request of Mr. DORGAN, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 2076, a bill to prohibit the cloning of humans.

S. RES. 230

At the request of Mr. CORZINE, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. Res. 230, a resolution expressing the sense of the Senate that Congress should reject reductions in guaranteed Social Security benefits proposed by the President's Commission to Strengthen Social Security.

AMENDMENT NO. 3103

At the request of Mr. KENNEDY, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of amendment No. 3103 intended to be proposed to S. 517, a bill to authorize funding the Department of Energy to enhance its mission areas through technology transfer and partnerships for fiscal years 2002 through 2006, and for other purposes.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 239—RECOGNIZING THE LACK OF HISTORICAL RECOGNITION OF THE GALLANT EXPLOITS OF THE OFFICERS AND CREW OF THE S.S. "HENRY BACON" A LIBERTY SHIP THAT WAS SUNK FEBRUARY 23, 1945, IN THE WANING DAYS OF WORLD WAR II

Mr. ALLEN submitted the following resolution; which was referred to the Committee on Armed Services:

S. RES. 239

Whereas during World War II the S.S. Henry Bacon was assigned the task of conveying war materials and supplies to the beleaguered Russian nation via the dangerous Murmansk Run, and faithfully fulfilled its mission;

Whereas in 1945 the S.S. Henry Bacon saved 19 refugees from Nazi-controlled Norway and accepted these Norwegian refugees from the British for passage to Murmansk;

Whereas the S.S. Henry Bacon, with a full crew and refugees aboard, set sail for Scotland amid the worst storms ever registered in the Arctic Ocean and suffered damage from the force of the storms and from internal mechanical problems;

Whereas the S.S. Henry Bacon, while suffering from a loss of steering capacity, lost its place in Convoy RA 64 and became a stray, unable to communicate with the convoy and required to maintain radio silence;

Whereas the S.S. Henry Bacon was left to its own devices: engine room workers used a sledgehammer and wedge to physically turn the ship;

Whereas the S.S. Henry Bacon, alone in that freezing sea, came under attack by 23 Junker JU-88s of the German Luftwaffe;

Whereas armed with only several small guns, the United States Navy Armed Guard and the ship's Merchant mariners fought gallantly against the oncoming torpedo bombers;

Whereas mortally wounded after 1 German pilot was successful in delivering a payload to the ship, the S.S. Henry Bacon fought back, shooting down 9 enemy planes;

Whereas when the S.S. Henry Bacon began to sink, her captain ensured that all 19 Norwegian refugees would receive a place in a lifeboat;

Whereas when the lifeboat supply was exhausted, crewmen made rough rafts from the railroad ties that had been used to secure locomotives delivered to Russia;

Whereas the S.S. Henry Bacon went down with 28 casualties, including Captain Alfred Carini, Chief Engineer Donald Haviland, Bosun Holcomb Lammon Jr., and the commanding officer of the United States Navy Armed Guard, Lt. John Sippola, but in its sinking kept the German planes from looking further and locating the main body of the convoy;

Whereas the 19 Norwegian refugees were saved and ultimately returned to Norway; and

Whereas the actions of the officers and crew of the S.S. Henry Bacon, in the finest tradition of the United States Merchant Marines and the United States Navy, have been recognized by the people of Norway and Russia but, until now, have not been acknowledged by our grateful Nation: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the valiant efforts of the crew of the S.S. Henry Bacon; and

(2) requests that the President issue a proclamation, calling to memory the deeds, exploits, and sacrifices of the officers and crew of the S.S. Henry Bacon.

AMENDMENTS SUBMITTED AND PROPOSED

SA 3124. Mr. FITZGERALD (for himself, Mr. CORZINE, Mr. JEFFORDS, and Mr. CHAFEE) 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 enhance 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.

SA 3125. Mr. BAUCUS 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) supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 3124. Mr. FITZGERALD (for himself, Mr. CORZINE, Mr. JEFFORDS, and Mr. CHAFEE) 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 enhance 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;

On page 81, between lines 2 and 3, insert the following:

SEC. 2. DEFINITIONS OF BIOMASS AND RENEWABLE ENERGY FOR THE PURPOSES OF THE FEDERAL PURCHASE REQUIREMENT AND THE FEDERAL RENEWABLE PORTFOLIO STANDARD.

(a) FEDERAL PURCHASE REQUIREMENT.—

(1) BIOMASS.—In section 263, the term "biomass" does not include municipal solid waste.

(2) RENEWABLE ENERGY.—Notwithstanding anything to the contrary in subsection (a)(2) of section 263, for purposes of that section,

the term "renewable energy" does not include municipal solid waste.

(b) FEDERAL RENEWABLE PORTFOLIO STANDARD.—

(1) BIOMASS.—Notwithstanding anything to the contrary in subsection (1)(1) of section 606 of the Public Utility Regulatory Policies Act of 1978 (as added by section 265), for the purposes of that section, the term "biomass" does not include municipal solid waste.

(2) RENEWABLE ENERGY RESOURCE.—Notwithstanding anything to the contrary in subsection (1)(10) of section 606 of the Public Utility Regulatory Policies Act of 1978 (as added by section 265), for the purposes of that section, the term "renewable energy resource" does not include municipal solid waste.

SA 3125. Mr. BAUCUS 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 enhance 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, add the following:

SEC. . ENHANCED DOMESTIC PRODUCTION OF OIL AND GAS THROUGH EXCHANGE OF NONPRODUCING LEASES.

(a) DEFINITIONS.—For purpose of this section:

(1) the term "Badger-Two Medicine Area" means federal lands, owned by the United States Forest Service, located in: T 31 N, R 12-13 W; T 30 N, R 11-13 W; T 29 N, R 10-16 W; and, T 28 N, R 10-14 W.

(2) the term "Blackleaf Area" means federal lands, owned by the United States Forest Service lands and Bureau of Land Management, located in: T 27 N, R 9 W; T 26 N, R 9-10 W, T 25 N, R 8-10 W, T 24 N, R 8-9 W.

(3) the term "nonproducing leases" means authorized Federal oil and gas leases that are in existence and in good standing as of the date of enactment of this Act and are located in the Badger-Two Medicine Area or the Blackleaf Area.

(4) the term "Secretary" means the Secretary of the Interior.

(b) EVALUATION.—The Secretary is directed to undertake an evaluation of opportunities to enhance domestic production through the exchange of the nonproducing leases in the Badger-Two Medicine Area and the Blackleaf Area. In undertaking the evaluation, the Secretary shall consult with the Governor of Montana, the lessees holding the nonproducing leases, and interested members of the public. The evaluation shall include—

(1) A discussion of opportunities to enhance domestic production of oil and gas through an exchange of the nonproducing leases for oil and gas lease tracts of comparable value in Montana or in the Central and Western Gulf of Mexico Planning Areas on the Outer Continental Shelf;

(2) A discussion of opportunities to enhance domestic production of oil and gas through the issuance of bidding, royalty, or rental credits for use on federal onshore oil and gas leases in Montana or in the Central and Western Gulf of Mexico Planning Areas on the Outer Continental Shelf in exchange for the cancellation of the nonproducing leases;

(3) A discussion of any other appropriate opportunities to exchange the nonproducing leases or provide compensation for their cancellation with the consent of the lessee.

(4) Views of interested parties, including the written views of the State of Montana;

(5) A discussion of the level of interest of the holders of the nonproducing lessees in the exchange of such interest;

(6) Recommendations regarding the advisability of pursuing such exchanges; and

(7) Recommendations regarding changes in law and regulation needed to enable the Secretary to undertake such an exchange.

The Secretary shall transmit the evaluation to the Committee on Energy and Natural Resources of the Senate and the Committee on Resources of the House of Representatives within two years after the date of enactment of this Act.

(c) VALUATION OF NONPRODUCING LEASES.—For purposes of the evaluation, the value of each nonproducing lease shall be an amount equal to—

(1) consideration paid by the current lessee for each nonproducing lease; plus

(2) all direct expenditures made by the current lessee prior to the date of enactment of this Act in connection with the exploration or development, or both, of such lease (plus interest on such consideration and such expenditures from the date of payment to date of issuance of the credits); minus

(3) the sum of the revenues from the nonproducing lease.

(d) SUSPENSION OF LEASES.—In order to allow for the evaluation under this section and review by the Congress, nonproducing leases in the Badger-Two Medicine Area shall be suspended for a period of three years commencing from the date of enactment of this Act.

(e) LIMITATION ON SUSPENSION OF LEASES.—The suspension referred to in subsection (d) shall not apply to nonproducing leases located in the Blackleaf Area.

(f) AUTHORIZATION OF APPROPRIATIONS.—There are hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this section.

NOTICES OF HEARINGS/MEETINGS

COMMITTEE ON ENERGY AND NATURAL RESOURCES

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

The hearing will take place on Wednesday, April 24, 2002 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 S. 1018, to establish the T'uf Shur Bien Preservation Trust Area within the Cibola National Forest in the State of New Mexico to resolve a land claim involving the Sandia Mountain Wilderness, and for other purposes.

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, 312 Dirksen Senate Office Building, Washington, DC 20510.

For further information, please contact Mike Connor or Kira Finkler of the committee staff at (202-224-4103).

AUTHORITY FOR COMMITTEES TO MEET

SUBCOMMITTEE ON IMMIGRATION

Mr. REID. Mr. President, I ask unanimous consent that the Committee on the Judiciary subcommittee on Immigration be authorized to meet to conduct a hearing on "The Enhanced border Security and Visa Entry Reform Act" on Friday, April 12, 2002, at 9 a.m., in Dirksen 226.

Witness List

Panel I: Ms. MaryEllen Salamone, Director, Families of September 11, North Caldwell NJ, and Ms. Kathleen Campbell Walker, American Immigration Lawyers Association and Senior Shareholder and Chair of the Immigration Department, Kemp Smith, PC, El Paso, TX.

Panel II: The Honorable Robert C. Byrd.

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

PRIVILEGE OF THE FLOOR

Mr. KENNEDY. Mr. President, I ask unanimous consent that Melanne Civic, a detailee on my Judiciary Committee staff, be granted the privilege of the floor for the duration of the debate on border security.

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

Mr. KYL. Madam President, I ask unanimous consent to grant the privilege of the floor to Dustin Pead, who is a detailee on the Judiciary Committee, for the duration of the consideration of H.R. 3525.

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

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider Calendar Nos. 762 through 772; that the nominations be confirmed, the motions to reconsider be laid upon the table, the President be immediately notified of the Senate's action, any statements thereon be printed in the RECORD, and that the Senate return to legislative session, without any intervening action or debate.

The PRESIDING OFFICER (Mr. INOUE). Without objection, it is so ordered.

The nominations considered and confirmed are as follows:

DEPARTMENT OF JUSTICE

Patrick E. McDonald, of Idaho, to be United States Marshal for the District of Idaho for the term of four years.

Warren Douglas Anderson, of South Dakota, to be United States Marshal for the District of South Dakota for the term of four years.

James Joseph Parmley, of New York, to be United States Marshal for the Northern District of New York for the term of four years.

J. Robert Flores, of Virginia, to be Administrator of the Office of Juvenile Justice and Delinquency Prevention.

EXECUTIVE OFFICE OF THE PRESIDENT

Scott M. Burns, of Utah, to be Deputy Director for State and Local Affairs, Office of National Drug Control Policy.

DEPARTMENT OF JUSTICE

John B. Brown, III, of Texas, to be Deputy Administrator of Drug Enforcement.

Michael Taylor Shelby, of Texas, to be United States Attorney for the Southern District of Texas for the term of four years.

Jane J. Boyle, of Texas, to be United States Attorney for the Northern District of Texas for the term of four years.

Matthew D. Orwig, Of Texas, to be United States Attorney for the Eastern District of Texas for the term of four years.

James B. Comey, of New York, to be United States Attorney for the Southern District of New York for the term of four years.

Thomas A. Marino, of Pennsylvania, to be United States Attorney for the Middle District of Pennsylvania for the term of four years.

LEGISLATIVE SESSION

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

MEASURE READ THE FIRST TIME—H.R. 1009

Mr. REID. Mr. President, it is my understanding that H.R. 1009 has been received from the House and is now at the desk.

The PRESIDING OFFICER. The Senator is correct.

Mr. REID. Mr. President, I ask for its first reading.

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

The legislative clerk read as follows:

A bill (H.R. 1009) to repeal the prohibition on the payment of interest on demand deposits.

Mr. REID. Mr. President, I ask for its second reading but object to my own request on behalf of other Members.

The PRESIDING OFFICER. Objection is heard.

ORDERS FOR MONDAY, APRIL 15, 2002

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until Monday afternoon, April 15, at 1 p.m.; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and there be a period of morning business until 2 p.m., with Senators permitted to speak for up to 10 minutes each, with the exception that the time from 1 to 1:30 be under the control of Senator DORGAN, and the time from 1:30 to 2 p.m. be under the control of Senator LOTT or his designee; and, further, that at 2 p.m. the Senate resume consideration of the Border Security Act.