

that the humanitarian situation in the Darfur region is extremely urgent, particularly in light of restrictions by the Government of Sudan on the delivery of humanitarian assistance for the people of the region;

Whereas, on December 18, 2003, United Nations Undersecretary General for Humanitarian Affairs Jan Egeland declared that the Darfur region was probably "the world's worst humanitarian catastrophe";

Whereas, on February 17, 2004, Amnesty International reported that it "continues to receive details of horrifying attacks against civilians in villages by government warplanes, soldiers, and pro-government militia";

Whereas, on February 18, 2004, United Nations Special Envoy for Humanitarian Affairs in Sudan Tom Eric Vraalsen declared, following a trip to the Darfur region, that "aid workers are unable to reach the vast majority [of the displaced]";

Whereas Doctors Without Borders, the Nobel Peace Prize-winning medical humanitarian relief organization and one of the few aid groups on the ground in the Darfur region, reported that the region is the scene of "catastrophic mortality rates"; and

Whereas nearly 3,000,000 people affected by the conflict in the Darfur region have remained beyond the reach of aid agencies trying to provide essential humanitarian assistance, and United Nations aid agencies estimate that they have been able to reach only 15 percent of people in need and that more than 700,000 people have been displaced within Sudan in the past year: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That Congress—

(1) strongly condemns the Government of the Republic of the Sudan for its attacks against innocent civilians in the impoverished Darfur region of western Sudan and for its failure to take effective actions to stop militia attacks on civilians in the region, and demands that the Government of Sudan immediately take actions to cease these attacks;

(2) calls on the international community to strongly condemn the Government of Sudan for its participation and complicity in these attacks and demand that such attacks cease;

(3) urges the Government of Sudan to allow the delivery of humanitarian assistance to people in the Darfur region; and

(4) urges the President to direct the United States Representative to the United Nations to seek an official investigation by the United Nations to determine if crimes against humanity have been committed by the Government of Sudan in the Darfur region.

AMENDMENTS SUBMITTED AND PROPOSED

SA 3044. Mr. FRIST (for Mr. NELSON, of Florida) proposed an amendment to the resolution S. Res. 328, expressing the sense of the Senate regarding the continued human rights violations committed by Fidel Castro and the Government of Cuba.

SA 3045. Mr. FRIST (for Mr. VOINOVICH) proposed an amendment to the bill S. 129, to provide for reform relating to Federal employment, and for other purposes.

SA 3046. Mr. ALEXANDER (for himself and Mr. CONRAD) submitted an amendment intended to be proposed by him to the bill S. 1637, to amend the Internal Revenue Code of 1986 to comply with the World Trade Organization rulings on the FSC/ETI benefit in a manner that preserves jobs and production activities in the United States, to reform

and simplify the international taxation rules of the United States, and for other purposes; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 3044. Mr. FRIST (for Mr. NELSON of Florida) proposed an amendment to the resolution S. Res. 328, expressing the sense of the Senate regarding the continued human rights violations committed by Fidel Castro and the Government of Cuba; as follows:

On page 7, line 20, strike "commission" and insert "committee".

SA 3045. Mr. FRIST (for Mr. VOINOVICH) proposed an amendment to the bill S. 129, to provide for reform relating to Federal employment, and for other purposes; as follows:

On page 48, line 19, insert "in the first sentence," after "paragraph (2)."

SA 3046. Mr. ALEXANDER (for himself and Mr. CONRAD) submitted an amendment intended to be proposed by him to the bill S. 1637, to amend the Internal Revenue Code of 1986 to comply with the World Trade Organization rulings on the FSC/ETI benefit in a manner that preserves jobs and production activities in the United States, to reform and simplify the international taxation rules of the United States, and for other purposes; which was ordered to lie on the table; as follows:

On page 179, after line 25, add the following:

SEC. ____ CREDIT FOR QUALIFYING POLLUTION CONTROL EQUIPMENT.

(a) ALLOWANCE OF QUALIFYING POLLUTION CONTROL EQUIPMENT CREDIT.—Section 46 (relating to amount of credit) is amended by striking "and" at the end of paragraph (2), by striking the period at the end of paragraph (3) and inserting ", and", and by adding at the end the following new paragraph: "(4) the qualifying pollution control equipment credit."

(b) AMOUNT OF QUALIFYING POLLUTION CONTROL EQUIPMENT CREDIT.—Subpart E of part IV of subchapter A of chapter 1 (relating to rules for computing investment credit) is amended by inserting after section 48 the following new section:

"SEC. 48A. QUALIFYING POLLUTION CONTROL EQUIPMENT CREDIT.

"(a) IN GENERAL.—For purposes of section 46, the qualifying pollution control equipment credit for any taxable year is an amount equal to 15 percent of the basis of the qualifying pollution control equipment placed in service at a qualifying facility during such taxable year.

"(b) QUALIFYING POLLUTION CONTROL EQUIPMENT.—For purposes of this section, the term 'qualifying pollution control equipment' means any technology installed in or on a qualifying facility to reduce air emissions of any pollutant regulated by the Environmental Protection Agency under the Clean Air Act, including thermal oxidizers, regenerative thermal oxidizers, scrubber systems, evaporative control systems, vapor recovery systems, flar systems, bag houses, cyclones, continuous emissions monitoring systems, and low nitric oxide burners.

"(c) QUALIFYING FACILITY.—For purposes of this section, the term 'qualifying facility' means any facility which produces not less than 1,000,000 gallons of ethanol during the taxable year.

"(d) SPECIAL RULE FOR CERTAIN SUBSIDIZED PROPERTY.—Rules similar to section 48(a)(4) shall apply for purposes of this section.

"(e) CERTAIN QUALIFIED PROGRESS EXPENDITURES RULES MADE APPLICABLE.—Rules similar to the rules of subsections (c)(4) and (d) of section 46 (as in effect on the day before the enactment of the Revenue Reconciliation Act of 1990) shall apply for purposes of this subsection."

(c) RECAPTURE OF CREDIT WHERE EMISSIONS REDUCTION OFFSET IS SOLD.—Paragraph (1) of section 50(a) is amended by redesignating subparagraph (B) as subparagraph (C) and by inserting after subparagraph (A) the following new subparagraph:

"(B) SPECIAL RULE FOR QUALIFYING POLLUTION CONTROL EQUIPMENT.—For purposes of subparagraph (A), any investment property which is qualifying pollution control equipment (as defined in section 48A(b)) shall cease to be investment credit property with respect to a taxpayer if such taxpayer receives a payment in exchange for a credit for emission reductions attributable to such qualifying pollution control equipment for purposes of an offset requirement under part D of title I of the Clean Air Act."

(d) SPECIAL RULE FOR BASIS REDUCTION; RECAPTURE OF CREDIT.—Paragraph (3) of section 50(c) (relating to basis adjustment to investment credit property) is amended by inserting "or qualifying pollution control equipment credit" after "reforestation credit".

(e) EFFECTIVE DATE.—The amendments made by this section shall apply to property placed in service after December 31, 2003, in taxable years ending after such date, under rules similar to the rules of section 48(m) of the Internal Revenue Code of 1986 (as in effect on the day before the date of the enactment of the Revenue Reconciliation Act of 1990).

AUTHORITY FOR COMMITTEES TO MEET

SELECT COMMITTEE ON INTELLIGENCE

Mr. SPECTER. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on April 8, 2004 at 2:30 p.m. to hold a closed business meeting.

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

SUBCOMMITTEE ON NATIONAL PARKS

Mr. SPECTER. Mr. President, I ask unanimous consent that the subcommittee on National Parks of the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on Thursday, April 8, 2004 at 2:30 p.m.

The purpose of the hearing is to review the National Park Service Concessions Program, including implementation of the National Park Service Concessions Management Improvement Act of 1998.

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

SUBCOMMITTEE ON OVERSIGHT OF GOVERNMENT MANAGEMENT, THE FEDERAL WORKFORCE, AND THE DISTRICT OF COLUMBIA

Mr. SPECTER. Mr. President, I ask unanimous consent that the Committee on Governmental Affairs Subcommittee on Oversight of Government Management, the Federal Workforce and the District of Columbia, be authorized to meet on Thursday, April 8

at 9:30 a.m. for a hearing entitled, "Does CMS Have the Right Prescription? Implementing the Medicare Prescription Drug Program."

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

COMMITTEE ON ARMED SERVICES

Mr. SPECTER. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on April 8, 2004, at 10:30 a.m., in open and closed session to receive testimony on the Military Implications of the United Nations Convention on the Law of the Sea.

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

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. SPECTER. 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 Thursday, April 8, 2004, at 10 a.m., to conduct a hearing on "Review of Current Investigations and Regulatory Actions Regarding the Mutual Fund Industry."

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

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. SPECTER. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet on Thursday, April 8, 2004, at 11 a.m., in SR-253, for a hearing to consider pending committee business.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. SPECTER. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Thursday, April 8, 2004 at 2:30 p.m., to hold a hearing on Anti-Semitism.

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

COMMITTEE ON THE JUDICIARY

Mr. SPECTER. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a hearing on Thursday, April 8, 2004, at 10 a.m. on Judicial Nominations in the Dirksen Senate Office Building Room 226.

Witness List

Panel I: Senators.

Panel II: William Duane Benton, to be United States Circuit Judge for the Eighth Circuit.

Panel III: Robert Bryan Harwell, to be United States District Judge for the District of South Carolina; George P. Schiavelli, to be United States District Judge for the Central District of California; Curtis V. Gomez, to be Judge for the District Court of the Virgin Islands.

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

Mr. SPECTER. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a hearing on Thursday, April 8, 2004, at 2:30 p.m. on "Keeping America's Mass Transportation System Safe: Are the Laws Adequate?" in the Dirksen Senate Office Building Room 226.

Witness List

Panel I: Harry S. Mattice, Jr., United States Attorney, Eastern District of Tennessee, Chattanooga, TN; S. Mark Lindsey, Chief Counsel, Federal Rail Administration, United States Department of Transportation, Washington, DC.

Panel II: Ernest R. Frazier, Sr., Chief, System Security and Safety, National Railroad Passenger Corporation (Amtrak), Washington, DC; Brian Jenkins, Director, National Transportation Security Center, Mineta Transportation Institute, San Jose, CA.

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

PRIVILEGE OF THE FLOOR

Mr. LIEBERMAN. Mr. President, I ask unanimous consent that Karen Volker, a foreign policy fellow in my office, be granted privileges of the floor for the remainder of the day.

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

EXECUTIVE CALENDAR

EXECUTIVE SESSION

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate immediately proceed to executive session to consider the following nominations on today's Executive Calendar: Calendar Nos. 581, 585, and 597.

I further ask unanimous consent that the nominations be confirmed, the motions to reconsider be laid upon the table, the President be immediately notified of the Senate's action, and the Senate then return to legislative session.

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

The nominations considered and confirmed are as follows:

DEPARTMENT OF COMMERCE

Rhonda Keenum, of Mississippi, to be Assistant Secretary of Commerce and Director General of the United States and Foreign Commercial Service, vice Maria Cino, resigned.

DEPARTMENT OF THE TREASURY

Brian Carlton Roseboro, of New Jersey, to be an Under Secretary of the Treasury.

DEPARTMENT OF ENERGY

Susan Johnson Grant, of Virginia, to be Chief Financial Officer, Department of Energy.

DEPARTMENT OF THE TREASURY

Donald Korb, of Ohio, to be Chief Counsel for the Internal Revenue Service and an Assistant General Counsel in the Department of the Treasury.

Mr. DASCHLE. Mr. President, I might just say for the RECORD that I have appreciated the opportunity to work through some of these nominations. This has been a matter of concern and interest to us for some time. This first installment accommodates some of our needs and I know some of the needs the White House has as well.

I hope we can do more in the coming weeks. This is one indication that we are making some progress.

I am pleased to note that we were able to do this prior to the recess.

I yield the floor.

LEGISLATIVE SESSION

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

MEASURE PLACED ON THE CALENDAR—S. 2290

Mr. FRIST. Mr. President, I understand there is a bill at the desk which is due for its second reading.

The PRESIDING OFFICER. The clerk will read the bill by title for a second time.

The legislative clerk read as follows:

A bill (S. 2290) to create a fair and efficient system to resolve claims of victims for bodily injury caused by asbestos exposure, and for other purposes.

Mr. FRIST. I object to further proceedings on the measure at this time in order to place the bill on the Calendar under the provisions of rule XIV.

The PRESIDING OFFICER. Objection is heard. The bill will be placed on the calendar.

Mr. DASCHLE. Mr. President, many Members have been troubled by the fact that we are, apparently, after all of the work we have made to get to a point where we have a finite list, more extensive perhaps than either of us would like on the FSC bill, we are actually not going to go to the FSC bill; we are going to the asbestos bill.

As the majority leader knows from conversations I have had with him, it is unlikely this legislation will be able to move—not because we do not want to work on a bill that ultimately can become law to address the very legitimate concerns both of us have, all of us have with regard to asbestos, but as we have seen with malpractice, this is not the way to do it.

One would think that perhaps this is just another effort politically that will not have any result legislatively. I am not ascribing motives, but I hope there could be a real bona fide effort to work through the issues prior to the time we force votes on the floor, especially when we have other legislation for which many of us have been working hard to move, including the FSC bill.

Having said that, obviously, I am not in a position to stop the majority leader from moving as he has parliamentarily, and I will continue to express the hope that we can find some constructive solutions that reflect a