Senator Levin

Chronological Listing of All Votes
107th Congress, Second Session
Senator Levin

Vote No.	Date 2002	Voting Position	
			Senate Procedure
1	1-23	Y	Daschle motion: Sergeant at Arms to request attendance. (88-6)
			Adoption Tax Credit (H.R. 622)
2 *	1-24	Y	Baucus motion to waive Congressional Budget Resolution of 2001 to permit consideration of Baucus, et al., amendment (to Daschle substitute amendment): Provides $2.35 billion for emergency agriculture assistance including $1.8 billion of Commodity Credit Corporation (CCC) funds for producers that have qualifying income losses in calendar year 2001, $500 million of CCC funds for livestock losses for 2001 in a county that has received emergency designation by President or Secretary after January 1, 2001, and $50 million of CCC funds for Agriculture Department administrative costs; and designates funds as "emergency spending." (57-33)
3 *	1-25	N	Smith (OR) motion to waive Budget Act to permit consideration of Smith (OR), et al., amendment (to Daschle substitute amendment): Provides first year bonus depreciation of additional 30 percent for cost of most capital assets purchased between September 10, 2001, and September 11, 2004, and placed in service before January 1, 2005, or January 1, 2006, in the case of property that takes longer to produce; adjusts alternative minimum tax (AMT) to ensure that businesses subject to AMT would actually benefit from investment incentives provided in bill; and increases deficit by $66 billion in FY 2003 and 2004. (39-45)
			Nomination of Marcia S. Krieger to be U.S. District Judge for the District of Colorado
4	1-25	Y	Confirmation. (83-0)
			Nomination of James C. Mahan to be U.S. District Judge for the District of Nevada
5	1-25	Y	Confirmation. (81-0)
			Adoption Tax Credit (H.R. 622)
6 *	1-29	Y	Durbin motion to waive Budget Act to permit consideration of Durbin, et al., amendment (to Daschle substitute amendment): Amends unemployment provisions in underlying substitute amendment to require States to use most recent available data when determining

			eligibility for unemployment benefits through end of 2002; requires States to provide unemployment benefits to former part-time workers who are seeking another part-time job through end of 2002, provided they meet all other State eligibility tests; and provides temporary supplement to unemployment benefit equal to greater of 15 percent of individual's unemployment insurance or $25 per week. (57-35)
7	1-29	Y	Nickles (for Bond), et al., amendment (to Daschle substitute amendment): Increases, for two years, limit on small business expensing from $25,000 to $40,000; and increases size of businesses that are eligible to take advantage of small business expensing. (90-2)
8 *	1-29	Y	Baucus motion to waive Budget Act to permit consideration of Reid (for Harkin)-Johnson amendment (to Daschle substitute amendment): Increases Federal Medicaid Assistance Percentage (FMAP) for FY 2002 by 3 percentage points; increases FMAP by additional 1.5 percentage points in States with high unemployment rates; and includes hold harmless provision from Daschle substitute amendment. (54-41)
9	1-29	Y	Allen, et al., amendment (to Daschle substitute amendment): Excludes from gross income compensation any compensation received by civilian uniformed employee during month that he or she provides security, safety, fire management, or medical services for initial response to terrorist attack. (92-2)
10 *	1-29	N	Baucus motion to waive Budget Act to permit consideration of Reid (for Baucus) modified amendment (to Daschle substitute amendment): Provides 30 percent first year bonus depreciation for cost of most capital assets purchased after December 31, 2001, and placed into service before January 1, 2004, or January 1, 2005, for property that takes longer to produce; increases Federal Medicaid Assistance Percentage (FMAP) for 2003 by 1.5 percentage points and by 3 percentage points for States with high unemployment; and adjusts alternative minimum tax (AMT) to ensure that businesses subject to AMT would benefit from investment incentives provided in amendment. (62-33)
			Nomination of Callie V. Granade to be U.S. District Judge for the Southern District of Alabama
11	2-4	Y	Confirmation. (75-0)
			Nomination of Philip R. Martinez to be U.S. District Judge for the Western District of Texas
12	2-5	Y	Confirmation. (93-0)
			Adoption Tax Credit (H.R. 622)
13 *	2-6	Y	Baucus, et al., cloture motion on Daschle-Baucus economic recovery substitute amendment: Provides 13-week extension on unemployment benefits; 30 percent depreciation bonus for two years; tax rebates for those who did not receive rebate from last year's tax cut; and fiscal relief for States designed to offset losses caused by accelerated depreciation. (56-39)

14 *	2-6	N	Grassley, et al., cloture motion on Grassley-Snowe-Lott substitute amendment: Contains provisions of House-passed unemployment compensation bill, H.R. 3529. (48-47)
			Farm Bill, 2002-2007 (H.R. 2646, P.L. 107-171)
15	2-6	Y	Wellstone modified amendment: Restricts new or expanding large confined animal feeding operations (CAFOs) from receiving Environmental Quality Incentives Program (EQIP) funds for animal waste structures; prohibits entity with interests in more than one CAFO from receiving more than one contract for animal waste storage or treatment facilities; limits use of EQIP funds for new or expanding livestock waste facilities sited in 100-year floodplain; requires that animal operations receiving EQIP funds for structures also develop and follow comprehensive nutrient management plan to ensure that conservation assistance goes beyond storage of manure; and increases current annual payment limitation for EQIP to $30,000 and current payment limit per five-year contract to $150,000. (44-52)
16	2-6	Y	Harkin, et al., amendment: Closes loophole in Packers and Livestock Act by bringing livestock production contracts under jurisdiction of Packers and Stockyards Act. (82-14)
17	2-7	Y	Durbin, et al., modified amendment: Restores food stamp eligibility to legal immigrants who have lived in U.S. for at least five years funded through prohibition on crop support payments for crops grown on land that has not been cropped in at least one of last five years, or three of last ten years; and protects land in Conservation Reserve Program and land in midst of long-term approved crop rotation. (96-1)
18	2-7	N	Lincoln motion to table Dorgan-Grassley amendment: Limits direct and counter-cyclical payments to $75,000; limits marketing loan gains and loan deficiency payments to $150,000; requires use of "direct attribution" toward single tax ID number when totaling amount of government payments an individual receives in one year; and uses savings of $1.295 billion over 10 years as follows: (1) $810 million for various nutrition programs, (2) $101 million for research and development for specialty crop insurance initiative, (3) $5 million for Beginning Farmer and Rancher Direct Farm Ownership Loan Account Funds, (4) $46 million for Non-farm Loan Deficiency Payment (LDPs) eligibility and restore beneficial interest with regard to LDPs for 2001 crop, and (5) $330 million for Initiative for Future Food and Agricultural Systems. (31-66)
19	2-7	N	Lugar amendment: Eliminates AMTA payments, milk price support, and sugar program; phases out marketing assistance loan program and peanut program by 2006; provides $7,000 in "equity payments" to agricultural commodities producers for each of 2003 through 2006 crop years in place of above programs; and defines eligible farmers as those who have earned at least $20,000 in adjusted gross revenue for each of preceding five years, or, for beginning farmers, has at least $20,000 in adjusted gross revenue for applicable year. (11-85)

20	2-7	Y	Carnahan amendment: Provides permanent extension of Chapter 12 of Bankruptcy Code. (93-0)
			Nomination of Michael J. Melloy to be U.S. Circuit Judge for the Eighth Circuit
21	2-11	Y	Confirmation. (91-0)
			Nomination of Jay C. Zainey to be U.S. District Judge for the Eastern District of Louisiana
22	2-11	Y	Confirmation. (92-0)
			Farm Bill, 2002-2007 (H.R. 2646, P.L. 107-171)
23	2-12	N	Craig motion to table Grassley amendment (to Craig amendment requiring Secretary to complete study of effects of prohibition against meat packers owning, feeding, or controlling livestock intended for slaughter for more than 14 days prior to slaughter [to Harkin substitute amendment]): Prohibits meat packers from owning, feeding, or controlling livestock for more than 14 days prior to slaughter; clarifies that prohibition does not apply to forward contracting or other such marketing arrangements; and excludes cooperatives, or entities owned by cooperative, if majority of ownership interest in cooperative is held by active cooperative members, or small packers owned by producer of type of livestock that accounts for only two percent of that type of livestock. (46-53)
24	2-12	Y	Reid motion to table Crapo, et al., amendment (to Harkin substitute amendment): Strikes water conservation program provisions from substitute amendment. (55-45)
25 *	2-12	Y	Baucus motion to waive Congressional Budget Resolution of 2001 to permit consideration of Baucus, et al., amendment (to Daschle substitute amendment): Provides $2.35 billion for emergency agriculture assistance including $1.8 billion of Commodity Credit Corporation (CCC) funds for producers that have qualifying income losses in calendar year 2001, $500 million of CCC funds to make and administer payments for livestock losses for 2001 in a county that has received emergency designation by President or Secretary after January 1, 2001, and $50 million of CCC funds for Agriculture Department administrative costs; and designates funds as "emergency spending." (69-30)
26	2-12	N	Harkin amendment (to McConnell amendment to reduce income protection prices for commodities, to lower marketing assistance loan rates, and to increase nutrition assistance [to Harkin substitute amendment]): Reduces income protection prices for commodities; lowers loan rates for marketing assistance for commodities; and establishes farm counter-cyclical savings accounts pilot program. (17-80)
27	2-13	Y	Conrad amendment (to Harkin substitute amendment): Expresses sense of Senate that no Social Security surplus funds should be used to make currently scheduled tax cuts permanent or for wasteful spending. (98-0)

28	2-13	N	Kyl, et al., amendment (to Harkin substitute amendment): Expresses sense of Senate that repeal of estate tax should be made permanent. (56-42)
29	2-13	Y	Daschle motion to table Domenici-Bingaman amendment (to Harkin substitute amendment): Strikes dairy provisions in underlying substitute amendment; and inserts language which provides direct, fixed payments to dairy producers equal to 31.5 cents per hundred pounds of milk produced; and eliminates payment limitations for dairy included in substitute. (56-42)
			Agriculture, Conservation, and Rural Enhancement (H.R. 2646, P.L. 107-171)
30	2-13	Y	Passage. (58-40)
			Election Reform (H.R. 3295, P.L. 107-252)
31	2-14	Y	Reid-Specter-Feingold amendment: States that right of U.S. citizen to vote in any Federal election shall not be denied because he/she has been convicted of criminal offense, unless he/she is serving felony sentence in correctional institution or facility, or is on parole or probation for felony offense; and permits Attorney General to bring civil action in court of competent jurisdiction to obtain declaratory or injunctive relief as is necessary to remedy any violations; permits individuals who are aggrieved by violation to bring private right of action by providing written notice to chief election official of State involved; and does not prohibit State from enacting any State law that affords right to vote in any election for Federal office on terms that are less restrictive than outlined in amendment. (31-63)
32	2-14	Y	Durbin-Nelson (FL)-Graham amendment: Deletes exemption for punchcard voting systems that would have allowed State or locality to meet over-vote notification requirements in bill by just establishing voter education program; requires punchcard voting systems to notify voter of an over-vote; permits punchcard voters to verify their votes selected on ballot before ballot is cast and counted; and provides punchcard voters with opportunity to change ballot or correct any error before ballot is cast and counted. (44-50)
33	2-14	Y	Lieberman amendment: Authorizes administrative leave for Federal employees to perform poll worker service in Federal elections. (46-49)
34	2-14	N	Burns amendment: Allows jurisdictions to purge voters for not voting and to remove voter from official voter list when voter does not vote in two or more consecutive general elections for Federal office and has not notified registrar that individual intends to remain registered in jurisdiction. (40-55)
			Nomination of Robert E. Blackburn to be U.S. District Judge for the District of Colorado
35	2-26	Y	Confirmation. (98-0)

			Election Reform (H.R. 3295, P.L. 107-252)
36	2-26	Y	Cleland-Miller amendment: Changes short title of bill to "Martin Luther King, Jr. Equal Protection of Voting Rights Act of 2002." (97-0)
			Nomination of Cindy K. Jorgenson to be U.S. District Judge for the District of Arizona
37	2-26	Y	Confirmation. (98-0)
			Election Reform (H.R. 3295, P.L. 107-252)
38	2-27	N	Bond motion to table Schumer, et al., amendment: Allows States to use signature matching system to verify voter identity instead of photo ID government check. (46-51)
39 *	3-1	Y	Dodd, et al., cloture motion on bill. (49-39)
40 *	3-4	Y	Dodd, et al., cloture motion, upon reconsideration (of Vote No. 39), on bill. (51-44)
			Energy Policy Act (H.R. 4)
41	3-6	Y	Daschle, et al., modified amendment (to Daschle-Bingaman substitute amendment): Prohibits issuance of license, permit, lease or right-of-way authority for construction of any pipeline to transport natural gas from lands within Prudhoe Bay oil and gas lease area that follows route traversing submerged lands under or adjacent to Beaufort Sea, and entering Canada at any point north of 68 degrees north latitude. (93-5)
42	3-7	Y	Voinovich-Bingaman, et al., amendment (to Daschle-Bingaman substitute amendment): Provides 10-year authorization for Nuclear Regulatory Commission to indemnify its licensees against liability for nuclear accident; provides that two or more modular reactors that are located at one site should be treated as single nuclear power plant for purposes of assessing premium under Price-Anderson Act; allows use of new advanced technology reactor designs that make use of several small reactor modules to do work of single large nuclear reactor; and permits NRC to treat collection of these modules at single site as single reactor for Price-Anderson purposes. (78-21)
43	3-7	Y	Bingaman, et al., modified amendment (to Daschle-Bingaman substitute amendment): Requires EPA to study effects of hydraulic fracturing on underground sources of drinking water. (78-21)
			Economic Security and Recovery Act of 2001 (H.R. 3090, P.L. 107-147)
44	3-8	N	Daschle motion to concur with House amendment to Senate amendment to bill. (85-9)
			Energy Policy Act (H.R. 4)

45	3-8	Y	McCain, et al., modified amendment (to Daschle-Bingaman substitute amendment): Inserts text of S. 235, Pipeline Safety Act, as passed by Senate on February 8, 2001 (Vote No 11). (94-0)
			Nomination of Ralph R. Beistline to be U.S. District Judge for the District of Alaska
46	3-12	Y	Confirmation. (98-0)
			Energy Policy Act (H.R. 4)
47	3-13	Y	Levin, et al., amendment (to Daschle-Bingaman substitute amendment): Requires Transportation Secretary to issue new regulations within 15 months for non-passenger automobiles, and within 2 years for passenger automobiles, increasing average fuel economy levels; provides expedited procedures for bill increasing Corporate Average Fuel Economy (CAFE) standards, if Secretary fails to issue final regulations in prescribed time period; requires Federal agencies to procure hybrid vehicles starting in 2005, unless requirement is waived by agency head; requires that Federal agencies begin to use alternative fuels in dual-fuel vehicles no later than 2012; authorizes expanded research and development program on advanced technology vehicles; and authorizes study related to conversion of bus fleets that utilize current diesel technologies. (62-38)
48	3-13	N	Miller, et al., amendment (to Daschle-Bingaman substitute amendment): Limits Corporate Average Fuel Economy (CAFE) standard to 20.7 miles per gallon for pickup trucks manufactured after model year 2004. (56-44)
49 *	3-14	N	Thomas motion to waive Budget Act to permit consideration of Thomas, et al., amendment (to Daschle-Bingaman substitute amendment): Strikes provision in underlying substitute amendment which directs Federal Energy Regulatory Commission (FERC) to establish and enforce national or regional reliability standards for operation of interstate electric transmission system, with deference to expert, regional and State organizations; inserts language to require FERC to certify non-governmental electric reliability organizations with authority to establish and enforce electric reliability standards. (60-40)
50	3-14	N	Jeffords-Wellstone-Kerry amendment (to Bingaman amendment clarifying provisions relating to Renewable Portfolio Standard [to Daschle-Bingaman substitute amendment]): Establishes renewable electric energy generation standards. (29-70)
			Nomination of David C. Bury to be U.S. District Judge for the District of Arizona
51	3-15	Y	Confirmation. (90-0)
			Nomination of Randy Crane to be U.S. District Judge for the Southern District of Texas
52	3-18	Y	Confirmation. (91-0)
			Campaign Finance Reform (H.R. 2356, P.L. 107-155)

53 *	3-20	Y	Feingold, et al., cloture motion on bill: Bans soft money raised by national parties and Federal candidates; curbs State party soft money spending on "Federal election activity"; increases reporting requirements for national and State political party activities; repeals building fund exception to definition of "contribution"; raises limits on individual contributions to State parties and in aggregate to Federal candidates and parties; amends Federal criminal code to prohibit campaign fundraising on Federal property; and strengthens foreign money ban. (68-32)
54	3-20	Y	Passage. (60-40)
			Energy Policy Act (H.R. 4)
55	3-21	N	Kyl, et al., amendment (to Bingaman amendment to clarify provisions relating to Renewable Portfolio Standards [to Daschle-Bingaman substitute amendment]): Strikes language in underlying Daschle-Bingaman substitute amendment; and requires each electric utility to offer retail consumers electricity produced from renewable sources, to extent it is available, and does not require minimum percentage of energy from renewable source. (40-58)
56	3-21	Y	Reid (for Daschle) Leahy amendment (to Daschle-Bingaman substitute amendment): Expresses sense of Senate that, in interests of administration of justice, Senate Judiciary Committee should, along with its other legislative and oversight responsibilities, continue to hold regular hearings on judicial nominees and should, in accordance with precedents and practices of Committee, schedule hearings on nominees submitted by President on May 9, 2001, and resubmitted on September 5, 2001, expeditiously. (97-1)
57	3-21	N	Lott amendment (to Daschle-Bingaman substitute amendment): Expresses sense of Senate that, in the interests of administration of justice, Senate Judiciary Committee shall hold hearings on nominees submitted by President on May 9, 2001, by May 9, 2002. (47-51)
58	3-21	N	Murkowski amendment (to Bingaman amendment to clarify provisions relating to Renewable Portfolio Standards [to Daschle-Bingaman substitute amendment]): Exempts retail electric suppliers in States with State renewable energy programs from national renewable standard in underlying amendment. (39-57)
59	3-21	N	Kyl-Helms amendment (to Bingaman amendment to clarify provisions relating to Renewable Portfolio Standards [to Daschle-Bingaman substitute amendment]): Allows Governor of any State to exempt State from Renewable Energy Portfolio Standards in underlying amendment. (37-58)
60	4-9	Y	Feinstein motion to table Reid modified amendment (to Feinstein, et al., amendment [to Daschle-Bingaman substitute amendment]): Provides regulatory oversight of all derivative transactions of energy commodities to Commodity Futures Trade Commission [CFTC]; specifies that Federal Energy Regulatory Commission [FERC] retains authority over all energy deliveries. (40-59)

61 *	4-10	Y	Feinstein, et al., cloture motion on Feinstein, et al., amendment (to Daschle-Bingaman substitute amendment): Provides regulatory oversight of all derivative transactions of energy commodities to Commodity Futures Trade Commission (CFTC); specifies that Federal Energy Regulatory Commission (FERC) retains authority over all energy deliveries. (48-50)
62	4-10	Y	Craig amendment (to Daschle-Bingaman substitute amendment): Strikes electricity title which amends Federal Power Act, Public Utility Holding Company Act, Public Utility Regulatory Policies Act, and Renewable Portfolio Standards and renewable energy programs and rural construction grants. (32-67)
			Election Reform (H.R. 3295, P.L. 107-252)
63	4-11	Y	Roberts-Feinstein, et al., amendment: Eliminates administrative procedures in bill requiring election officials to provide written notice to provisional ballot voters as to whether or not their votes were counted, leaving only the requirement that State or local election officials establish free access system (such as toll free telephone number or Internet website) to provide information to individual who casts provisional ballot as to whether vote was counted, and, if not counted, the reason why. (56-43)
64	4-11	Y	Clinton amendment: Requires voting systems to have residual vote error rate that does not exceed standards established by Office of Election Administration Director; specifies that "residual vote error rate" is combination of overvotes, spoiled or uncountable votes, and undervotes, minus estimated percentage of intentional undervotes; and gives Office of Election Administration authority to waive standard for areas with historically high rates of intentional undervoting. (48-52)
65	4-11	Y	Passage. (99-1)
			Energy Policy Act (H.R. 4)
66	4-11	Y	Durbin-Smith (OR), et al., modified amendment (to Daschle-Bingaman substitute amendment): Establishes 11 member "Consumer Energy Commission;" requires Commission to conduct nationwide study of significant price spikes since 1990 in major U.S. consumer energy products; requires study to focus on cause of large fluctuations and sharp spikes in prices; requires Commission to submit report to Congress containing its findings and conclusions, and recommendations for legislation and actions by industry and consumers to protect against future price spikes. (69-30)
67	4-11	Y	Reid motion to table Feinstein amendment (to Daschle-Bingaman substitute amendment): Reduces time period in which EPA Administrator may act on petition by one or more States to waive renewable fuel content requirement from 250 days to 30 days; and states that petition shall be deemed approved, if EPA Administrator fails to approve or disapprove petition within 30 day period. (61-36)

			Nomination of Terrence L. O'Brien to be U.S. Circuit Judge for the Tenth Circuit
68	4-15	Y	Confirmation. (98-0)
			Nomination of Lance M. Africk to be U.S. District Judge for the Eastern District of Louisiana
69	4-17	Y	Confirmation. (97-0)
			Energy Policy Act (H.R. 4)
70 *	4-18	N	Daschle, et al., cloture motion on Stevens amendment (to Murkowski-Breaux-Stevens amendment--Vote No. 71 [to Daschle-Bingaman substitute amendment]): Authorizes drilling for oil and gas in Arctic National Wildlife Refuge; and creates trust fund for "steel legacy" benefits program, coal miner health benefits and other programs. (36-64)
71 *	4-18	N	Johnson, et al., cloture motion on Murkowski-Breaux-Stevens amendment (to Daschle-Bingaman substitute amendment): Authorizes drilling for oil and gas in Arctic National Wildlife Refuge, if President certifies to Congress that drilling in area is in national security and economic interest; and prohibits exporting of oil from Arctic Wildlife Refuge (exempts Israel from export prohibition). (46-54)
72	4-18	Y	Murkowski amendment (to Daschle-Bingaman substitute amendment): Prohibits direct or indirect importation of petroleum and petroleum products from Iraq. (88-10)
			Border Security (H.R. 3525, P.L. 107-173)
73	4-18	Y	Byrd amendment: Requires INS Commissioner, in consultation with Education Secretary and Secretary of State, to review every two years, educational and other institutions certified to receive foreign students and exchange visitors; and specifies that failure to comply with record keeping and reporting requirements will result in termination or suspension for one year. (97-0)
74	4-18	Y	Byrd amendment: Requires Attorney General, in consultation with Secretary of State to evaluate effect of each country's participation in visa waiver program every two years, rather than every five years; stipulates that the government of the country will certify that it reports to U.S. on timely basis on theft of blank passports issued by that country; and provides that Attorney General and Secretary of State acting jointly shall terminate designation of country as program country, if Attorney General determines that program country is not reporting theft of blank passports. (97-0)
75	4-18	Y	Passage. (97-0)
			Nomination of Legrome D. Davis to be U.S. District Judge for Eastern District of Pennsylvania
76	4-18	Y	Confirmation. (94-0)

			Energy Policy Act (H.R. 4)
77 *	4-23	Y	Bingaman, et al., cloture motion on Daschle-Bingaman substitute amendment. (86-13)
78	4-23	Y	Bingaman motion to table Schumer-Feinstein amendment (to Daschle-Bingaman substitute amendment): Strikes section establishing renewable fuel content requirement for motor vehicle fuel, including "safe harbor" liability protection section. (69-30)
			Nomination of Jeffrey R. Howard to be U.S. Circuit Judge for the First Circuit
79	4-23	Y	Confirmation. (99-0)
			Energy Policy Act (H.R. 4)
80	4-24	N	Bingaman motion to table Cantwell (for Dayton), et al., amendment (to Daschle-Bingaman substitute amendment): Strikes language in underlying substitute amendment requiring FERC to find that a merger will be consistent with public interest, will not adversely affect consumers, will not impair FERC and States' ability to regulate, and will not lead to cross-subsidization before approving an electric utility merger; inserts language requiring FERC to find that a merger will "advance" public interest, enhance wholesale competition, produce "significant gains" in operational and economic efficiency, and result in a structure that "facilitates" effective regulatory oversight before approving an electric utility merger; and repeals Public Utility Holding Company Act (PUHCA). (58-39)
81	4-24	N	Nelson (NE) motion to table Bingaman amendment (to Nelson (NE)-Breaux amendment to allow energy producers to propose alternative conditions for license requirements for projects and fishways [to Daschle-Bingaman substitute amendment]): Requires Federal Energy Regulatory Commission, Interior Secretary, Commerce Secretary, and Agriculture Secretary, in consultation with affected States and tribes, to undertake review of options for process whereby license applicants and third parties to relicensing proceeding could propose alternative mandatory conditions and alternative mandatory fishway prescriptions to be included in license; and requires report to be submitted to Energy Committee regarding licensing process. (54-43)
82	4-24	N	Murkowski motion to table Carper, et al., amendment (to Daschle-Bingaman substitute amendment): Conditions termination of obligation under Public Utility Regulatory Policies Act (PURPA) for utilities to buy electricity from qualifying facility (combined heat and power generating system) on finding by Federal Energy Regulatory Commission that facility has access to independently administered auction-based and real time markets for sale of electricity; and conditions termination of obligation of utilities to sell power to qualifying facilities on development of retail competition. (37-60)
83	4-24	Y	Bingaman motion to table Nickles, et al., amendment (to Daschle-Bingaman substitute amendment): Reduces credit price for utilities that fail to meet renewable energy targets from 3 cents per

kilowatt-hour to 1.5 cents per kilowatt-hour. (38-59)

84	4-24	N	Bingaman motion to table Fitzgerald, et al., amendment (to Daschle-Bingaman substitute amendment): Modifies definitions of biomass and renewable energy to exclude municipal solid waste. (50-46)

Nomination of Percy Anderson to be U.S. District Judge for the Central District of California

85	4-25	Y	Confirmation. (99-0)

Nomination of John F. Walter to be U.S. District Judge for the Central District of California

86	4-25	Y	Confirmation. (99-0)

Energy Policy Act (H.R. 4)

87	4-25	N	Reid motion to table Boxer-Feinstein amendment (to Daschle-Bingaman substitute amendment): Requires that renewable fuels used or intended to be used as motor vehicle fuel have liability standard for human health, welfare and environment that is equal to standard for any other motor vehicle fuel or fuel additive. (57-42)
88	4-25	Y	Reid motion to table Feinstein amendment (to Daschle-Bingaman substitute amendment): Delays mandated renewable fuel content of motor vehicle fuel from calendar year 2004 to 2005. (60-39)
89	4-25	N	Harkin-Cochran, et al., amendment (to Daschle-Bingaman substitute amendment): Strikes provision in bill requiring, by 2006, a 30 percent increase in minimum efficiency standards for central air conditioners and heat pumps; and inserts language directing Energy Secretary, within 60 days of enactment, to revise seasonal energy efficiency ratio standard for central air conditioners and central air conditioning heat pumps. (52-47)
90	4-25	Y	Levin motion to table Carper-Specter, et al., amendment (to Daschle-Bingaman substitute amendment): Requires new regulations for passenger and non-passenger automobiles manufactured after model year 2006 that reduce amount of oil, including gasoline, consumed by at least one million barrels per day by 2015; directs Transportation Secretary to consider ways to reduce consumption through alternative fuels in promulgating regulations and after consulting with EPA Administrator, to issue reports to Congress on implementation of requirements of this section. (57-42)
91	4-25	Y	Bingaman motion to table Kyl amendment (to Daschle-Bingaman substitute amendment): Strikes provisions relating to alternative vehicles and fuels incentives. (91-8)
92	4-25	Y	Nickles motion to table Graham amendment (to Daschle-Bingaman substitute amendment): Strikes provision in bill that allows delayed rental payments to be deducted over two year period. (73-26)

93	4-25	N	Nickles motion to table Graham-Feingold amendment (to Daschle-Bingaman substitute amendment): Conditions implementation of tax provisions added by Finance Committee on enactment of legislation which raises Federal revenues or reduces Federal spending sufficient to offset tax package cost. (70-29)
94	4-25	Y	Passage. (88-11)
			Nomination of Joan F. Lancaster to be U.S. District Judge for the District of Minnesota
95	4-25	Y	Confirmation. (99-0)
			Nomination of William C. Griesbach to be U.S. District Judge for the Eastern District of Wisconsin
96	4-25	Y	Confirmation. (97-0)
			Trade Bill (H.R. 3009, P.L. 107-210)
97 *	4-29	N	Baucus, et al., cloture motion on motion to proceed to bill. (69-21)
			Nomination of Michael M. Baylson to be U.S. District Judge for the Eastern District of Pennsylvania
98	4-30	Y	Confirmation. (98-0)
			Nomination of Cynthia M. Rufe to be U.S. District Judge for the Eastern District of Pennsylvania
99	4-30	Y	Confirmation (98-0)
			Trade Bill (H.R. 3009, P.L. 107-210)
100	5-1	N	Reid motion to proceed to bill. (77-21)
101	5-2	N	Reid motion to table Dorgan-Craig, et al., amendment (to Daschle substitute amendment): Requires President to negotiate amendment to North American Free Trade (NAFTA) with Canada and Mexico that provides for transparency in dispute resolution tribunals. (29-67)
102	5-2	Y	Reid (for Lieberman), et al., amendment (to Dorgan amendment -- Vote No. 101 [to Daschle substitute amendment]): Expresses sense of Congress that Congress: (1) stands in solidarity with Israel, a frontline state in war against terrorism, as it takes necessary steps to provide security to its people by dismantling terrorist infrastructure in Palestinian areas; (2) remains committed to Israel's right to self-defense; (3) continues to assist Israel in strengthening its homeland defenses; (4) condemns Palestinian suicide bombings; (5) demands that Palestinian Authority fulfill its commitment to dismantle terrorist infrastructure in Palestinian areas; (6) urges all Arab states, particularly U.S. allies, Egypt and Saudi Arabia, to declare their unqualified opposition to all forms of terrorism, particularly suicide bombing, and to act in concert with U.S. to stop violence; and (7) urges all parties in region to pursue vigorously efforts to establish just, lasting, and comprehensive peace in Middle East. (94-2)

			Agriculture, Conservation, and Rural Enhancement (H.R. 2646, P.L. 107-171)
103	5-8	Y	Adoption of conference report. (64-35)
			Nomination of Leonard E. Davis to be U.S. District Judge for the Eastern District of Texas
104	5-9	Y	Confirmation. (97-0)
			Nomination of Andrew S. Hanen to be U.S. District Judge for the Southern District of Texas
105	5-9	Y	Confirmation. (97-0)
			Nomination of Samuel H. Mays, Jr. to be U.S. District Judge for the Western District of Tennessee
106	5-9	Y	Confirmation. (97-0)
			Nomination of Thomas M. Rose to be U.S. District Judge for the Southern District of Ohio
107	5-9	Y	Confirmation. (97-0)
			Nomination of Paul G. Cassell to be U.S. District Judge for the District of Utah
108	5-13	N	Confirmation. (67-20)
			Trade Bill (H.R. 3009, P.L. 107-210)
109	5-14	Y	Baucus-Grassley-Wyden amendment (to Baucus-Grassley substitute amendment): Clarifies that investment provisions of trade agreements will not provide foreign investors in U.S. with greater rights than U.S. investors in U.S. (98-0)
110	5-14	N	Reid motion to table Dayton-Dorgan amendment (to Baucus-Grassley substitute amendment): Establishes point of order in Senate against any part of bill to implement trade agreement that modifies laws designed to protect U.S. businesses or workers from unfair trade practices; permits point of order to be waived with majority vote; states that if point of order is sustained, that part of implementing bill shall proceed under normal legislative procedures, and rest of agreement proceeds under fast track procedures. (38-61)
111	5-15	Y	Edwards, et al., amendment (to Baucus-Grassley substitute amendment): Outlines additional principal textile trade negotiating objectives in order to obtain competitive opportunities in foreign markets for U.S. exporters of textiles and apparel that are substantially equivalent to competitive opportunities afforded those exporting products into U.S. marketplace, and to achieve fairer and more open conditions of trade in textiles and apparel; authorizes Labor Secretary to extend both income support and educational benefits to those displaced workers who pursue remedial education to qualify for certain training programs under TAA; and establishes emergency assistance grant program for community colleges that provide training programs for displaced or endangered workers. (66-33)

112	5-15	N	Baucus motion to table Lieberman, et al., amendment (to Baucus-Grassley substitute amendment): Strikes provisions in substitute amendment that prohibit retaliatory action based on any decision that fails to comply with domestic labor standards and levels of environmental protection agreed to in a trade agreement. (54-44)
113	5-15	N	Baucus motion to table Durbin-Dorgan-Wellstone amendment (to Baucus-Grassley substitute amendment): Strikes fast-track language in underlying substitute amendment, and inserts fast-track authority that: (1) requires countries that are members of proposed Free Trade Areas of the Americas and other signees of free trade agreements to implement rights of association, rights of collective bargaining, regulations on child labor, bans on compulsory labor, and on discrimination in domestic law; (2) requires effective protections of U.S. investors overseas through "investor-state" rights, while ensuring that foreign investors have "no greater rights" in U.S. than domestic investors; (3) requires creation of explicit rule ensuring that a country can enforce a Multilateral Environmental Agreement (MEA) without violating trade rules where both parties have signed MEA; (4) provides that enforcement of labor and environmental provisions are same as all other provisions of trade agreement; (5) provides structured biennial review by Congress of ongoing trade negotiations. (69-30)
114	5-16	Y	Baucus motion to table Gregg amendment (to Baucus-Grassley substitute amendment): Strikes wage insurance provisions in underlying substitute amendment. (58-38)
115	5-16	N	Grassley motion to table Dodd-Lieberman amendment (to Baucus-Grassley substitute amendment): Clarifies principal negotiating objectives by inserting following objectives which were included in U.S.-Jordan Trade Agreement: (1) ensure that parties to a trade agreement reaffirm their obligations as members of ILO and strive to ensure that such labor principles and core labor standards are protected in domestic law; (2) ensure that their labor laws meet basic international standards and improve those standards; and (3) recognize it is inappropriate to try to gain trade advantage by relaxing or waiving domestic labor laws. (52-46)
			Freedom Consolidation Act (H.R. 3167, P.L. 107-187)
116	5-17	Y	Passage. (85-6)
			Trade Bill (H.R. 3009, P.L. 107-210)
117 *	5-21	Y	Rockefeller, et al., cloture motion on Rockefeller, et al., amendment (to Baucus-Grassley substitute amendment): Provides one-year eligibility period for steelworker retirees and eligible beneficiaries affected by qualified closing of qualified steel company for assistance with health insurance; provides 70 percent credit of total cost of premium of health care coverage under COBRA or State-established plans; and offsets Joint Tax Committee estimated cost of $179 million over ten years with two IRS administrative provisions recently passed by House allowing taxpayers to accelerate payments to IRS. (56-40)

118	5-21	Y	Reid motion: Sergeant at Arms to request attendance. (58-35)
119	5-21	N	Baucus motion to table Allen, et al., amendment (to Baucus-Grassley substitute amendment): Establishes pilot program under which Labor Secretary shall award low-interest loans to enable displaced workers, adversely affected by international competition, to continue to make mortgage payments for their primary residence; and authorizes $10 million in each of FY 2003-2007. (49-49)
120	5-21	Y	Hutchison amendment (to Baucus-Grassley substitute amendment) : Requires a country to take steps supporting U.S. efforts to combat terrorism before qualifying for certain trade benefits. (96-0)
121	5-21	N	Baucus motion to table Kerry-Clinton amendment (to Baucus-Grassley substitute amendment): Strikes foreign investment provision in underlying amendment; and inserts provision stating that principal negotiating objective of U.S. regarding foreign investment is to reduce or eliminate artificial or trade distorting barriers to trade-related foreign investment. (55-41)
122 *	5-22	N	Baucus, et al., cloture motion on Baucus-Grassley substitute amendment. (68-29)
123	5-22	N	Baucus motion to table Nelson (FL)-Graham amendment (to Baucus-Grassley substitute amendment): Provides that tariff reduction authority shall not apply to product that is subject of anti-dumping or countervailing duty order at time of trade agreement, unless agreement provides that reduction will not take place until one year after anti-dumping or countervailing duty order has been revoked. (60-38)
			Public Health Security and Bioterrorism Response Act (H.R. 3448, P.L. 107-188)
124	5-23	Y	Adoption of conference report. (98-0)
			Trade Bill (H.R. 3009, P.L. 107-210)
125	5-23	N	Nickles motion to table Reid (for Byrd)-Dayton-Dorgan amendment (to Baucus-Grassley substitute amendment): Provides that Congressional Oversight Group will be made-up of: 11 members from House, including Speaker, Majority Leader, Minority Leader, and eight additional members with four from majority and four from minority, none of which may be members of Ways and Means Committee; 11 members from Senate, including President Pro-Tempore, Majority Leader, Minority Leader, and eight additional members with four from majority and four from minority, none of which may be members of Finance Committee; and directs that Congressional Oversight Group and Congressional Advisors from relevant committees of jurisdiction created under 1974 Trade Act shall share access to all briefings, consultations, negotiations, documents, materials, and other information. (66-32)

126	5-23	N	Grassley motion to table Reid (for Byrd)-Dayton-Levin amendment (to Baucus-Grassley substitute amendment): Provides that disapproval resolutions shall be referred to Rules Committee in addition to Finance Committee; provides for automatic discharge of disapproval resolution if either committee fails to report resolution within 10 days; and reduces time for Senate debate on disapproval resolution from 20 hours to six hours. (66-32)
127	5-23	N	Grassley motion to table Reid (for Corzine)-Dodd-Stabenow amendment (to Baucus-Grassley substitute amendment): Provides that trade agreements should not include commitment to privatize significant public services, including services related to national security, social security, public health and safety, and education. (49-47)
128 *	5-23	Y	Landrieu motion to waive Budget Act to permit consideration of Reid (for Landrieu) amendment (to Baucus-Grassley substitute amendment): Requires Labor Secretary to establish, within six months, program to provide health care coverage assistance, under Trade Adjustment Assistance program, to harbor workers who have become totally or partially separated, or are threatened to become totally or partially separated as result of decline in importation of steel products into U.S., caused by safeguard measures taken by U.S. on March 5, 2002. (50-46)
129	5-23	N	Baucus motion to table Wellstone amendment (to Baucus-Grassley substitute amendment): Inserts new paragraph stating that principal negotiating objective regarding human rights and democracy is to obtain provisions in trade agreements that require parties to those agreements to strive to protect internationally recognized civil, political, and human rights. (42-53)
130	5-23	N	Passage. (66-30)
			Supplemental Appropriations, 2002--New York City (H.R. 4775, P.L. 107-206)
131	6-4	Y	Byrd-Stevens, et al., amendment: Strikes section 1004 which caps loan guarantees available to airlines for duration of current fiscal year at $429 million, and $4 billion in aggregate. (91-4)
132 *	6-5	Y	Kennedy motion to waive Congressional Budget Resolution of 2001 to permit consideration of Kennedy-Smith (OR), et al., amendment: Provides $150 million in emergency funds in FY 2002 for summer school programs. (38-60)
133 *	6-5	N	Gregg motion to waive Budget Act to permit consideration of Gregg-Cantwell amendment: Establishes and extends for five years, caps on discretionary spending, keyed to levels in budget resolution reported by Budget Committee; provides pay-as-you-go discipline that controls entitlement spending and tax law changes, except that it would not apply in times when OMB projects surplus (without counting Social Security); provides for points of order against any individual provision in legislation that violates caps or pay-as-you-go

			requirements; requires 60 votes to change discretionary caps, alter balances of pay-as-you-go scorecard or directed scorekeeping; and extends for five years requirement for 60 votes to waive existing points of order that enforce Congressional Budget Act. (49-49)
134	6-5	Y	Daschle motion to table Santorum amendment (to Daschle-Conrad amendment extending budget points of order through FY 2007): Adopts FY 2003 budget resolution as reported by Budget Committee. (96-0)
135 *	6-6	Y	Reid, et al., cloture motion on bill. (87-10)
136	6-6	Y	Stevens motion to table McCain-Feingold amendment: Strikes provision that provides $2 million to accelerate Smithsonian Institution's planning and design of alcohol collection storage facility at Museum Support Center which contains 730,000 gallons of flammable alcohol. (67-29)
137	6-6	Y	Inouye motion to table McCain amendment: Strikes section that requires that $2.5 million of funds in FY 2002 Commerce-Justice-State Appropriations bill for coral reef programs be used for cooperative agreement with National Defense Center of Excellence for Research in Ocean Sciences to conduct coral mapping of waters of Hawaiian Islands. (65-31)
138	6-6	Y	Harkin motion to table McCain-Gramm-Smith (OR) amendment: Strikes provision that provides $50 million to Agricultural Research Service for funding of National Animal Disease Laboratory at Ames, Iowa. (72-24)
139	6-6	N	Warner motion to table Dodd-Leahy modified amendment (to Warner, et al., amendment): Provides that nothing in this title shall prohibit U.S. from rendering assistance to international efforts to bring to justice Saddam Hussein, Slobodan Milosovic, Osama bin Laden, other members of Al Qaeda, leaders of Islamic Jihad, or other foreign nationals accused of genocide, war crimes or crimes against humanity; and sunsets provisions in this title on September 30, 2002. (55-40)
140	6-6	Y	Warner, et al., modified amendment: Prohibits U.S. assistance to, or cooperation with, International Criminal Court, except for assistance to defend U.S. or allied citizens. (75-19)
141 *	6-6	Y	Durbin motion to waive Congressional Budget Resolution of 2001 to permit consideration of Durbin, et al., amendment: Increases funding in bill for Global Fund to Combat AIDS, TB and Malaria from $100 million to $500 million; and designates funding as emergency spending. (46-49)
142	6-6	Y	Frist (for Helms) modified amendment: Increases funding in bill for Global Funds to Combat AIDS, TB, and malaria from $100 million to $200 million; and designates funding as emergency spending. (79-14)

143	6-6	Y	Stevens motion to table Nickles amendment: Strikes section specifying that funding appropriated in this Act and designated as emergency requirement for non-defense programs may be made available only if President designates all non-defense amounts in Act as emergency spending. (58-36)
144 *	6-6	Y	Byrd motion to waive Congressional Budget Resolution of 2001 to permit consideration of Gramm point of order against all non-defense emergency designations in bill. (69-25)
145	6-7	Y	Passage. (71-22)
			Varela Project to Petition Cuban National Assembly (S.Res. 272)
146	6-10	Y	Adoption. (87-0)
			Hate Crimes (S. 625)
147 *	6-11	Y	Clinton, et al., cloture motion on bill. (54-43)
			Public Debt Limit (S. 2578, P.L. 107-199)
148	6-11	Y	Passage. (68-29)
			Estate Tax Elimination (H.R. 8)
149 *	6-12	Y	Dorgan motion to waive Budget Act to permit consideration of Reid (for Dorgan), et al., amendment (to the Conrad amendment regarding estate taxes--Vote No. 150): Eliminates full repeal of estate tax but raises unified credit so that estates of up to $4 million ($8 million for couples) would be exempt by 2009, and makes exemption permanent; makes 2009 reduction in top estate tax rate, which reduces rate to 45 percent, permanent; permanently repeals estate tax for family-owned farms and businesses, effective 2003; and retains step-up in basis so that capital gains tax on inherited assets that is part of last year's bill would not go into effect. (44-54)
150 *	6-12	Y	Conrad motion to waive Budget Act to permit consideration of Conrad amendment: Increases unified credit to exempt estates of up to $3 million ($6 million for couples) in 2003 and $3.5 million ($7 million for couples) in 2009 and thereafter; freezes top estate tax rate at its current level of 50 percent; repeals sunset dates for modifications to estate tax; repeals carry-over basis so that heirs would not have to pay capital gains taxes on gains before they inherited an asset; and tightens valuation rules for inter-family transfers of certain assets. (38-60)
151 *	6-12	N	Gramm motion to waive Budget Act to permit consideration of Gramm, et al., amendment: Permanently repeals estate tax. (54-44)
			Terrorism Risk Insurance Act (H.R. 3210, P.L. 107-297)

152	6-13	Y	Reid motion to table McConnell, et al., amendment: Prohibits punitive damages unless defendant is convicted of criminal offense related to plaintiff's injury; requires that all judicial proceedings relating to an act of terrorism be consolidated in single Federal Court as determined by Judicial Panel on Multi-District Litigation; and requires Treasury Secretary to approve any settlements in class action lawsuits. (50-46)
153	6-13	N	Reid motion to table Nelson (FL)-Clinton amendment: Requires Treasury Secretary to establish parameters for insurance rates for terrorism risks; and requires that insurance companies charge terrorism insurance rates that are no higher than rates established by Treasury Secretary. (70-24)
			Suppression of Terrorism (H.R. 3275, P.L. 107-197)
154	6-14	Y	Passage. (83-1)
			Terrorism Risk Insurance Act (H.R. 3210, P.L. 107-297)
155	6-14	Y	Allen-Harkin, et al., amendment: Directs State Department to release frozen assets of terrorists, terrorist organizations, and State sponsors of terrorism to satisfy judgments against those entities awarded to past victims of terrorist acts; and permits Presidential waiver of this requirement if waiver is in national security interest. (81-3)
156 *	6-18	Y	Reid, et al., cloture motion on bill. (65-31)
157	6-18	Y	Passage. (84-14)
			DOD Authorization, 2003 (H.R. 4546, P.L. 107-314)
158	6-19	Y	Levin amendment: Reallocates $475.6 million in bill for Crusader artillery system to budget line for Army's "Future Combat System;" requires Army Chief of Staff to complete review, within 30 days of enactment, of Army programs that could provide improved indirect fire for Army and to submit such report to Defense Secretary who will then submit it, with any comments and recommendations, to Congressional defense committees; and permits Defense Secretary to spend $475.6 million for Army Indirect Fire Support programs, following submission of Defense Secretary and "30 day notice and wait" period. (96-3)
159 *	6-20	Y	Feingold motion to waive Budget Act to permit consideration of Feingold-Domenici-Chafee amendment: Extends budget enforcement points of order for five years; establishes discretionary spending caps for FY 2003 and FY 2004; extends pay-go rule in Senate; establishes one-year defense firewall in Senate; and limits advance appropriations for 2003. (59-40)
160	6-21	Y	Murray-Snowe amendment: Restores previous policy permitting use of DOD overseas facilities for privately funded abortions for women in military and women who are military dependents. (52-40)

161	6-24	Y	Smith (NH)-Cantwell, et al., amendment: Prohibits members of Armed Forces from being required to wear abaya garment or any part of garment as condition for being stationed in Saudi Arabia; and requires female members of Armed Forces to be given written and oral notification of prohibition. (93-0)
162	6-25	N	Warner motion to table Kennedy, et al., amendment: Permits competition between private companies and public agencies bidding for new Defense Department contracts; codifies prohibition against contracting work currently performed in public sector unless contract can save at least 10 percent; and allows Defense Department to exclude contracts based on national security from competition requirements. (50-49)
			Support for Pledge of Allegiance (S.Res. 292)
163	6-26	Y	Adoption. (99-0)
			DOD Authorization, 2003 (H.R. 4546, P.L. 107-314)
164 *	6-27	Y	Reid, et al., cloture motion on bill. (98-0)
165	6-27	Y	Passage. (97-2)
			One Nation Under God (S. 2690, P.L. 107-293)
166	6-27	Y	Passage. (99-0)
			Yucca Mountain Nuclear Repository Approval (S.J.Res. 34)
167	7-9	Y	Murkowski motion to proceed to resolution. (60-39)
			Public Accounting Reform (H.R. 3763, P.L. 107-204)
168	7-10	Y	Sarbanes motion to table Gramm (for McConnell) amendment (to Daschle [for Leahy], et al., amendment providing for criminal prosecution of individuals who alter or destroy evidence in certain Federal investigations, or defraud investors--Vote No. 169): Requires labor organizations, with gross annual receipts of $200,000 or more, to file reports in addition to Labor-Management Reporting and Disclosure Act (LMRDA) reports, using financial reporting procedures comparable to those required of publicly-traded corporations under Securities and Exchange Act; provides that these reports will be reviewed by a certified public accountant, as if labor organizations were businesses with public stockholders, subject to jurisdiction of SEC; and provides civil monetary penalties set by securities laws for violations of reporting and audit requirements. (55-43)
169	7-10	Y	Daschle (for Leahy)-McCain, et al., amendment: Creates 10-year securities fraud felony for anyone who knowingly executes, or attempts to execute, a scheme or artifice to defraud shareholders. (97-0)

170	7-10	Y	Daschle (for Biden)-Hatch modified amendment: Provides consistent penalties for conspiracy with penalty for underlying crime; raises maximum penalties for mail and wire fraud from five to 10 years; raises penalty for violation of ERISA from one year to 10 years; and requires regulated companies to file a certification, signed by corporate officials, stating that company's financial reports accurately reflect financial condition of company and creates criminal penalties for failure to comply with this section of up to five years for recklessly and knowingly failing to certify and up to 10 years for willfully failing to certify. (96-0)
171	7-10	Y	Lott amendment: Increases maximum sentences for corporate wrongdoing from five years to 10 years; allows government to charge obstruction against individuals who acted alone, even if tampering took place prior to issuance of grand jury subpoena; allows SEC, during an investigation, to seek an order in Federal court imposing 45-day freeze on extraordinary payments to corporate executives; provides stronger penalties for fraud when crime is committed by corporate officer or director; and grants SEC authority to issue orders to prohibit persons from serving as officer or director, if a person has committed a securities law violation and his or her conduct demonstrates "unfitness" to serve as officer or director. (97-0)
172	7-11	Y	Enzi motion to table McConnell amendment (to Edwards-Enzi amendment -- Vote No. 175): Overrides attorney-client relationships by: (1) requiring written disclosures of fees and other matters prior to being retained by a client, (2) placing limits on contingency fees and hourly fees, and (3) requiring disclosures of any settlement offers; prohibits unsolicited communications concerning a potential civil action for personal injury or wrongful death until 45 days following date of death or injury; and makes an individual violating any of these provisions subject to civil penalty of up to $5,000 per violation. (62-35)
173 *	7-12	N	Corzine, et al., cloture motion on bill. (91-2)
174	7-15	Y	Reid (for Carnahan) amendment (to Edwards-Enzi amendment -- Vote No. 175): Requires corporate executive or director who has purchased or sold a security of his or her firm to file electronically with SEC a statement before end of second business day following day on which transaction was executed. (97-0)
175	7-15	Y	Edwards-Enzi-Corzine amendment, as amended: Requires SEC to establish rules setting forth minimum standards of professional conduct for attorneys appearing and practicing before Commission in any way in representation of public companies; states that rules require an attorney to report evidence of material violation of securities law by company or any agent thereof to chief legal counsel or chief executive officer of company and, if counsel or officer does not appropriately respond to evidence, require attorney to report evidence to audit committee of board of directors or another committee comprised solely of directors not employed directly or indirectly by company; and requires corporate executive or director who has purchased or sold a security of his or her firm to file electronically with SEC a statement before end of second business day following day on

			which transaction was executed, or at such other time as Commission establishes by rule when it determines that such two-day period is not feasible; and requires SEC and issuer to provide statement on publicly-accessible Internet site at end of business day following filing. (97-0)
176	7-15	Y	Passage. (97-0)
			Nomination of Lavenski R. Smith to be U.S. Circuit Judge for the Eighth Circuit
177 *	7-15	Y	Miller, et al., cloture motion on nomination. (94-3)
			Prescription Drug Benefit (S. 812)
178 *	7-17	Y	Reid, et al. cloture motion to motion to proceed to bill. (99-0)
179	7-17	Y	Dorgan (for Reid), et al., amendment (to Reid [for Dorgan], et al., amendment regarding drug reimportation from Canada): Authorizes HHS Secretary, after consultation with U.S. Trade Representative and Customs Commissioner, to promulgate regulations permitting pharmacists and wholesalers to import prescription drugs from Canada into U.S.; retains all safety requirements included in Medicine Equity and Drug Safety Act (MEDS), and provides for suspension of importation if any covered product is found to be counterfeit or otherwise violate any of requirements of MEDS Act; eliminates five-year sunset in MEDS Act; includes "non-discrimination" provision to ensure that drug manufacturers will not be able to manipulate supply of covered drugs to pharmacists or wholesalers; requires Canadian pharmacies and wholesalers that provide drugs for importation to register with HHS; excludes any drugs that are infused, intravenously injected, or inhaled during surgical procedure from authorization to import; and allows individuals to import prescription drugs from Canada as long as medicine is for their own personal use and is 90-day supply or less. (69-30)
180	7-17	Y	Cochran, et al., amendment (to Reid [for Dorgan], et al., amendment regarding drug reimportation from Canada): Requires HHS Secretary to certify to Congress that implementation of reimportation provisions will pose no additional risk to public's health and safety and result in significant reduction in cost of covered products to American consumer before allowing any reimportation of prescription drugs. (99-0)
			Military Construction Appropriations, 2003 (H.R. 5011, P.L. 107-249)
181	7-18	Y	Passage. (96-3)
			Prescription Drug Benefit (S. 812)
182	7-18	Y	Reid (for Stabenow, et al.,) amendment (to Reid [for Dorgan], et al., amendment regarding drug reimportation from Canada): Clarifies that current law does not prohibit a State from entering into drug rebate agreements with a manufacturer in order to ensure affordability and accessibility of outpatient prescription drugs for State's residents who

			are not otherwise eligible for medical assistance under Medicaid; and permits use of existing prior authorization practices and consumer protections as condition of these rebate agreements. (56-43)
			Nomination of Richard R. Clifton to be U.S. Circuit Judge for the Ninth Circuit
183 *	7-18	Y	Bingaman, et al., cloture motion on nomination. (97-1)
184	7-18	Y	Confirmation. (98-0)
			Nomination of Richard H. Carmona to be Surgeon General
185 *	7-23	Y	Kennedy, et al., cloture motion on nomination. (98-0)
			Prescription Drug Benefit (S. 812)
186 *	7-23	Y	Kennedy motion to waive Budget Act to permit consideration of Graham, et al., amendment: Provides new voluntary prescription drug benefit program for all eligible Medicare beneficiaries with: monthly premiums limited to $25, no deductible, copayment for generic drugs limits to $10, up to $40 copayment for preferred brand name drugs, out-of-pocket expenses capped at $4,000, and no cap or gap in coverage; specifies that there will be no premium or cost sharing for beneficiaries with incomes below 135 percent of poverty; provides reduced premiums for beneficiaries with incomes of 135-150 percent of poverty; and specifies that multiple Pharmaceutical Benefit Managers would mange, deliver and administer prescription drug benefit using same methods they use in private sector. (52-47)
187 *	7-23	N	Grassley motion to waive Budget Act to permit consideration of Hatch (for Grassley), et al., amendment: Establishes voluntary prescription drug program with $24 monthly premium, $250 annual deductible in 2005, initial benefit in which government pays 50 percent of drug costs up to $3,450, out-of-pocket spending protection beginning at $3,700 (above that level beneficiaries pay 10 percent of discounted drug costs, 90 percent shared by plans and government), assistance for low-income beneficiaries below 150 percent of poverty, a choice of at least two plans for all beneficiaries, and partnership between Federal government and private entities in limited insurance risk-sharing arrangements to deliver drug benefit; and provides new voluntary option for enhanced Medicare benefits in 2005. (48-51)
			Supplemental Appropriations, 2002--New York City (H.R. 4775, P.L. 107-206)
188	7-24	Y	Adoption of conference report. (92-7)
			Prescription Drug Benefit (S. 812)
189 *	7-24	N	Hagel motion to waive Budget Act to permit consideration of Hagel, et al., amendment (to Reid [for Dorgan], et al., amendment regarding drug reimportation from Canada): Establishes voluntary prescription drug discount card plan for individuals who are eligible for benefits under Medicare part A or enrolled under part B and not eligible for prescription drug coverage under State Medicaid program; provides catastrophic prescription drug benefit; creates Medicare Prescription

			Drug Advisory Board to advise HHS Secretary on program's policies; and establishes Center for Medicare Prescription Drugs to administer program. (51-48)
190 *	7-25	Y	Reid motion to waive Congressional Budget Resolution of 2001 to permit consideration of Rockefeller-Collins, et al., amendment (to Reid [for Dorgan], et al., amendment regarding drug reimportation from Canada): Provides $6 billion in temporary financial assistance to States so that any State whose Federal Medical Assistance Percentage (FMAP) is lower than FMAP for prior fiscal year would be able to retain higher rate, and each State's FMAP would be increased by 1.35 percentage points; provides $3 billion, designated as emergency funding, to States in fiscal relief grants that can be used for variety of social services programs. (75-24)
			Legislative Branch Appropriations, 2003 (H.R. 5121)
191	7-25	Y	Passage. (85-14)
			Accounting Reform (H.R. 3763, P.L. 107-204)
192	7-25	Y	Adoption of conference report. (99-0)
			Nomination of Julia Smith Gibbons to be U.S. Circuit Judge for the Sixth Circuit
193 *	7-26	Y	Reid, et al., cloture motion on nomination. (89-0)
194	7-29	Y	Confirmation. (95-0)
			Nomination of Joy Flowers Conti to be U.S. District Judge for the Western District of Pennsylvania
195	7-29	Y	Confirmation. (96-0)
			Nomination of John E. Jones III to be U.S. District Judge for the Middle District of Pennsylvania
196	7-29	Y	Confirmation. (96-0)
			Prescription Drug Benefit (S. 812)
197	7-30	Y	Reid motion to table McConnell, et al., amendment (to Reid [for Dorgan], et al., amendment regarding drug reimportation from Canada): Limits remedies available to patients that have been victims of medical malpractice or defective drugs and medical devices; reduces time injured patient has to file lawsuit to two years from date injury was discovered; heightens standard for awarding punitive damages and limits them to twice amount awarded for economic and non-economic damages, and imposes 50 percent tax on punitive damage recoveries; preempts State law in all areas covering joint and several liability, and availability of damages and attorneys' fees; and preempts State laws that expand patients' rights, but allows State laws that restrict patients' rights. (57-42)
			Trade Bill (H.R. 3009, P.L. 107-210)
198	7-30	N	Daschle motion to proceed to conference report. (66-33)

			Prescription Drug Benefit (S. 812)
199 *	7-31	Y	Graham motion to waive Budget Act to permit consideration of Graham-Smith (OR), et al., amendment (to Reid [for Dorgan], et al., amendment regarding drug reimportation from Canada): Provides all seniors with catastrophic coverage for drugs over $3,300 per year delivered by pharmacy benefit managers (PBM's) for annual payment of $25; provides coverage of all prescription costs for low income beneficiaries up to 200 percent of poverty ($17,720 for individuals and $23,880 for couples); and provides discounts of up to 30 percent for every prescription drug purchase through negotiated prices and guaranteed five percent subsidy. (49-50)
200 *	7-31	Y	Reid, et al., cloture motion on bill. (66-33)
201	7-31	Y	Passage. (78-21)
			Nomination of D. Brooks Smith to be U.S. Circuit Judge for the Third Circuit
202	7-31	N	Confirmation. (64-35)
			Trade Bill (H.R. 3009, P.L. 107-210)
203 *	8-1	N	Reid, et al., cloture motion on bill. (64-32)
			DOD Appropriations, 2003 (H.R. 5010, P.L. 107-248)
204	8-1	Y	Passage. (95-3)
			Nomination of Henry E. Autrey to be U.S. District Judge for the Eastern District of Missouri
205	8-1	Y	Confirmation. (98-0)
			Trade Bill (H.R. 3009, P.L. 107-210)
206 *	8-1	N	Daschle motion to waive Budget Act with respect to conference report. (67-31)
207	8-1	N	Adoption of conference report. (64-34)
			Nomination of Terrence McVerry to be U.S. District Judge for the Western District of Pennsylvania
208	9-3	Y	Confirmation. (88-0)
			Homeland Security (H.R. 5005, P.L. 107-296)
209	9-3	Y	Lieberman motion to proceed to bill. (94-0)
210	9-5	Y	Reid (for Boxer)-Smith (NH), et al., modified amendment (to Smith [NH], et al., amendment regarding aircraft cabin security [to Lieberman substitute amendment]): Establishes program to deputize pilots of commercial cargo or passenger aircraft who volunteer for program as Federal law enforcement officers to defend flight decks of commercial

			aircraft against acts of criminal violence or air piracy; authorizes Federal flight deck officer under this program to carry firearm to defend commercial passenger or cargo aircraft; authorizes training program in self-defense for flight attendants; limits liability of air carrier or flight deck officer in any action brought in Federal or State court arising out of acts or omissions of pilot in defending an aircraft; and prohibits opening of cockpit doors in flight at all times, except for mechanical or physiological emergencies. (87-6)
			Nomination of Kenneth A. Marra to be U.S. District Judge for the Southern District of Florida
211	9-9	Y	Confirmation. (82-0)
			Interior Appropriations, 2003 (H.R. 5093)
212 *	9-10	Y	Daschle motion to waive Budget Act to permit consideration of Daschle, et al., amendment (to Byrd substitute amendment): Re-establishes Crop Disaster, Quality Loss and Livestock Assistance programs for 2001 and 2002 crop years, on terms identical to those contained in FY 2001 law. (79-16)
			Nomination of Timothy J. Corrigan to be U.S. District Judge for the Middle District of Florida
213	9-12	Y	Confirmation. (88-0)
			Homeland Security (H.R. 5005, P.L. 107-296)
214	9-12	Y	Lieberman motion to table Thompson-Warner amendment (to Lieberman substitute amendment): Strikes provisions in bill that create National Office for Combating Terrorism. (41-55)
215	9-12	Y	Hollings amendment (to Lieberman substitute amendment): Modifies membership of National Security Council (NSC) to include Attorney General and Homeland Security Secretary; and provides that FBI Director may, subject to direction of President, attend and participate in meetings of NSC. (48-49)
			Nomination of Arthur J. Schwab to be U.S. District Judge for the Western District of Pennsylvania
216	9-13	Y	Confirmation. (92-0)
			Interior Appropriations, 2003 (H.R. 5093)
217 *	9-17	Y	Lieberman, et al., first cloture motion on Byrd, et al., amendment (to Byrd substitute amendment): Repays accounts from which funds were borrowed for emergency wildfire suppression. (See Vote No. 221.) (50-49)
			Homeland Security (H.R. 5005, P.L. 107-296)
218 *	9-19	Y	Carnahan, et al., first cloture motion on Lieberman substitute amendment. (50-49)
			Nomination of Reena Raggi to be U.S. Circuit Judge for the Second Circuit

219	9-20	Y	Confirmation. (85-0)
			Interior Appropriations, 2003 (H.R. 5093)
220	9-23	Y	Inouye motion to table Dodd-Lieberman amendment (to Byrd substitute amendment): Permits $1.9 million to be used for activities of Bureau of Indian Affairs' Branch of Acknowledgment and Research; and prohibits any funds made available in this bill from being used for approval or denial of petition from any person or entity seeking recognition as Federally-recognized Indian tribe or tribal nation until Secretary certifies to Congress that procedures have been implemented regarding petition process. (80-15)
221 *	9-23	Y	Lieberman, et al., first cloture motion, upon reconsideration (of Vote No. 217), on Byrd, et al., amendment (to Byrd substitute amendment): Repays accounts from which funds were borrowed for emergency wildfire suppression. (49-46)
			Homeland Security (H.R. 5005, P.L. 107-296)
222	9-24	N	Byrd amendment (to Lieberman substitute amendment): Establishes superstructure of new Homeland Security Department and six Directorates, with Secretary confirmed by Senate; requires recommendations from Administration on transfer of relevant agencies and functions of five of six Directorates; and requires Administration to submit legislative recommendations in intervals of 120 days, with congressional action completed within 13 months of enactment of bill. (28-70)
223	9-24	Y	Lieberman-McCain, et al., amendment (to Lieberman substitute amendment): Establishes 10 member "National Commission on Terrorist Attacks Upon the United States;" provides that Commission will conduct an investigation into relevant facts and circumstances relating to terrorist attacks of September 11, 2001; requires Commission to submit report to President and Congress with its findings, conclusions and recommendations; permits Commission to conduct hearings, and to require attendance and testimony of witnesses through issuance of subpoena under signature of Chairperson, Vice Chairperson and Chairperson of any subcommittee created by majority of Commission; and terminates Commission six months after submission of report. (90-8)
			Interior Appropriations, 2003 (H.R. 5093)
224 *	9-25	Y	Stabenow, et al., second cloture motion on Byrd amendment (to Byrd substitute amendment): Repays accounts from which funds were borrowed for emergency wildfire suppression. (51-47)
			Homeland Security (H.R. 5005, P.L. 107-296)
225 *	9-25	Y	Stabenow, et al., second cloture motion on Lieberman substitute amendment. (49-49)
226 *	9-26	Y	Stabenow, et al., second cloture motion, upon reconsideration (of Vote No. 225), on Lieberman substitute amendment. (50-49)

227 *	9-26	Y	Reid, et al., first cloture motion on Gramm-Miller, et al., perfecting amendment (to Lieberman substitute amendment to prevent terrorist attacks within the U.S.). (44-53)
228 *	10-1	Y	Lieberman, et al., second cloture motion on Gramm-Miller perfecting amendment (to Lieberman substitute amendment to prevent terrorist attacks within the U.S.). (45-52)
			Department of Justice Authorization (H.R. 2215, P.L. 107-273)
229 *	10-3	Y	Reid, et al., cloture motion on conference report. (93-5)
			Authorizing the Use of Force Against Iraq (H.J.Res. 114, P.L. 107-243)
230 *	10-3	Y	Reid, et al., cloture motion on motion to proceed. (95-1)
231	10-9	Y	McCain motion to table Graham amendment (to Lieberman, et al., substitute amendment): Authorizes use of U.S. Armed Forces to defend national security of U.S. against threat from following terrorist organizations: Abu Nidal Organization; HAMAS; Hizballah; Palestine Islamic Jihad; and Palestine Liberation Front. (88-10)
232	10-10	Y	Byrd modified amendment: Terminates authorization of use of force 12 months after date of enactment; and permits President to extend authorization for 12 months if President determines and certifies to Congress not later than 60 days prior to date of termination, that extension is necessary for ongoing or impending military operations in Iraq, and Congress does not enact into law, before extension of authorization, a joint resolution disapproving extension. (31-66)
233 *	10-10	N	Daschle, et al., cloture motion on Lieberman substitute amendment. (75-25)
234	10-10	N	Byrd-Dayton modified amendment (to Lieberman, et al., substitute amendment): States that nothing in resolution: (1) is intended to alter constitutional authorities of Congress to declare war, grant letters of Marque and Reprisal, or other authorities invested in Congress by Section 8, Article 1 of the Constitution; or (2) shall be construed as granting any authority to President to use U.S. Armed Forces for any purpose not directly related to a clear threat of imminent, sudden, and direct attack upon the U.S., its possessions or territories, or Armed Forces of U.S., unless Congress otherwise authorizes. (14-86)
235	10-10	Y	Levin, et al., amendment (to Lieberman, et al., substitute amendment): Urges U.N. Security Council to adopt resolution promptly that: demands access for U.N. inspectors so that Iraq's weapons of mass destruction and prohibited ballistic missiles may be destroyed, and authorizes use of necessary and appropriate force by U.N. member states to enforce such a resolution in event Iraq refuses to comply; authorizes use of U.S. Armed Forces pursuant to U.N. Security Council resolution described above; affirms that under international law and U.N. Charter, the U.S. has, at all times, inherent right to use military force in self-defense; and provides that Congress will not

			adjourn sine die so that Congress can return to session to consider promptly proposals relative to Iraq, if U.N. Security Council, in judgment of President, fails to adopt or enforce resolution described above. (24-75)
236	10-10	Y	Durbin amendment (to Lieberman, et al., substitute amendment): Authorizes use of Armed Forces to defend national security of U.S. against "an imminent threat posed by Iraq's weapons of mass destruction" rather than a "continuing threat posed by Iraq" as provided in underlying resolution. (30-70)
237	10-11	N	Passage. (77-23)
			Election Reform (H.R. 3295, P.L. 107-252)
238	10-16	Y	Adoption of conference report. (92-2)
			DOD Appropriations, 2003 (H.R. 5010, P.L. 107-248)
239	10-16	Y	Adoption of conference report. (93-1)
			Homeland Security (H.R. 5005, P.L. 107-296)
240 *	11-13	Y	Reid, et al., first cloture motion, upon reconsideration (of Vote No. 227), on Gramm-Miller perfecting amendment (to Lieberman substitute amendment to prevent terrorist attacks within the U.S.). (88-8)
241	11-13	N	Thompson motion to table Lieberman substitute amendment: Provides for creation of cabinet level Department of Homeland Security; provides that Secretary shall be appointed by President and confirmed by Senate and shall serve as member of National Security Council; creates various directorates, each to be headed by an Under Secretary, appointed by President and confirmed by Senate; maintains civil service protections for Federal employees; establishes an office to oversee and coordinate programs for and relationships with State and local governments; transfers U.S. Secret Service to new Homeland Security Department; and establishes national office for combatting terrorism. (49-47)
242	11-13	Y	Reid motion to table Feingold amendment: Provides that members of Congress shall not receive cost of living adjustment in FY 2003. (57-36)
			Port and Maritime Security (S. 1214, P.L. 107-295)
243	11-14	Y	Adoption of conference report. (94-0)
			Homeland Security (H.R. 5005, P.L. 107-296)
244 *	11-15	N	Breaux, et al., cloture motion on Thompson (for Gramm), et al., substitute amendment. (64-29)
245	11-19	Y	Daschle (for Lieberman), et al., amendment (to Daschle [Lieberman], et al., amendment [to Thompson (for Gramm), et al., amendment]) Strikes provisions added to substitute, including provision to provide

			liability protection for pharmaceutical companies that make mercury-based vaccine preservatives that may have caused autism in children; guts Wellstone amendment which prohibits contracting with corporate expatriates; earmarks new university-based homeland security research center program for Texas A&M, avoiding open and competitive award process; reverses aviation security bill to provide special immunity to companies that provided passenger and baggage screening in airports on 9/11; provides immunity from liability for manufacturers of products or technologies that cause harm to Americans; erects new barriers for Transportation Security Agency to issue new emergency security rules deemed essential to protect travelers; and allows Department to hold secret advisory committee meetings with hand-picked industry advisors even on non-sensitive matters, waiving Federal Advisory Committee Act. (47-51)
246 *	11-19	N	Gramm motion to waive Budget Act to permit consideration of Thompson (for Gramm), et al., amendment: Establishes Department of Homeland Security with directorates for border and transportation security, intelligence and critical infrastructure protection, emergency preparedness and response, and science and technology and immigration services; provides President with discretion to waive existing union rights if he determines that it is in the interest of national security or to protect Department's ability to protect homeland security; permits President to waive civil service provisions at end of 30 day period of non-binding mediation which is unsuccessful; requires President to establish procedures to promote sharing of "homeland security" information among Federal agencies; transfers all INS authority to Department of Homeland Security; grants Secretary broad reorganization authority without Congressional approval; and includes several special interest provisions. (68-30)
247	11-19	N	Thompson (for Gramm), et al., amendment: Establishes Department of Homeland Security with directorates for border and transportation security, intelligence and critical infrastructure protection, emergency preparedness and response, and science and technology and immigration services; provides President with discretion to waive existing union rights if he determines that it is in the interest of national security or to protect Department's ability to protect homeland security; permits President to waive civil service provisions at end of 30 day period of non-binding mediation which is unsuccessful; requires President to establish procedures to promote sharing of "homeland security" information among Federal agencies; transfers all INS authority to Department of Homeland Security; grants Secretary broad reorganization authority without Congressional approval. (72-26)
248 *	11-19	N	Breaux, et al., cloture motion on bill. (82-16)
249	11-19	N	Passage. (89-9)
			Nomination of Dennis W. Shedd to be U.S. Circuit Judge for the Fourth Circuit Court of Appeals
250	11-19	N	Confirmation. (55-43)
			Terrorism Risk Insurance (H.R. 3210, P.L. 107-297)

251 *	11-19	Y	Dodd, et al., cloture motion on conference report. (84-12)
252	11-19	Y	Adoption of conference report. (85-11)
			Continuing Appropriations, 2003 (H.J.Res. 124, P.L. 107-294)
253	11-19	Y	Passage. (91-2)

*3/5ths Majority Required



DPC Vote Information
Senator Byron L. Dorgan, Chairman
SH-705
4-5554