

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

SA 2777. Mr. HUTCHINSON submitted an amendment intended to be proposed by him 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 end, add the following:

SEC. ____ . TEMPORARY REPEAL OF 1993 INCOME TAX INCREASE ON SOCIAL SECURITY BENEFITS.

(a) **RESTORATION OF PRIOR LAW FORMULA.**—Subsection (a) of section 86 of the Internal Revenue Code of 1986 is amended to read as follows:

“(a) **IN GENERAL.**—Gross income for the taxable year of any taxpayer described in subsection (b) (notwithstanding section 207 of the Social Security Act) includes social security benefits in an amount equal to the lesser of—

“(1) one-half of the social security benefits received during the taxable year, or

“(2) one-half of the excess described in subsection (b)(1).”

(b) **REPEAL OF ADJUSTED BASE AMOUNT.**—Subsection (c) of section 86 of such Code is amended to read as follows:

“(c) **BASE AMOUNT.**—For purposes of this section, the term ‘base amount’ means—

“(1) except as otherwise provided in this subsection, \$25,000,

“(2) \$32,000 in the case of a joint return, and

“(3) zero in the case of a taxpayer who—

“(A) is married as of the close of the taxable year (within the meaning of section 7703) but does not file a joint return for such year, and

“(B) does not live apart from his spouse at all times during the taxable year.”

(c) **CONFORMING AMENDMENTS.**—

(1) Subparagraph (A) of section 871(a)(3) of such Code is amended by striking “85 percent” and inserting “50 percent”.

(2)(A) Subparagraph (A) of section 121(e)(1) of the Social Security Amendments of 1983 (Public Law 98-21) is amended—

(i) by striking “(A) There” and inserting “There”;

(ii) by striking “(i)” immediately following “amounts equivalent to”; and

(iii) by striking “, less (ii)” and all that follows and inserting a period.

(B) Paragraph (1) of section 121(e) of such Act is amended by striking subparagraph (B).

(C) Paragraph (3) of section 121(e) of such Act is amended by striking subparagraph (B) and by redesignating subparagraph (C) as subparagraph (B).

(D) Paragraph (2) of section 121(e) of such Act is amended in the first sentence by striking “paragraph (1)(A)” and inserting “paragraph (1)”.

(d) **MAINTENANCE OF TRANSFERS TO HOSPITAL INSURANCE TRUST FUND.**—There are hereby appropriated to the Hospital Insurance Trust Fund established under section 1817 of the Social Security Act amounts equal to the reduction in revenues to the Treasury by reason of the enactment of this section. Amounts appropriated by the preceding sentence shall be transferred from the general fund at such times and in such manner as to replicate to the extent possible the transfers which would have occurred to such Trust Fund had this section not been enacted.

(e) **EFFECTIVE DATES.**—

(1) **IN GENERAL.**—Except as otherwise provided in this subsection, the amendments made by this section shall apply to taxable

years beginning after December 31, 2001, and before January 1, 2004.

(2) **SUBSECTION (c)(1).**—The amendment made by subsection (c)(1) shall apply to benefits paid after December 31, 2001, and before January 1, 2004.

(3) **SUBSECTION (c)(2).**—The amendments made by subsection (c)(2) shall apply to tax liabilities for taxable years beginning after December 31, 2001, and before January 1, 2004.

SA 2778. Mr. HUTCHINSON submitted an amendment intended to be proposed by him 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 end, add the following:

SEC. ____ . REPEAL OF 1993 INCOME TAX INCREASE ON SOCIAL SECURITY BENEFITS.

(a) **RESTORATION OF PRIOR LAW FORMULA.**—Subsection (a) of section 86 of the Internal Revenue Code of 1986 is amended to read as follows:

“(a) **IN GENERAL.**—Gross income for the taxable year of any taxpayer described in subsection (b) (notwithstanding section 207 of the Social Security Act) includes social security benefits in an amount equal to the lesser of—

“(1) one-half of the social security benefits received during the taxable year, or

“(2) one-half of the excess described in subsection (b)(1).”

(b) **REPEAL OF ADJUSTED BASE AMOUNT.**—Subsection (c) of section 86 of such Code is amended to read as follows:

“(c) **BASE AMOUNT.**—For purposes of this section, the term ‘base amount’ means—

“(1) except as otherwise provided in this subsection, \$25,000,

“(2) \$32,000 in the case of a joint return, and

“(3) zero in the case of a taxpayer who—

“(A) is married as of the close of the taxable year (within the meaning of section 7703) but does not file a joint return for such year, and

“(B) does not live apart from his spouse at all times during the taxable year.”

(c) **CONFORMING AMENDMENTS.**—

(1) Subparagraph (A) of section 871(a)(3) of such Code is amended by striking “85 percent” and inserting “50 percent”.

(2)(A) Subparagraph (A) of section 121(e)(1) of the Social Security Amendments of 1983 (Public Law 98-21) is amended—

(i) by striking “(A) There” and inserting “There”;

(ii) by striking “(i)” immediately following “amounts equivalent to”; and

(iii) by striking “, less (ii)” and all that follows and inserting a period.

(B) Paragraph (1) of section 121(e) of such Act is amended by striking subparagraph (B).

(C) Paragraph (3) of section 121(e) of such Act is amended by striking subparagraph (B) and by redesignating subparagraph (C) as subparagraph (B).

(D) Paragraph (2) of section 121(e) of such Act is amended in the first sentence by striking “paragraph (1)(A)” and inserting “paragraph (1)”.

(d) **MAINTENANCE OF TRANSFERS TO HOSPITAL INSURANCE TRUST FUND.**—There are hereby appropriated to the Hospital Insurance Trust Fund established under section 1817 of the Social Security Act amounts equal to the reduction in revenues to the Treasury by reason of the enactment of this section. Amounts appropriated by the preceding sentence shall be transferred from the general fund at such times and in such manner as to replicate to the extent possible the

transfers which would have occurred to such Trust Fund had this section not been enacted.

(e) **EFFECTIVE DATES.**—

(1) **IN GENERAL.**—Except as otherwise provided in this subsection, the amendments made by this section shall apply to taxable years beginning after December 31, 2001.

(2) **SUBSECTION (c)(1).**—The amendment made by subsection (c)(1) shall apply to benefits paid after December 31, 2001.

(3) **SUBSECTION (c)(2).**—The amendments made by subsection (c)(2) shall apply to tax liabilities for taxable years beginning after December 31, 2001.

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 Full Committee hearing has been scheduled before the Committee on Energy and Natural Resources.

The hearing will take place on Wednesday, February 6, at 9:30 a.m. in a location to be announced.

The hearing will examine the effects of Subtitle B of S. 1766, Amendments to the Public Utility Holding Company Act, on energy markets and energy consumers.

Those wishing to submit written statements on this subject should address them to the Committee on Energy and Natural Resources, Attn: Leon Lowery, U.S. Senate, Washington, DC 20510.

For further information, please call Leon Lowery at 202/224-2209 or Jonathan Black at 202/224-6722.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for my colleagues and the public that a hearing has been scheduled before the Committee on Energy and Natural Resources.

The purpose of this hearing is to receive testimony on the FY 2003 budget requests for the Department of the Interior, the U.S. Forest Service, and the Department of Energy.

The hearing will take place on Tuesday, February 12, 2002 at 9:30 a.m. in Room SD-366 of the Dirksen Senate Office Building, First and C Streets, NE., Washington, DC.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the printed hearing record should send their comments to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510, Attention: Sam Fowler.

For further information, please contact Sam Fowler 202/224-7571 or Amanda Goldman 202/224-4103 of the Committee Staff.

COMMITTEE ON INDIAN AFFAIRS

Mr. INOUE. Mr. President, I would like to announce that the Committee on Indian Affairs will meet on Thursday, February 7, 2002, at 10 a.m. in

room 485 Russell Senate Building to conduct an oversight hearing on Legislative Proposals relating to the statute of limitations on claims against the United States related to the management of Indian tribal trust fund accounts.

Those wishing additional information may contact the Indian Affairs Committee at (202) 224-2251.

PRIVILEGES OF THE FLOOR

Mr. GRASSLEY. Madam President, I ask unanimous consent that Dariusz Marzec, Stephen Seale, and Jeffrey Griswold, interns from the Senate Finance Committee, be granted the privilege of the floor during debate on the economic stimulus bill.

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

Mr. GRASSLEY. Madam President, I ask unanimous consent that Elmer Ransom, a fellow on the Finance Committee staff, be accorded floor privileges for the remainder of Senate consideration of H.R. 622.

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

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. REID. I ask unanimous consent the Senate proceed to executive session to consider Calendar No. 634; that the nomination be confirmed, the motion to reconsider be laid on the table, the President be immediately notified of the Senate's action, that any statements 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 STATE

Francis Joseph Ricciardone, Jr., of New Hampshire, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of the Philippines and to serve concurrently and without additional compensation as Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Palau.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will return to legislative session.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent the Senate proceed to executive session at 10 a.m. tomorrow to consider Executive Calendar No. 646, the nomination of Philip Martinez to be United States District Judge; that there be 15 minutes equally divided be-

tween the chairman and ranking member of the Judiciary Committee for debate on the nomination; that at 10:30 a.m. tomorrow the Senate vote on the nomination, the motion to reconsider be laid on the table, any statements be printed in the RECORD, the President be immediately notified of the Senate's action, and thereafter the Senate return to legislative session.

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

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

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

Mr. REID. Mr. 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.

CONGRATULATING THE NEW ENGLAND PATRIOTS FOR WINNING SUPER BOWL XXXVI

Mr. REID. Mr. President, I ask unanimous consent the Senate proceed to S. Res. 202 submitted earlier today by Senators KENNEDY, KERRY, and REED.

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

The legislative clerk read as follows:

A resolution (S. Res. 202) congratulating the New England Patriots for winning Super Bowl XXXVI.

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

Mr. REID. Mr. President, I ask unanimous consent that the resolution and preamble be agreed to en bloc, the motion to reconsider be laid on the table, and that any statements relating thereto be printed in the RECORD, with no intervening action or debate.

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

The resolution (S. Res. 202) was agreed to.

The preamble was agreed to.

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

TEMPORARY MAJORITY APPOINTMENTS TO THE SELECT COMMITTEE ON ETHICS

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to S. Res. 203 submitted earlier today by Senator DASCHLE; that the resolution be agreed to, and the motion to reconsider be laid on the table with no intervening action.

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

The legislative clerk read as follows:

A resolution (S. Res. 203) making temporary majority appointments to the Select Committee on Ethics.

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

The resolution (S. Res. 203) was agreed to.

(The text of the resolution is printed in today's RECORD under "Submitted Resolutions.")

DISCHARGE AND REFERRAL OF H.R. 2595

Mr. REID. Mr. President, I ask unanimous consent that the Armed Services Committee be discharged from further consideration of H.R. 2595, and that the bill be referred to the Committee on Environment and Public Works.

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

ORDERS FOR TUESDAY, FEBRUARY 5, 2002

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until the hour of 10 a.m., Tuesday, February 5; 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 that there be a period of morning business until 10:15 a.m., with Senators permitted to speak for up to 5 minutes each; further, that the Senate recess from 12:30 p.m. until 2:15 p.m. for the weekly party conferences.

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

PROGRAM

Mr. REID. Mr. President, the next rollcall vote will occur at 10:30 tomorrow morning regarding the nomination of Philip Martinez to be U.S. District Judge for the Western District of Texas.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

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

There being no objection, the Senate, at 6:30 p.m., adjourned until Tuesday, February 5, 2002, at 10 a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate February 4, 2002:

DEPARTMENT OF STATE

FRANCIS JOSEPH RICCIARDONE, JR., OF NEW HAMPSHIRE, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF THE PHILIPPINES AND TO SERVE CONCURRENTLY AND WITHOUT ADDITIONAL COMPENSATION AS AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF PALAU.

THE ABOVE NOMINATION WAS APPROVED SUBJECT TO THE NOMINEE'S COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.

THE JUDICIARY

CALLIE V. GRANADE, OF ALABAMA, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF ALABAMA.