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No. 36

## House of Representatives

The House was not in session today. Its next meeting will be held on Tuesday, April 9, 2002, at 2 p.m.

## Senate

MONDAY, APRIL 8, 2002

The Senate met at 3 p.m. and was called to order by the President pro tempore (Mr. BYRD).

### PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Almighty God, Ultimate Sovereign of all Nations of the World, we resume the work of the 107th Congress in the midst of a world aflame with turmoil. We are anxious to press on with the crucial matters before this Senate, but our minds are on the crisis in the Middle East. God of peace, reconciliation, and harmony, we pray for Your intervention in the current deadlock between the Israelis and the Palestinians. Inspire both Prime Minister Ariel Sharon and Chairman Yasser Arafat with the desire and the will to make the concessions that will bring about a just settlement. We ask for Your divine power for Secretary of State Colin Powell as he seeks to enable the peace initiative. Grant him supernatural wisdom and strength to help bring agreement on the volatile issues of Israeli occupation and Palestinian suicide bombings. On a human level, it all seems impossible, but nothing is impossible for You.

Today, also bless the women and men of this Senate as they work together to lead the United States, to guide this Nation's role of bringing peace in the Middle East, and to continue battle against terrorism throughout the world. The challenges are formidable, the solutions elusive, and the alternatives are complex. Dear God, this is Your world; though the wrong seems oft so strong, You are the ruler yet. Through the Prince of Peace: Amen.

### PLEDGE OF ALLEGIANCE

The PRESIDENT pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### RESERVATION OF LEADER TIME

The PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

### NATIONAL LABORATORIES PARTNERSHIP IMPROVEMENT ACT OF 2001

The PRESIDENT pro tempore. Under the previous order, the Senate will now resume consideration of S. 517, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 517) to authorize funding the Department of Energy to enhance its mission areas through technology transfer and partnerships for fiscal years 2002 through 2006, and for other purposes.

#### Pending:

Daschle/Bingaman further modified amendment No. 2917, in the nature of a substitute.

Feinstein modified amendment No. 2989 (to amendment No. 2917), to provide regulatory oversight over energy trading markets and metals trading markets.

Kerry/McCain amendment No. 2999 (to amendment No. 2917), to provide for increased average fuel economy standards for passenger automobiles and light trucks.

Dayton/Grassley amendment No. 3008 (to amendment No. 2917), to require that Federal agencies use ethanol-blended gasoline and

biodiesel-blended diesel fuel in areas in which ethanol-blended gasoline and biodiesel-blended diesel fuel are available.

Lott amendment No. 3028 (to amendment No. 2917), to provide for the fair treatment of Presidential judicial nominees.

Landrieu/Kyl amendment No. 3050 (to amendment No. 2917), to increase the transfer capability of electric energy transmission systems through participant-funded investment.

Graham amendment No. 3070 (to amendment No. 2917), to clarify the provisions relating to the Renewable Portfolio Standard.

The PRESIDENT pro tempore. The Senator from Nevada, Mr. REID.

Mr. REID. Mr. President, we are now on the energy bill. This will be the 14th day—at least that is my understanding of the time the Senate has spent on this bill.

Prior to the Senate recessing for the spring break, the minority and majority staff exchanged a proposed list of amendments in order to the energy bill.

Mr. President, on behalf of Leader DASCHLE, I wish to state for the record that an ongoing effort is being made to secure a finite list of first-degree amendments in order to the bill and hopefully this effort will be successful today so that we can file this finite list. I encourage Members who have indicated they have amendments to come forth with those amendments. We need to finish this bill.

Mr. President, I was somewhat disturbed in reading in today's press—at least I read it today, it could have been out earlier, for example, in one of the Hill publications, Rollcall, I believe that is where I read this—that Republican leaders are considering pulling

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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the plug; that is, not wanting to go forward on the energy bill unless it authorizes oil drilling in the Arctic National Wildlife Refuge.

If this is such an important issue, as indicated in this piece in the newspapers, then why hasn't this amendment been offered? As I have indicated, this is, as I have said, I believe the 14th day we have worked on this legislation. These are 14 legislative days. That is a lot of time on a bill. No one has come forward with this amendment we have heard for years is the most important part of this legislation.

Perhaps there has been some focus on the fact that there aren't enough votes to pass this legislation. There is some realization we cannot produce our way out of the problem with petroleum products. Out of the 100 percent of the petroleum reserves in the world today, the United States, including whatever is believed to be in the Arctic, has 3 percent. Mr. President, 97 percent is in other places, such as Venezuela, the North Sea, Great Britain. Two countries have 47 percent of the petroleum reserve: Kuwait and Saudi Arabia.

We can't produce our way out of this. I would say, and for the Presiding Officer—I think maybe I can speak for him—maybe what we should try to do is try to figure out a way to use our mass of coal. We have more coal than anyplace in the world. Rather than spending the few dollars we do on clean coal technology, maybe we should declare a war, in effect, and spend a lot of money on clean coal technology because we have lots of coal. But it is polluting and we need to do a better job—make it cleaner.

I would also say that we have, in this bill, tried to develop alternative energy levels. We have struggled to do that, but we need to do that.

Anyway, to think that we can produce our way out of this with petroleum products—we can't do it. The United States has 3 percent of the reserves in the world and we can't do it by production. We tried through increasing the fuel efficiency of vehicles. We didn't get enough votes for that. It is my understanding the Senator from Delaware, Mr. CARPER, is going to come back with an amendment that will revisit that issue. Senator CARPER certainly understands what his amendment is better than I do, but I have spoken to him and he feels his amendment is one that will allow this country to go forward, saving 1 million barrels of oil a day by setting fuel efficiency standards.

So I hope they will allow us to go forward in an orderly process with this legislation, to get a finite list of amendments and complete the legislation this week. We had a good debate on ANWR that took place for a good long day and part of the night. We could dispose of that issue. There are not 60 votes. In fact, I think there would be a real struggle for them to get 50 votes because the ANWR issue will be defeated on a bipartisan basis.

#### MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business with Senators allowed to speak therein for not to exceed 10 minutes each.

The PRESIDENT pro tempore. Is there objection? Without objection, it is so ordered.

#### ANTITERRORISM INSURANCE

Mr. REID. Mr. President, there is tremendous need in this country to do something with antiterrorism insurance. A group of people just left my office. One man indicated that sitting on his desk is \$2.2 billion worth of loans that he will not initiate because he cannot obtain antiterrorism insurance.

Why don't we pass antiterrorism legislation first thing in the morning or tomorrow afternoon? The reason is simple: some would like to turn this into a debate about comprehensive tort reform. There can be a case made that perhaps some tort reform is needed. I have always believed it should be done on a State-by-State basis, but regardless of how I personally feel about tort reform, or anyone else feels about tort reform, if this issue is so important, the antiterrorism insurance bill should not be turned into a larger debate about comprehensive tort reform.

We should be able to pass an antiterrorism insurance bill today. Addressing this very real problem should be something everyone agrees with. I think we could pass it without even having a vote. People know how important this is. Why do we have to concentrate and try to do comprehensive tort reform on legislation that is not tort reform? If people want tort reform, let them introduce legislation and go through the process. Refer it to the Commerce Committee and the Judiciary Committee, but do it in an orderly process and not on something as important as antiterrorism legislation.

I say to all of my friends and to the people who came to my office today—most of them I never met before—that what they should do is go out to talk to those people who want tort reform legislation and delete it. We need immediate attention to this issue.

I have had the opportunity during the 2 weeks we have been off to talk about some of President Bush's policies. On some I agreed with him and on some I disagreed with him. One thing I agree with him on is that antiterrorism legislation is important. We need to do it quickly. I hope he will weigh in with us and get tort reform out of this.

One other area I agree with him on is foreign policy. We need to do something to get the Middle East crisis resolved. I personally think this administration should have been involved in this much earlier but better late than never. I agree with him that Chairman Arafat has not been candid with the President. The President said he has

not lived up to his word with him. Time and again Chairman Arafat has shown he is not to be trusted. President Clinton offered him the best deal in the world and he walked away from it. He has repeatedly shown that he is willing to say one thing in Arabic and something totally opposite in English. I hope that the Palestinians under his leadership would try to live up to the commitments that he has made. This is a situation we need to have resolved. But I do agree with the President of the United States when he said yesterday that Chairman Arafat has not lived up to what he told the President he was doing. He has not lived up to the trust that the President felt he should have.

Not seeing much going on on the floor, I hope there will be some activity on this energy bill. But it appears to me that there is not going to be any. I say to staff and others who are working on this legislation that I wish they would work to get a finite list of first-degree amendments so we can at least complete that today.

Mr. REID. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDENT pro tempore. Without objection, it is so ordered.

#### RECESS

Mr. REID. Mr. President, I ask unanimous consent that the Senate stand in recess until 4 o'clock today.

There being no objection, the Senate, at 3:17 p.m., recessed until 4:01 p.m. and reassembled when called to order by the Presiding Officer (Mr. LEVIN).

The PRESIDING OFFICER. The Senator from Nevada.

#### CONCLUSION OF MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent the Senate now leave morning business and proceed to the energy bill.

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

#### NATIONAL LABORATORIES PARTNERSHIP IMPROVEMENT ACT OF 2001—Continued

Mr. REID. Mr. President, I call for the regular order relating to the Feinstein amendment.

The PRESIDING OFFICER. The amendment is now pending.

AMENDMENT NO. 3079 TO AMENDMENT NO. 2989

(Purpose: To provide a substitute)

Mr. REID. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID], for himself and Mr. CRAPO, proposes an amendment numbered 3079 to amendment No. 2989.

Mr. REID. Mr. President, I ask unanimous consent reading of the amendment be dispensed with.

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

(The text of the amendment is printed in today's RECORD under "Text of Amendments.")

Mr. REID. Mr. President, I have offered this amendment. I wish to make a brief statement in regard thereto. But my friend, the minority assistant leader, is in the Chamber. We have some business we would like to transact.

#### MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent we now go off of the amendment I have offered and proceed to a period of morning business.

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

#### UNANIMOUS CONSENT REQUEST— H.R. 3210

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 252, H.R. 3210, the Terrorism Risk Protection Act; that the only amendment in order be a Dodd-Sarbanes-Schumer substitute amendment; that the amendment be agreed to, the bill be read a third time and passed, the motion to reconsider be laid on the table, and any statements thereon be printed in the RECORD.

The PRESIDING OFFICER. Is there objection?

Mr. NICKLES. Reserving the right to object—and I may not object—I just need another second to see what we are doing.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

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

Mr. REID. Mr. President, I ask unanimous consent the Senator from Alaska be recognized to speak for up to 10 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Alaska is recognized.

#### U.S. OIL SECURITY

Mr. STEVENS. Mr. President, I heard my good friend from Nevada make a statement earlier today concerning our delay in getting around to producing an ANWR amendment. Let me assure

the Senator, we do have an ANWR amendment, and we will present it as soon as it is finalized, as it is taking some time.

I have come to the Senate Chamber right now, though, to make some remarks about Iraq. I am certain that everyone in the Senate knows that Iraq has announced today it will suspend its oil exports for the next 30 days.

Libya and Iran have immediately expressed support for that action and warned they will follow suit if other Arab oil-producing countries also curtailed their shipments of oil. In other words, we are on the verge of another embargo.

Without any question about it, we have now seen that Iraq is using oil as a weapon to deal with our policies with regard to the Middle East.

During the year 2001, the United States imported nearly 287 million barrels of oil from Iraq.

I have in the Chamber a chart that shows where those 287.3 million barrels of oil went throughout our Nation.

The average price of crude oil in 2001 was \$22.93 per barrel. That means, with simple arithmetic, the United States paid Iraq \$6.58 billion for its oil last year.

The Deputy Prime Minister of Iraq confirmed last week that Saddam Hussein has paid \$25,000 to the families of each of the Palestinian suicide bombers. Let's think of that again. Iraq alone has paid to the families of the suicide bombers in Palestine \$25,000 per incident. In other words, we are paying that. We are giving Iraq the cash to reward those who are committing suicide while bombing innocent people in Israel.

Furthermore, I want the Senate to know that today Venezuela announced a multiday strike at the Government-owned oil-producing facilities. Venezuela is one of the top three suppliers of oil to the United States.

This morning, the President expressed his concern that increased gasoline prices would slow down our economic recovery. There is no question about that.

Recently, the U.S. News & World Report has changed its editorial policy concerning ANWR. I want to call the attention of the Senate to an article entitled, "A Waste of Energy?" on page 25 of the U.S. News & World Report of April 1. It is a very interesting article when one considers the past editorial policy of that great national magazine.

Make no mistake about it, we are very close to a vote that would be quite similar to the one that took place when Alaska finally obtained permission to go ahead with the oil pipeline. At that time, however—and I say this respectfully—even though the then-majority leader, Mike Mansfield, opposed our amendment, even though the committee chairman, Senator Jackson, opposed our amendment, no filibuster was threatened, no filibuster took place in consideration of the oil pipeline amendment. Why? Because we all

knew then, as we all should know now, that oil is a matter of national security.

As we proceed this week, we will bring out proof of the statesmen who have led this country since the 1940s. Each and every one has said oil is a matter of national security. Yet we are facing the prospect that the ANWR amendment, when we offer it, is going to be facing a filibuster—again, with due respect—led by the majority leader and the majority side of the Senate.

There should never be—there should never be—a filibuster against a matter of national security. I really believe that before we are through, before this week is out, the American citizens are going to be demanding there be an up-or-down vote on the ANWR amendment and no filibuster. And if, God forbid, by Thursday or Friday of this week we have a full-blown embargo, and we have the gas lines we all remember from the 1970s, I do hope we will understand this bill has to be considered, the ANWR amendment adopted, and the bill sent to the President as soon as possible.

If we had been permitted to proceed with ANWR as we sought to proceed when President George Bush, the 41st President of the United States, requested Congress to allow us to proceed, we would have ANWR oil on line now.

During the height of the Persian Gulf war, 2.1 million barrels of oil a day were sent down the Alaska oil pipeline. When I was there last week, I was told it was 925,000 barrels a day. Where are we getting the balance of the oil? We are currently getting it from Iraq. And now it is going to be shut down.

I have asked the oil industry to tell us whether it is possible that they might proceed to produce in an uneconomic manner to refill that barrel, if this shortage continues. There is oil in northern Alaska now that could fill that barrel, but it would be uneconomic to produce it at the rates that would be required because the reserves are not that great anymore without our opportunity to drill in the area known as ANWR, which is part of the 1.5-million acre tract that was set aside in 1980 by an amendment sponsored by Senator Jackson and Senator Tsongas for oil and gas exploration. I will be going into that at length this week, too.

They promised me and committed to me that one of the things they would go along with, if we would finally approve the so-called ANILCA, the Alaska National Interest Lands Conservation Act, was that 1.5 million acres in the Arctic would be left available for oil and gas exploration. I will produce the letters that were exchanged by those two Senators with all of the Senate, and the comments they made at the time. I will even show you a photograph of Senator Jackson, Senator Tsongas, and I standing there at the passage of the bill in which the promise was made that oil and gas exploration

could be continued in that 1.5 million acres we all knew was part of the Arctic that has enormous promise for production of oil and gas.

The main reason for speaking now is to say to the Senate, the time is right. There is no longer any time for partisan debate on this issue. This is a matter of national security. Before the week is out, we are again going to see gas lines in this country. I cannot emphasize too greatly my feeling about the delay that has taken place now since 1980.

In 1980, Senators Jackson and Tson-gas committed to help us get that oil exploration going to determine if oil and gas could be produced in substantial quantities from that Arctic coast area. That promise has not been kept because of the opposition that has come from the radical portion of the environmental lobbying group in this city. It is time to put radical environmentalists behind us and realize this country is united in trying to fight this war against global terrorism.

I am also going to bring in a nice big poster. Do you know who is on that poster? General Dwight D. Eisenhower. He is saying to the oil and gas workers in World War II: Stay on the job because we need oil. Without oil, our military cannot function.

That same thing is true now. The military is consuming vast quantities of oil, and we have to have oil to fight this war.

I hope the Senate is willing to listen to me for a long time this week because as this situation gets worse, I will remind the Senate again and again and again. The ANWR issue should have been closed out in 1981. Now, 21 years later, at the time the crisis we all feared has come, we still are facing a filibuster against approval of what the Senate and the President of the United States agreed to when that bill was passed in 1980.

I thank my friends for allowing me to speak at this time.

#### UNANIMOUS CONSENT REQUEST— H.R. 3210

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Mr. President, it is my understanding that there is now a unanimous consent request pending; is that true?

The PRESIDING OFFICER. The Senator is correct.

Mr. REID. Mr. President, I know my friend from Oklahoma has reserved the right to object. Let me for a couple minutes speak to several issues before he determines whether or not he is going to object to this request.

In the wake of September 11, a number of insurance companies are declining to provide coverage from losses which result from terrorist attack. At 2:30 today, I had a meeting in my office with a large number of real estate people in desperate need to have their projects go forward. They are not able to obtain antiterrorism insurance.

I know it is a serious problem. We continue to hear from the General Accounting Office and others that those insurance policies that are available are priced so high that they are really not affordable, even though they may be available. It is unfortunate that last year before adjournment we heard objections to our unanimous consent request to take up H.R. 3210, the House terrorism bill, and amend it with a substitute offered by the Senator from Connecticut, Mr. DODD, and others. We believed that our effort to move forward was in good faith and addressed a present need. We found that some of our colleagues insisted on the consideration of amendments that made it difficult to complete the work on this issue, and it was not completed.

Today, we are again seeking unanimous consent on Senator DODD's proposal which provides the safety net needed to keep insuring against terrorist risks. In turn, that coverage would allow builders to keep building, businesses to keep growing, and hopefully prevent further economic setbacks.

This amendment was a product of extensive bipartisan negotiations. It was developed with extensive consultation with a number of Senate Democrats and Republicans, including Senator GRAMM of Texas, as well as the White House and the Treasury Department. While we were unable to reach agreement on every point, the proposal incorporated, line-by-line, suggestions by our colleagues from both sides of the aisle and this administration. It represented a compromise.

It requires substantial payments by insurance companies before the Federal Government provides a backstop. The proposal would require the insurance industry to retain the responsibility to pay up to \$10 billion in losses in the first year, and up to \$15 billion in losses in the second year, or around 7 to 10 percent of the annual premiums for each affected company.

This legislation would ensure stability in the insurance market so that businesses can afford to purchase insurance.

I say to my friend from Oklahoma, this is imperfect, but we cannot let the perfect stand in the way of the good. We need to move forward.

What others are trying to do is too much. It is just not going to happen.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. NICKLES. Still reserving the right to object, I ask my friend and colleague, if I understand his request, it is to take up the House-passed bill and the substitute and pass without further amendment the Dodd-Sarbanes-Schumer substitute; is that correct?

Mr. REID. The Senator is correct.

Mr. NICKLES. He is saying let's take up the House-passed bill. The request I was going to make, and I ask my colleague if he would agree with this, is let's take the House-passed bill and let's have an amendment on each side,

one amendment, an amendment, whichever—maybe it is the Dodd-Sarbanes-Schumer amendment. I believe the amendment I was hoping our side would offer would be the Dodd-Grumm amendment.

I ask my colleague, would he modify his request to allow one amendment offered to the House substitute, one proposed by the majority leader, and one proposed by the minority leader, and make that small modification?

Mr. REID. The problem, I say to my friend through the Chair, is that we have other Senators, committee chairs, for example, who believe they have to have a few amendments of their own. They believe, as I have heard my friend from Oklahoma speak on a number of occasions, that committees need to be heard more. My whole point in offering this unanimous consent request is that this may be imperfect, but it is really a big bound forward. If we try to say we will have one amendment on your side and one on our side, then we have to go through this somewhat never-ending process of saying: What is the amendment going to be on this side? What is the amendment going to be on your side? Are we going to have time agreements on the amendments?

I just think we would be so much better off looking at what was negotiated. We came within hours of finalizing this before we recessed last year.

I say to my friend, I appreciate very much his good-faith effort. That is something that is worth pursuing. But it is going to be so difficult, and by pursuing that, people who want to obtain loans—one man in my office today had over \$2 billion worth of projects on his desk they wanted to go forward on. He can't because he can't get insurance. I shouldn't say he can't get it, but he can't afford it.

So I hope we can have this consent that I suggest be agreed to. If we can't, I think it is too bad. We will be happy to go back and look at the amendment process. We should not do that. We should move on with this agreement.

Mr. NICKLES. Mr. President, I object to the Senator's request.

I ask unanimous consent—this is going to be a very slight modification—that the Senate proceed to the immediate consideration of Calendar No. 252, at the majority leader's call, at his time of choosing; that we can consider Calendar No. 252, H.R. 3210, the Terrorism Risk Protection Act, and that two amendments be in order, one by the majority leader and one by the minority leader; that time agreements be entered into; that the Senate consider both amendments, and then the remainder of the Senator's request—that after the amendments are dealt with, the bill be read the third time and passed, the motion to reconsider be laid upon the table, and that any statements thereon appear in the RECORD at the appropriate place.

The PRESIDING OFFICER. Is there objection?

Mr. REID. Reserving the right to object, I say to my friend that in a short

time I will object because I think we really need to move forward with something as quickly as possible. At some subsequent time—I think time is so critical in this—we will reoffer our unanimous consent request.

I appreciate what the Senator is trying to do, but one of the things that might be considered is—and I have no authority for this whatsoever—I believe we should move forward on my consent at this time, but maybe if we cannot work something out—which I think would be a shame—I would be happy to talk with the Senator to see if there is something we can do. We might want to start out with agreeing that the vehicle we would be amending would be the Dodd-Sarbanes-Schumer substitute amendment and offer two amendments to that, rather than to the House bill.

Anyway, at this time I object for the reasons previously stated.

The PRESIDING OFFICER. Objection is heard.

Mr. NICKLES. Mr. President, I thank my good friend from Nevada. I hope we can work this out. I am happy to meet with him. I think our objectives are similar. We would like to pass the legislation dealing with terrorism risk protection. We realize there is a serious problem. Just to say we are going to take the House-passed language and pass an amendment that Senators DODD, SARBANES, and SCHUMER have agreed to leaves out Senator GRAMM, who also came up with the agreement that I believe Senators DODD and SARBANES had agreed to earlier.

I hope we can come up with something. You pick the underlying bill, and maybe the underlying bill would be the Dodd-Sarbanes-Schumer proposal, but give us an amendment and let's vote. We can come up with fairly short time constraints—at least on this side; hopefully, we can on both sides—and we can pass something and get to conference. The House-passed bill is significantly different, as my colleague knows. We have to work out the differences with the House. I think this is important legislation and it needs to pass, as the Senator from Nevada mentioned. It needs to pass quickly. Hopefully, bipartisan leadership in the Senate can orchestrate a procedure where we can get this done in the very near future.

I thank my colleague. I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. NICKLES. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

#### A THREAT BY SADDAM HUSSEIN

Mr. NICKLES. Mr. President, I thank my colleague, Senator STEVENS from

Alaska, for his statement dealing with the threat—and maybe the threat implemented today—by Saddam Hussein of Iraq, saying he is going to have an oil embargo against the United States.

I think Senator STEVENS mentioned we imported 263 million barrels of oil from Iraq last year—maybe 273 million barrels. Right now, it is over a million barrels per day. That is a significant amount. I heard commentators say today that we don't import that much. I don't know whose figures they are looking at, but a million barrels per day is a lot. Selectively, right now, we are importing 60 percent of our Nation's oil needs.

You need to compare that to the shortages we had in 1973 and 1979. In 1973, I believe we were importing about 34 percent. In 1979, it was about 44 percent. And we had embargoes because of conflicts in the Middle East. As a result, we had significant curtailments in the United States. They embargoed exports coming from the Middle East. We had shortages in the United States, and we had gas lines.

I don't quite agree with Senator STEVENS that we are going to have gas lines this week, but if the embargo were expanded and lasted for a significant period of time, we could have significant shortages. I think you will see price escalation. How significant it will be depends on how many other countries get involved. He mentioned there might be strikes in Venezuela. That will compound the problem. If you take away a couple million barrels of oil, you are going to see prices go way up, and you may see shortages in the not-too-distant future. Gasoline prices will be going up in the summertime. You can see demand going up and you can see shortages.

So I think the Senator from Alaska is very timely in saying we need to do what we can to help make sure that Saddam Hussein doesn't have too big of a grip on the U.S. economy. One of the things we definitely can do is increase exploration and production in Alaska. Senator STEVENS mentioned that in Prudhoe Bay, which used to produce about 2 million barrels per day, now is producing less than a million. We need to supplement that. When it was 2 million barrels per day, it was 25 percent of our domestic production. Now it is less than an eighth. We need to really have that increase, and we can do that in an environmentally safe and sound manner by production in the Arctic National Wildlife Refuge. We are going to have a vote on that this week.

I also agree 100 percent with Senator STEVENS when he said that while talking about national security, people should not filibuster. Let's find out where the votes are. Are we going to vote to increase domestic production or are we going to allow Saddam Hussein to be able to suffocate the world economy, and certainly the economy of the United States? Are we going to give him that kind of leverage and power or will we do what we can to minimize it?

I encourage my colleagues to take a fresh look at ANWR—at this 2,000 acres from which we are talking about producing. It is an area similar in land size to the State of South Carolina. That is a 2,000-acre footprint, similar to the size of Dulles Airport or the Oklahoma City Airport; it is not that large of an area. If you haven't visited the coastal region of the Arctic National Wildlife Refuge, it is not the prettiest area, and work can be done in a way that will protect and preserve the native wildlife species, including the caribou. If you have been to Prudhoe Bay, you found that the caribou love the Alaska pipeline; you saw a lot of caribou hanging around the pipeline. So certainly it can be done in a way to protect the wildlife and the environment, and it will also help alleviate some of the energy shortages we may experience in the not-too-distant future. We are very vulnerable. We are importing 60 percent of our oil needs today. We need to reduce that or it will be 70 percent in another 10 years.

We need to open exploration in ANWR. I hope my colleagues will not filibuster. I hope my colleagues will say: Let's debate it and let's vote on it. This is a national security issue. We cannot have national security without having energy security, and we do not have energy security today.

My compliments to the administration for giving us a national energy plan for the first time in decades. They presented an energy plan, the House has passed one, and the Senate has not been able to do one. We did not even have a markup on this bill in the Senate Energy Committee.

I have been on that committee for 22 years. I did not get to offer one amendment to this bill. This is the bill. It is 590 pages. It did not have ANWR in it. Why? Because we were not able to offer an ANWR amendment because we were told not to mark it up.

This bill came from Senator DASCHLE and Senator BINGAMAN, and they laid it on our desks. It changed substantially from the previous bill. ANWR was not in it. We had the votes in committee, quite frankly, to put ANWR in the bill. People would try to take ANWR out, but I do not think they have the votes to take it out. I believe that is the reason Senator DASCHLE told Senator BINGAMAN not to mark up a bill.

We now have to try to put an ANWR amendment in the bill, and some of my colleagues say: We have to filibuster. I think they are wrong to do that. Senator STEVENS is right, we need national security and we cannot have national security unless we have energy security. In light of the fact Saddam Hussein is now talking about and may be implementing an oil embargo against the United States, I urge my colleagues to do what we can to protect our national security with energy security, and that includes exploration in the Arctic National Wildlife Refuge.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. GRASSLEY. Mr. President, we are in morning business; is that right?

The PRESIDING OFFICER. The Senator is correct.

#### WASTE, FRAUD AND ABUSE AT THE PENTAGON CANNOT HAPPEN

Mr. GRASSLEY. Mr. President, I will address the issue of defense expenditures and the rapidly rising appropriations for defense, particularly for the war on terrorism, and do it in light of the fact that probably within the next couple of weeks the budget will be before the Senate.

The 9-11 attack wiped out any lingering doubts I or anybody else had about the intention of terrorists. Their intentions are now crystal clear: Kill as many Americans as possible and bring a lot of psychological trauma on the American people. I do not doubt for a second they will strike again when they think the time is right. If they do not, we will be lucky, but if we do not plan on it, we will be stupid.

We must not allow American citizens to live with constant fear that moment will come again. This is a threat to our way of life. As Americans, we cannot accept that threat to our way of life. The terrorist threat must be eliminated.

President Bush is doing everything possible to restore and maintain our security at home and to win the war on terrorism abroad. The war on terrorism will not come cheaply. We must all accept that. Right now we have no choice. So I am not going to quibble with the details of the Department of Defense budget and the recommendations from the Senate Budget Committee. Secretary Rumsfeld and the President have my support in the war against terror.

We ought to look at history and think in terms of other times the defense budget has been ramped up very quickly and the considerable amount of waste that accompanied it. The situation of the 1980s, when this last happened, obviously, was somewhat different from what the situation is today when we are in the midst of a war. Back then, we were in the cold war. There was some understanding we needed to do more, but in the process of not fighting a war and not having a demonstrated need that was as conclusive as this war on terrorism is now, there was an opportunity for waste.

I want to warn Secretary Rumsfeld about waste. Big budgets breed waste, and the Pentagon has shown a world class reputation for waste and mismanagement. It seems to be lurking in the shadows waiting for the Secretary

of Defense to open the money spigot. If he fails to keep a lid on waste, support for President Bush's defense buildup will evaporate quickly, particularly if there is a downturn in the war on terrorism where there is not quite as evident to the public at large of the need for the amount of money we are now appropriating when one might say the war is very active.

If this were to happen, the support for the defense buildup would evaporate and troops in the field would end up on the short end of the stick. If we do have this waste, this Senator will be on the Secretary's back.

A little piece of local history might help everyone in the Senate understand where I am coming from. Back in the early 1980s, at the height of the cold war, President Reagan launched a massive military buildup that was fiercely debated in the Senate for 3 or 4 years. I challenge my colleagues to understand this was a defining experience for me and it still shapes my thinking on defense. I was convinced almost from day 1 that President Reagan's defense Secretary, Cap Weinberger, was bent on throwing new sums of money at problems better solved by structural reform and real leadership. So joining a lot of my colleagues, we made an effort to stop it probably 2 or 3 years after we should have. As a conservative Republican, this was not easy for me to do but it was the right thing to do, and we should be prepared to watch how this money is spent in this ramp-up and be cognizant, watching for waste.

During this time in the early 1980s, I offered an amendment to freeze the defense budget. This was in the fiscal year 1986 budget resolution. My amendment was adopted May 2, 1985, by the slimmest of margins: 50 to 49. I think the Senate, by making that decision and through that act alone, threw a monkey wrench into the last big plan to ramp up the defense budget.

There was quite a case built for doing that at that particular time. Even though \$750 pliers, \$750 toilet seats, and \$7,000 coffee pots are not the reason for defense waste in its entirety, they are clear-cut examples that everybody understands.

Those examples helped make a case for the freezing of the defense budget. The spare parts horror stories were a turning point. They convinced many that the Pentagon defense buildup was a colossal taxpayer rip-off. It undermined the credibility of the planned defense buildup and it turned many into defense reformers, to watchdogging, digging into the waste, fraud, and abuse at the Pentagon.

I was at it that day, today, and I will be at it tomorrow. That is my warning to the people at the Defense Department, from Secretary Rumsfeld on down, and, in the process of spending more money, find a way to control waste.

Unfortunately, the Secretary has a major obstacle to overcome before getting waste under control. It is a simple

rule that you cannot begin to control waste until you know what things cost. You will never get a handle on the cost until the books of account are in order. Every shred of evidence I have examined over the years tells me that the books at the Defense Department are in shambles. The chief financial officer, Mr. Zakheim, knows exactly what I am talking about. I have had opportunities to discuss this with him.

The best barometer on the quality of bookkeeping at the Pentagon is the annual audit of financial statements. The results are dismal. There is over \$150 billion in financial actions for which there is no supporting documentation. Those are accumulative, over some years.

Criminals, quite frankly, could be tapping into the money pipeline at the Department of Defense. People there would never know it. During Secretary Rumsfeld's nomination hearing last year, he was grilled by the senior Senator from West Virginia about the very same problem. As a result of that exchange, Senator BYRD and I cosponsored a financial oversight initiative, section 1009 of the fiscal year 2002 Defense authorization bill.

Having accurate financial information at your fingertips is a key to controlling waste. And to do it right now, we don't have that tool. The Defense Department needs to get it. I believe they are working on getting it. I believe I can speak for Senator BYRD and for myself that we want to help the Defense Department get there. The Secretary has his work cut out. For starters, he is going to need a junkyard dog. Now that there is an inspector general in place, I believe that will help. With the Pentagon's money spigot wide open—once again in a way that nobody at this point is going to raise any questions because you only go to war to win a war or else you do not have any business going to war—the new inspector general has to be operating on a high state of alert.

A 3-year oversight investigation of the office of the inspector general tells me that is not the case today. That office has serious management problems. The new inspector general will need to clean house. We are obviously asking the Secretary to control waste, do it by cleaning up the books, get a handle on costs, and do not fritter away a golden opportunity to rebuild the Armed Forces.

Waste is a constant danger at the Pentagon. When we send military personnel into harm's way, we should all be confident they have what they need to get the job done. If we allow waste to spin out of control, our troops on the front lines will be the first to suffer; we will be back making the same cases as we did in the mid-1980s.

I believe there is some reason to think this Secretary of Defense, Mr. Rumsfeld, sees a need to overcome these problems more so than a lot of his predecessors. There are two reasons I say that. No. 1, 2 or 3 weeks ago I was

able to speak to a House committee on the sloppiness of how credit cards are handled by Department of Defense personnel and the tremendous waste of taxpayer money by the purchase of personal items on a card that says "for official government business only." Within 2 days of those remarks, the Secretary of Defense told the comptroller of the Defense Department to get this matter under control. There has been put in place immediately a task force to accomplish that goal. I publicly thank Secretary Rumsfeld for responding as he has in that particular instance.

Last, I refer to a speech that Secretary Rumsfeld gave on September 10, 1 day before the infamous day of September 11. It seems to me, without anticipating the terror that was going to be brought against America with that dastardly act of September 11, he recognized in this speech the importance of being on top of the taxpayers' dollars as spent on defense.

I read from his speech delivered on September 10:

Every dollar squandered on waste is one denied to the warfighters. That's why we're here today challenging us all to wage an all-out campaign to shift Pentagon resources from bureaucracy to the battle field, from tail to tooth.

We know the adversary. We know the threat. And with the same firmness of purpose that any effort against a determined adversary demands, we must get at it and stay at it.

Some might ask, how in the world could the Secretary of Defense attack the Pentagon in front of its people? To them I reply, I have no desire to attack the Pentagon; I want to liberate it. We need to save it from itself.

The men and women in this department, civilian and military, are our allies, not our enemies. They, too, are fed up with bureaucracy. They, too, live with frustrations. I hear it every day. And I'll bet a dollar to a dime they, too, want to fix it. In fact, I bet that they even know how to fix it, and if asked, will get about the task of fixing it. And I'm asking.

I say parenthetically, I think what the Secretary of Defense did 2 weeks ago, in getting the comptroller on that credit card situation in the Department of Defense, is an example of his willingness to ask and hopefully get it done.

Continuing to quote:

They know the taxpayers deserve better. Every dollar we spend was entrusted to us by a taxpayer who earned it by creating something of value with sweat and skill—a cashier in Chicago, a waitress in San Francisco. An average American family works an entire year to generate \$6,000 in income taxes. Here we spill many times that amount every hour by duplication and inattention.

Then in the last paragraph I am going to quote he says:

That's wrong. It's wrong because national defense depends upon public trust, and trust, in turn, hinges on respect for the hard-working people of America and the tax dollars they earn. We need to protect them and their efforts.

There is a lot more from this speech that Secretary Rumsfeld gave back on

September 10 to employees of the Defense Department. But these few paragraphs, I hope, will give you hope, as they give me hope, that Secretary Rumsfeld will get on top of the situation at the Defense Department, an environment that encourages waste of the taxpayers' money, and will see through the process of financial management reform and all that will do for controlling the waste.

I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. JEFFORDS). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

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

#### NATIONAL LABORATORIES PARTNERSHIP IMPROVEMENT ACT OF 2001—Continued

Mr. REID. Mr. President, I ask unanimous consent that we proceed, once again, to the energy bill and the Feinstein amendment, and the Reid second-degree amendment be pending.

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

#### AMENDMENT NO. 3079

Mr. REID. Mr. President, I commend the senior Senator from California for her amendment and her work on this very difficult issue of derivatives regulation.

To critics of the amendment, I suggest you put yourselves in Senator FEINSTEIN's shoes. She represents the largest State in the United States, whose gross domestic product is larger than most countries of the world. In fact, I understand that it has about the seventh largest gross domestic product of any entity in the world.

Last year's energy crisis threatened California's prosperity and brought home to all of us that we are in uncharted territory with energy deregulation. We felt the same problems in Nevada.

The collapse of Enron, a supposed leader in energy trading and markets, makes me wonder: How can we have a company such as Enron in this country, a publicly owned company, that changes in 1 year from a high flying, worldwide megacompany to a bankrupt loser with hundreds, if not thousands, of ruined lives in its wake? We have many congressional committees and prosecutors looking for the answers to that question, and many other questions.

We owe Senator FEINSTEIN a debt of gratitude for her interest in this issue and her work in proposing changes to the Commodity Exchange Act that will ensure that trading in energy derivatives is done in the open, with transparency, in a way that inspires public confidence in the markets.

My amendment is necessary to restore metals derivatives trading to ex-

empt commodity status. Senator FEINSTEIN's amendment inadvertently included metals derivatives with the energy derivatives that are the intended target of her amendment. Like other derivatives, metals derivatives markets help companies manage the risk of sudden and large price changes.

In recent years, derivatives and other so-called hedging transactions have helped the mining companies in my State cope with a steadily declining gold price by selling mining production forward. The last couple of years illustrate the function and the value in the marketplace of these transactions.

Some companies decided not to hedge, betting that the gold price would rise and that hedging contracts would lock them into below-market prices. Most of those companies are no longer around because the gold price stayed relatively low.

In contrast, other companies hedged some or most of their production. These companies have survived, and survived well, and some have even thrived. By choosing to manage their risk, they accepted the risk that the gold price could rise, but they stabilized company performance, continued to provide jobs, and continued to contribute to the communities in Nevada where they are so important.

Unlike energy derivatives, which raise questions because of the recent energy crisis, metals derivatives have been traded over the counter for many years. The 2000 amendments to the Commodity Exchange Act did not change this; they only clarified and confirmed the legality of these markets. Lumping metals derivatives together with energy derivatives would impose regulatory burdens that have never existed, even before the 2000 amendments, without any justification.

The amendment I have offered would not allow metals derivatives markets and participants to trade derivatives without accountability and transparency.

The Commodity Exchange Act already requires adequate recordkeeping for these otherwise "exempt" transactions. This amendment adds additional recordkeeping requirements for exempt commodities that are comparable to those already in the Feinstein amendment for energy commodities.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. REID. Mr. President, it is my understanding that we are now on the Feinstein amendment and the second-degree amendment offered by the Senator from Nevada.



The PRESIDING OFFICER. The Senator is correct.

AMENDMENT NO. 3079, WITHDRAWN

Mr. REID. Mr. President, I withdraw my second-degree amendment.

The PRESIDING OFFICER. Without objection, the amendment is withdrawn.

AMENDMENT NO. 3081 TO AMENDMENT NO. 2989

Mr. REID. Mr. President, I send an amendment to the desk on my behalf, and we will wait until tomorrow to affix the name of Senator CRAPO to this amendment. I believe he wants to cosponsor it.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 3081 to amendment No. 2989.

Mr. REID. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

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

(The amendment is printed in today's RECORD under "Amendments Submitted.")

Mr. REID. Mr. President, I have given a statement in relation to the amendment just withdrawn. This basically is the same but does not include some redundant requirements for recordkeeping. I simply state that I think the Senator from California, Mrs. FEINSTEIN, is trying to do the right thing. But unless we adopt this amendment, the second largest industry in Nevada—mining—will be hurt very badly. Senator FEINSTEIN's amendment would inadvertently harm mining companies in my state and throughout the United States.

The metal derivatives market has been going on for many years. Lumping metal derivatives with energy derivatives would impose regulatory burdens that have never existed, even before the 2000 amendments to the Commodity Exchange Act, without any justification. Unlike energy derivatives, which raise questions because of the recent energy crisis, metal derivatives have been traded over the counter for years and years with no problem. My amendment is necessary to restore metals derivatives trading to "exempt" status, which is critical to the health of the mining industry.

CLOTURE MOTION

Mr. REID. Mr. President, on behalf of the majority leader, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close the debate on the Feinstein amendment No. 2989 to the substitute amendment for calendar No. 65, S. 517, the energy bill.

Dianne Feinstein, Byron L. Dorgan, H.R. Clinton, Daniel K. Akaka, Paul D.

Wellstone, Edward M. Kennedy, Bob Graham, Carl Levin, Bill Nelson, Debbie Stabenow, Maria Cantwell, Harry Reid, Russell Feingold, Ron Wyden, Richard Durbin, James M. Jeffords.

Mr. REID. Mr. President, I ask unanimous consent that the mandatory quorum under rule XXII be waived.

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

### MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business with Senators permitted to speak for a period of not to exceed 5 minutes each.

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

### HONORING THE GIRL SCOUTS' 90TH ANNIVERSARY

Mr. GRASSLEY. Mr. President, I have a member of my staff who as a Girl Scout loved Girl Scout cookies so much she went into debt selling herself cookies. She said she had every variety of cookie in her possession, for her own consumption, hidden from her little brother and the family dog. Her parents had to give her a low-interest loan so she could pay off her obligation.

I don't recommend her financial habits, but I definitely recommend Girl Scout cookies, and most of all, for girls to become Girl Scouts.

The organization just celebrated its 90th anniversary, and it shows no signs of going out of style. There are 3.7 million Girl Scouts nationwide—2.7 million girl members and 915,000 adult members. My state of Iowa has 53,000 members.

I see why scouting has such broad appeal. The Girl Scouts offer community service, field trips, camping, science awareness, sporting and fitness development, health education and many more activities to girls ages 5 to 17. These programs teach girls not only about the world around them, but also about themselves. They learn leadership skills, self-confidence, respect for others, companionship and responsibility. They also learn egalitarianism. Girl Scouting is open to all girls of the eligible age. A girl just has to have the will to participate and enjoy. Given the competitiveness of so many extracurricular activities for kids, it's refreshing to have an outlet for girls to interact as equals.

Girl Scouting also engages family members and adults in their communities. Almost all adults involved with Girl Scouting are volunteers, and the organization sponsors activities for mothers to spend special time with their daughters away from the distractions of everyday life.

I congratulate the Girl Scouts on 90 years of success. Like all classics, the Girl Scout Promise and the Girl Scout Law remain as fresh and relevant today as ever. Here they are, for the

CONGRESSIONAL RECORD, for posterity, for the girls of today, and for the women of tomorrow.

The Girl Scout Promise: On my honor, I will try: to serve God and my country; to help people at all times; and to live by the Girl Scout Law.

The Girl Scout Law: I will do my best to be honest and fair, friendly and helpful, considerate and caring, courageous and strong, and responsible for what I say and do, and to respect myself and others, respect authority, use resources wisely, make the world a better place, and be a sister to every Girl Scout.

### ADDITIONAL STATEMENTS

#### HONORING MURRAY STATE UNIVERSITY MEN'S BASKETBALL TEAM

• Mr. BUNNING. Mr. President, today I rise to honor the Murray State University men's Basketball team for their success on the court this season.

The Racers, led by Coach Tevester Anderson and leading scorer Justin Burdine, overcame injuries and illness, playing their last 15 games with just nine players in uniform, to finish the season at 19-13 and earn a trip to the NCAA tournament. After getting off to a fast start, the Racers experienced a severe setback, losing eight of ten games at one point to drop to 9-11, after beginning the season an impressive 7-3. Entering the Ohio Valley Conference tournament, the Racers looked as if they had no shot to beat the heavily-favored Golden Eagles of Tennessee Tech. However, the Racers decided to forget about the rankings and experts and simply play the game with pure heart and determination. They knocked off Morehead State to advance to the OVC championship game, where they beat Tennessee Tech on a miraculous last-second shot by team leader Justin Burdine. The Racers entered the NCAA tournament extremely hot, having won 10 of their last 11 games. Unfortunately, the Racers were unable to feed off their momentum late in the season against the University of Georgia, losing to the Bulldogs in the first round of the tournament.

Overall, the Murray State Racers had a very successful and productive season. They overcame numerous hurdles to win the OVC championship and earn their 11th invitation to the NCAA tournament. They worked as a team all year to prove their critics wrong, and showed that they have the hearts of champions. I applaud Coach Anderson and his players for all that they accomplished. •

#### HONORING MR. DAVID B. SANFORD, JR. FOR EXEMPLARY PUBLIC SERVICE

• Mr. ROCKEFELLER. Mr. President, it has come to my attention that a long distinguished career has come to an end and a new chapter is beginning



for Mr. David B. Sanford, Jr. a native of Huntington, WV, has retired as Chief, Interagency and International Services Division, Directorate of Military Programs, Headquarters, United States Corps of Engineers.

Mr. Sanford is a United States Army veteran with active duty service from 1966 to 1969. He joined the United States Army Corps of Engineers in 1971 working at its Huntington, WV, District Office. A native of Huntington, he received his undergraduate degree from Concord College in Athens, WV, and attended graduate school at Xavier University in Cincinnati, OH.

Mr. Sanford's public service career has been filled with remarkable achievements. Previous to his most recent appointment, he was the Chief of the Civil Works Policy Division, Headquarters, United States Army Corps of Engineers. In 1992, he served as a Water Resources Advisor, through a Congressional fellowship, to the distinguished Senator Daniel Patrick Moynihan from New York, then Chairman of the Environment and Public Works Committee.

Mr. Sanford has been the recipient of several public service awards. He has been honored by the United States Department of the Army for his significant contributions to national policy issues related to water resources and military infrastructure.

Through the years, many Members of Congress have relief on Mr. Sanford's insight and advice. He is trusted and respected throughout Washington and the Federal Government. Additionally, he has mentored many young people within the Corps of Engineers, encouraging them to serve their Nation to the best of their ability.

David Sanford, Jr., has dedicated nearly 34 years to the United States Army Corps of Engineers, serving with honor and distinction. The Corps' public engineering services are renowned as world class. David, as a career member of the Corps elite force, has exhibited the kind of character and leadership that has been associated with the Corps. I am proud that a native West Virginia son has earned the rank of the Senior Executive Service. He has the gratitude of his fellow West Virginians and of our Nation for his years of exemplary service. I know my colleagues join me in wishing him well in the years to come.●

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Evans, one of his secretaries.

#### EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting a treaty and sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

#### MESSAGES FROM THE HOUSE

##### ENROLLED BILLS SIGNED

Under the authority of the order of the Senate of January 3, 2001, the Secretary of the Senate, on March 25, 2002, during the recess of the Senate, received a message from the House of Representatives announcing that the Speaker has signed the following enrolled bills:

H.R. 2356. An act to amend the Federal Election Campaign Act of 1971 to provide bipartisan campaign reform.

H.R. 3985. An act to amend the Act entitled "An Act to authorize the leasing of restricted Indian lands for public, religious, educational, recreational, residential, business, and other purposes requiring the grant of long-term leases," approved August 9, 1955, to provide for binding arbitration clauses in leases and contracts related to reservation lands of the Gila River Indian Community.

H.R. 3986. An act to extend the period of availability of unemployment assistance under the Robert T. Stafford Disaster Relief and Emergency Assistance Act in the case of victims of the terrorist attacks of September 11, 2001.

Under the authority of the order of the Senate of January 3, 2001, the enrolled bills were signed by the President pro tempore (Mr. BYRD) on March 25, 2002.

##### ENROLLED BILLS SIGNED

Under the authority of the order of the Senate of January 3, 2001, the Secretary of the Senate, on March 28, 2002, during the recess of the Senate, received a message from the House of Representatives announcing that the Speaker has signed the following enrolled bills:

H.R. 1432. An act to designate the facility of the United States Postal Service located at 3698 Inner Perimeter Road in Valdosta, Georgia, as the "Major Lyn McIntosh Post Office Building."

H.R. 1748. An act to designate the facility of the United States Postal Service located at 805 Glen Burnie Road in Richmond, Virginia, as the "Tom Bliley Post Office Building."

H.R. 1749. An act to designate the facility of the United States Postal Service located at 685 Turnberry Road in Newport News, Virginia, as the "Herbert H. Bateman Post Office Building."

H.R. 2577. An act to designate the facility of the United States Postal Service located at 310 South State Street in St. Ignace, Michigan, as the "Bob Davis Post Office Building."

H.R. 2876. An act to designate the facility of the United States Postal Service located in Harlem, Montana, as the "Francis Bardanoue United States Post Office Building."

H.R. 3072. An act to designate the facility of the United States Postal Service located at 125 Main Street in Forest City, North Carolina, as the "Vernon Tarlton Post Office Building."

H.R. 2910. An act to designate the facility of the United States Postal Service located at 3131 South Crater Road in Petersburg, Virginia, as the "Norman Sisisky Post Office Building."

H.R. 3379. An act to designate the facility of the United States Postal Service located at 375 Carlls Path in Deer Park, New York, as the "Raymond M. Downey Post Office Building."

Under the authority of the order of the Senate of January 3, 2001, the enrolled bills were signed by the President pro tempore (Mr. BYRD) on today, April 8, 2002.

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-5909. A communication from the Director of the Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, the OMB Cost Estimate for Pay-As-You-Go Calculations for report numbers 560 through 562; to the Committee on the Budget.

EC-5910. A communication from the Administrator of the Rural Utilities Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "7 CFR Part 1744, Post-loan Policies and Procedures Common to Guaranteed and Insured Loans" (RIN0572-AB48) received on March 21, 2002; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5911. A communication from the Under Secretary for Research, Education, and Economics, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Availability of Information" (7 CFR Part 510) received on March 21, 2002; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5912. A communication from the Congressional Review Coordinator of Policy and Program Development, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Change in Disease Status of Japan Because of BSE" (Doc. No. 01-094-1) received on March 21, 2002; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5913. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Vinyl Acetate Polymers; Tolerance Exemption" (FRL6805-8) received on March 21, 2002; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5914. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Modified Acrylic Polymers; Tolerance Exemption" (FRL6805-6) received on March 21, 2002; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5915. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Pseudomonas Chloroaphis Strain 63-28; Exemption from the Requirement of a Tolerance" (FRL6745-6) received on March 21, 2002; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5916. A communication from the Director of the Office of Regulations Management, Veterans Benefits Administration, Department of Veterans' Affairs, transmitting, pursuant to law, the report of a rule entitled "Increase in Rates Payable Under the Montgomery GI Bill—Selected Reserve" (RIN2900-

AK99) received on March 21, 2002; to the Committee on Veterans' Affairs.

EC-5917. A communication from the Director of the Office of Regulations Management, Veterans Benefits Administration, Department of Veterans' Affairs, transmitting, pursuant to law, the report of a rule entitled "Post-Traumatic Stress Disorder Claims Based on Personal Assault" (RIN2900-AK00) received on March 21, 2002; to the Committee on Veterans' Affairs.

EC-5918. A communication from the Director of the Office of Regulations Management, Veterans Benefits Administration, Department of Veterans' Affairs, transmitting, pursuant to law, the report of a rule entitled "Extension of the Presumptive Period for Compensation for Gulf War Veterans' Undiagnosed Illness" (RIN2900-AK98) received on March 21, 2002; to the Committee on Veterans' Affairs.

EC-5919. A communication from the Director of the Office of Regulations Management, Veterans Benefits Administration, Department of Veterans' Affairs, transmitting, pursuant to law, the report of a rule entitled "Written and Oral Information or Statements Affecting Entitlement to Benefits" (RIN2900-AK25) received on March 21, 2002; to the Committee on Veterans' Affairs.

EC-5920. A communication from the White House Liaison, transmitting, pursuant to law, the report of the discontinuation of service in acting role for the position of Assistant Attorney General, Office of Legal Counsel, Department of Justice, received on March 21, 2002; to the Committee on the Judiciary.

EC-5921. A communication from the Attorney General, Department of Justice, transmitting, pursuant to law, the Semiannual Management Report, and the Semiannual Report of the Office of the Inspector General for the period April 1, 2001 through September 30, 2001; to the Committee on the Judiciary.

EC-5922. A communication from the Attorney General, Department of Justice, transmitting, pursuant to law, the Departments Strategic Plan for Fiscal Years 2001 through 2006; to the Committee on the Judiciary.

EC-5923. A communication from the National Service Officer, American Gold Star Mothers, Inc., transmitting, the report of Financial Statements, Supplementary Information, and the Independent Auditor's Report for the Years Ended June 30, 2000 and 2001; to the Committee on the Judiciary.

EC-5924. A communication from the Regulations Officer of the Federal Highway Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Right-of-Way and Real Estate; Program Administration" (RIN2125-AE82) received on March 21, 2002; to the Committee on Environment and Public Works.

EC-5925. A communication from the Director of the Office of Congressional Affairs, Nuclear Material Safety and Safeguards, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "List of Approved Spent Fuel Storage Casks: FuelSolutions™ Revision" (RIN3150-AG87) received on March 21, 2002; to the Committee on Environment and Public Works.

EC-5926. A communication from the Director of the Office of Congressional Affairs, Office of Nuclear Reactor Regulation, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "10 CFR Part 55—Operators' Licenses," Eligibility and the Use of Simulation Facilities in Operator Licensing" (RIN3150-AG40) received on March 21, 2002; to the Committee on Environment and Public Works.

EC-5927. A communication from the Deputy Chief Financial Officer, National Aeronautics and Space Administration, transmit-

ting, pursuant to law, a report relative to Ames Research Center (ARC) in Sunnyvale, California; to the Committee on Environment and Public Works.

EC-5928. A communication from the Secretary of Transportation, transmitting, pursuant to the Superfund Amendments and Reauthorization Act (SARA) of 1986, as amended, the Department's Annual Report for Fiscal Year 2001; to the Committee on Environment and Public Works.

EC-5929. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revisions to the California State Implementation Plan, San Joaquin Valley Unified Air Pollution Control District" (FRL7078-7) received on March 21, 2002; to the Committee on Environment and Public Works.

EC-5930. A communication from the Chairman of the Nuclear Regulatory Commission, transmitting, pursuant to law, the monthly status report on the Commission's licensing activities and regulatory duties dated August 2001; to the Committee on Environment and Public Works.

EC-5931. A communication from the Chairman of the Nuclear Regulatory Commission, transmitting, the monthly status report on the Commission's licensing activities and regulatory duties dated September 2001; to the Committee on Environment and Public Works.

EC-5932. A communication from the Acting Assistant Secretary, Land and Minerals Management, Department of the Interior, transmitting, pursuant to law, a notice on the Outer Continental Shelf, Eastern Gulf of Mexico, Oil and Gas Lease Sale 181; to the Committee on Energy and Natural Resources.

EC-5933. A communication from the Acting Assistant Secretary, Land and Minerals Management, Department of the Interior, transmitting, pursuant to law, a notice on the Outer Continental Shelf, Eastern Gulf of Mexico, Oil and Gas Lease Sale 181; to the Committee on Energy and Natural Resources.

EC-5934. A communication from the General Counsel of the Federal Emergency Management Agency, transmitting, pursuant to law, the report of a rule entitled "Suspension of Community Eligibility" (Doc. No. FEMA-7773) received on March 21, 2002; to the Committee on Banking, Housing, and Urban Affairs.

EC-5935. A communication from the General Counsel, Federal Emergency Management Agency, transmitting, pursuant to law, the report of a rule entitled "Final Flood Elevation Determinations" (44 CFR Part 67) received on March 21, 2002; to the Committee on Banking, Housing, and Urban Affairs.

EC-5936. A communication from the General Counsel, National Credit Union Administration, transmitting, pursuant to law, the report of a rule entitled "Regulatory Flexibility Program" received on March 21, 2002; to the Committee on Banking, Housing, and Urban Affairs.

EC-5937. A communication from the General Counsel, Federal Emergency Management Agency, transmitting, pursuant to law, the report of a rule entitled "Changes in Flood Elevation Determinations" (Doc. No. FEMA-P-7608) received on March 21, 2002; to the Committee on Banking, Housing, and Urban Affairs.

EC-5938. A communication from the Assistant General Counsel for Regulations, Office of the Secretary, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled "Section 8 Housing Assistance Payments Program—Contract Rent Annual Adjustment Factors,

Fiscal Year 2002" (FR-4715-N-01) received on March 21, 2002; to the Committee on Banking, Housing, and Urban Affairs.

EC-5939. A communication from the President of the United States, transmitting, pursuant to law, the Periodic Report on the National Emergency with Respect to Persons Who Commit, Threaten to Commit, or Support Terrorism; to the Committee on Banking, Housing, and Urban Affairs.

EC-5940. A communication from the General Counsel, Federal Emergency Management Agency, transmitting, pursuant to law, the report of a rule entitled "Final Flood Elevation Determinations" (66 FR 65120) received on March 21, 2002; to the Committee on Banking, Housing, and Urban Affairs.

EC-5941. A communication from the Assistant Director, Executive and Political Personnel, Department of Defense, transmitting, pursuant to law, the report of a nomination for the position of Under Secretary of the Army, received on March 21, 2002; to the Committee on Armed Services.

EC-5942. A communication from the Assistant Director, Executive and Political Personnel, Department of Defense, transmitting, pursuant to law, the report of a nomination for the position of Under Secretary of the Air Force, received on March 21, 2002; to the Committee on Armed Services.

EC-5943. A communication from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting, pursuant to law, the report of a nomination confirmed for the position of Assistant Secretary of Defense, Health Affairs, received on March 21, 2002; to the Committee on Armed Services.

EC-5944. A communication from the Assistant Director, Executive and Political Personnel, Department of Defense, transmitting, pursuant to law, the report of a nomination confirmed for the position of Under Secretary of the Air Force, received on March 21, 2002; to the Committee on Armed Services.

EC-5945. A communication from the Register Liaison Officer, Office of the Secretary, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Implementing the Establishment of TRICARE Prime Remote for Active Duty Family Members" (RIN0720-AA68) received on March 21, 2002; to the Committee on Armed Services.

EC-5946. A communication from the Register Liaison Officer, Office of the Secretary, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Enrollment of Certain Family Members of E-4 and Below into TRICARE Prime" (RIN0720-AA59) received on March 21, 2002; to the Committee on Armed Services.

EC-5947. A communication from the Deputy Secretary of Defense, transmitting, pursuant to law, a report on the Warranty Claims Recovery Pilot Program dated December 2001; to the Committee on Armed Services.

EC-5948. A communication from the Deputy Secretary of Defense, transmitting, pursuant to law, a report on Physician Participation in TRICARE in Rural States; to the Committee on Armed Services.

EC-5949. A communication from the Assistant Secretary of the Navy, Installations and Environment, transmitting, pursuant to law, a report on Commercial Activity Study Candidates, Fiscal Year 2002 First Announcement; to the Committee on Armed Services.

EC-5950. A communication from the Special Assistant, White House Liaison, transmitting, pursuant to law, the report of a nomination for the position of Chief Financial Officer, Department of Education, received on March 21, 2002; to the Committee on Health, Education, Labor, and Pensions.

EC-5951. A communication from the Special Assistant, White House Liaison, transmitting, pursuant to law, the report of a

nomination for the position of Assistant Secretary, Office of Management, Department of Education, received on March 21, 2002; to the Committee on Health, Education, Labor, and Pensions.

EC-5952. A communication from the Director, Regulations Policy and Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Hematology and Pathology Devices; Reclassification of the Automated Differential Cell Counter" (Doc. No. 95P-0315) received on March 21, 2002; to the Committee on Health, Education, Labor, and Pensions.

EC-5953. A communication from the Director, Corporate Policy and Research Department, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled "Disclosure to Participants; Benefits Payable in Terminated Single-Employer Plans" received on March 21, 2002; to the Committee on Health, Education, Labor, and Pensions.

EC-5954. A communication from the Director, Regulations Policy and Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Cold, Cough, Allergy, Bronchodilator, and Antiasthmatic Drug Products for Over-the-Counter Human Use; Partial Final Rule for Combination Drug Products Containing Bronchodilator; Correction" (RIN0910-AA01) received on March 21, 2002; to the Committee on Health, Education, Labor, and Pensions.

EC-5955. A communication from the Director of Regulations Policy and Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Food Additives Permitted for Direct Addition to Food for Human Consumption; Change in Specifications for Gum or Wood Rosin Derivatives in Chewing Gum Base; Correction" (Doc. No. 99F-2533) received on March 21, 2002; to the Committee on Health, Education, Labor, and Pensions.

EC-5956. A communication from the Director, Regulations Policy and Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting pursuant to law, the report of a rule entitled "Cold, Cough, Allergy, Bronchodilator, and Antiasthmatic Drug Products for Over-the-Counter Human Use; Partial Final Rule for Combination Drug Products Containing a Bronchodilator" (RIN0910-AA01) received on March 21, 2002; to the Committee on Health, Education, Labor, and Pensions.

EC-5957. A communication from the Director, Regulations Policy and Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting pursuant to law, the report of a rule entitled "Medical Devices; Exemption From Premarket Notification; Class II Devices" (Doc. No. 01N-0238) received on March 21, 2002; to the Committee on Health, Education, Labor, and Pensions.

EC-5958. A communication from the Director, Regulations Policy and Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting pursuant to law, the report of a rule entitled "Change of Address; Technical Amendment" received on March 21, 2002; to the Committee on Health, Education, Labor, and Pensions.

EC-5959. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the Report on Low Income Home Energy Assistance Program (LIHEAP) for Fiscal Years 1997 through 1999; to the Committee on Health, Education, Labor, and Pensions.

EC-5960. A communication from the Chief of the Regulations Division, Bureau of Alcohol, Tobacco and Firearms, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Hard Cider, Semi-Generic Wine Designations, and Wholesale Liquor Dealers' Signs" (RIN1512-AB71) received on March 21, 2002; to the Committee on Finance.

EC-5961. A communication from the Chief of the Regulations Division, Bureau of Alcohol, Tobacco and Firearms, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Removal of Tobacco Products and Cigarette Paper and Tubes, Without Payment of Tax for Use of the United States; Recodification of Regulations" (RIN1512-AC42) received on March 21, 2002; to the Committee on Finance.

EC-5962. A communication from the Regulations Officer, Social Security Administration, transmitting, pursuant to law, the report of a rule entitled "Supplemental Security Income; Disclosure of Information to Consumer Reporting Agencies and Overpayment Recovery Through Administrative Offset Against Federal Payments" (RIN0960-AF31) received on March 21, 2002; to the Committee on Finance.

EC-5963. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Applicable Federal Rates - November 2001" (Rev. Rul. 2001-52) received on March 21, 2002; to the Committee on Finance.

EC-5964. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Coordinated Issue: Receding Face Deduction" (UILLN 612.03-03) received on March 21, 2002; to the Committee on Finance.

EC-5965. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Coordinated Issue: Retroactive Claims to Elect the FMV Method of Interest Expense Apportionment" (UILLN 861.09-10) received on March 21, 2002; to the Committee on Finance.

EC-5966. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Coordinated Issue: Federal Income Tax Withholding on Compensation Paid to Nonresident Alien Crew Member by a Foreign Transportation Entity" (UILLN 9401.01-05) received on March 21, 2002; to the Committee on Finance.

EC-5967. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the notice of a delay in submitting a report on the study of the quality and cost of providing Program of All-inclusive Care for the Elderly (PACE) program services as permanent Medicare program and Medicaid State plan option and a study of a demonstration of PACE using for-profit providers; to the Committee on Finance.

EC-5968. A communication from the Administrator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, a report regarding the prospective payment system (PPS) for Medicare Skilled Nursing Facilities (SNFs), and a report on Medicare Payments for Patients with HIV/AIDS in Skilled Nursing Facilities; to the Committee on Finance.

EC-5969. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled "Study of Intravenous Immune Globulin Administration Options: Safety, Access and Cost Issues"; to the Committee on Finance.

EC-5970. A communication from the President and Chief Executive Officer of the Overseas Private Investment Corporation, transmitting, pursuant to law, a report relative to actions to establish a council to promote greater investments in sub-Saharan Africa; to the Committee on Foreign Relations.

EC-5971. A communication from the Assistant Secretary of Legislative Affairs, Department of State, transmitting, pursuant to law, a report on danger pay allowance for Government civilian employees in Afghanistan; to the Committee on Foreign Relations.

EC-5972. A communication from the Assistant Secretary of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the report of a certification of a proposed license for the export of defense articles or services sold commercially under a contract in the amount of \$50,000,000 or more to Mexico; to the Committee on Foreign Relations.

EC-5973. A communication from the Assistant Secretary of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the report of a certification of a proposed manufacturing license agreement with Turkey; to the Committee on Foreign Relations.

EC-5974. A communication from the Assistant Secretary of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the report of a certification of a proposed license for the export of defense articles or services sold commercially under a contract in the amount of \$50,000,000 or more to Taiwan; to the Committee on Foreign Relations.

EC-5975. A communication from the Assistant Secretary of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the report of a certification of a proposed license for the export of defense articles or services sold commercially under a contract in the amount of \$50,000,000 or more to the United Kingdom; to the Committee on Foreign Relations.

EC-5976. A communication from the Assistant Secretary of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the report of a certification of a proposed license for the export of defense articles to India; to the Committee on Foreign Relations.

EC-5977. A communication from the Assistant Secretary of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the report of a certification of a proposed license for the export of defense articles to India; to the Committee on Foreign Relations.

EC-5978. A communication from the Assistant Secretary of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the report of a certification of a proposed license for the export of defense articles or services sold commercially under a contract in the amount of \$50,000,000 or more to Germany; to the Committee on Foreign Relations.

EC-5979. A communication from the Assistant Secretary of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the report of a certification of a proposed amendment to a manufacturing license agreement with Turkey in the amount of \$50,000,000 or more; to the Committee on Foreign Relations.

EC-5980. A communication from the Assistant Secretary of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the report of a certification of a proposed license for the export of defense articles or services sold commercially under a contract in the amount of \$50,000,000 or more to Saudi Arabia; to the Committee on Foreign Relations.

EC-5981. A communication from the Assistant Secretary of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the report of a certification of a proposed license for the export of defense articles to India; to the Committee on Foreign Relations.

EC-5982. A communication from the Assistant Secretary of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the report of a certification of a proposed license for the export of defense articles to India; to the Committee on Foreign Relations.

EC-5983. A communication from the Assistant Secretary of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the report of a certification of a proposed license for the export of defense articles or services sold commercially under a contract in the amount of \$50,000,000 or more to Japan; to the Committee on Foreign Relations.

EC-5984. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to law, the report of the texts and background statements of international agreements other than treaties; to the Committee on Foreign Relations.

EC-5985. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to law, the report of the texts and background statements of international agreements other than treaties; to the Committee on Foreign Relations.

EC-5986. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to law, the report of the texts and background statements of international agreements other than treaties; to the Committee on Foreign Relations.

EC-5987. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to law, the report of the texts and background statements of international agreements other than treaties; to the Committee on Foreign Relations.

EC-5988. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to law, the report of the texts and background statements of international agreements other than treaties; to the Committee on Foreign Relations.

EC-5989. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Pilatus Britten-Norman Limited BN2, 2A, 2B, 2T, and BN2A Mk III Series Airplanes" ((RIN2120-AA64)(2002-0164)) received on March 21, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5990. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: McDonnell Douglas DC-9 81, 82, 83, and 87 Series Airplanes, Model MD 88 Airplanes, and Model MD-90 30 Series Airplanes" ((RIN2120-AA64)(2002-0163)) received on March 21, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5991. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Honeywell International Inc. T5311A, T5311B, T5313B, T5317A, T5317B, T53-L-11, -11A, -11B, -11C, -11D, -11AS/SA, -13B, -13BS/SA, -13S/SB, and -703 Turbohaft Engines" ((RIN2120-

AA64)(2002-0162)) received on March 21, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5992. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Bombardier Model CL 600 2B19 Series Airplanes" ((RIN2120-AA64)(2002-0166)) received on March 21, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5993. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Bombardier Model DHC-8-400 Series Airplanes" ((RIN2120-AA64)(2002-0167)) received on March 21, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5994. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Fokker Model F27 Mark 050 Series Airplanes" ((RIN2120-AA64)(2002-0171)) received on March 21, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5995. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Honeywell International Inc. LTS101 Series Turbohaft and LTP101 Series Turboprop Engines" ((RIN2120-AA64)(2002-0170)) received on March 21, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5996. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Dornier Model 328-100, and -300 Series Airplanes" ((RIN2120-AA64)(2002-0169)) received on March 21, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5997. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Short Brothers Model SD3-60, -60 SHERPA, and SD3 SHERPA Series Airplanes" ((RIN2120-AA64)(2002-0168)) received on March 21, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5998. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Boeing Model 727 Series Airplanes" ((RIN2120-AA64)(2002-0174)) received on March 21, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5999. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: McDonnell Douglas Model DC-9, DC-9 80, and C-9 Series Airplanes; Model MD-88 Airplanes; and Model MD-90 Airplanes" ((RIN2120-AA64)(2002-0173)) received on March 21, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6000. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Airbus Model A300 F4-605R Airplanes" ((RIN2120-AA64)(2002-0172)) received on March 21, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6001. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Tipton Airport, Fort Meade, MD" ((RIN2120-AA66)(2002-0033)) received on March 21, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6002. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Beebe Memorial Hospital Heliport, Lewes, DE" ((RIN2120-AA66)(2002-0032)) received on March 21, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6003. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class D Surface Area at Indian Springs Air Force Auxiliary Field, Indian Springs, NV" ((RIN2120-AA66)(2002-0031)) received on March 21, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6004. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Airbus Model A300 B2 and B4 Series Airplanes; Model A300 F4-605R Airplanes; Model A300 B4-600 and A300 B4 600R Series Airplanes; and Model A310 Series Airplanes" ((RIN2120-AA64)(2002-0175)) received on March 21, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6005. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Boeing Model 757 Series Airplanes" ((RIN2120-AA64)(2002-0153)) received on March 21, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6006. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: British Aerospace Model HP 137 Jetstream Mk 1 Jetstream Series 200, and Jetstream Series 3101 Airplanes" ((RIN2120-AA64)(2002-0152)) received on March 21, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6007. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Flight Crew Compartment Access and Door Designs" ((RIN2120-AH55)(2002-0002)) received on March 21, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6008. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Pilatus Britten-Norman Limited BN-2, 2A, 2B, and 2T Series Airplanes" ((RIN2120-AA64)(2002-0156)) received on March 21, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6009. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Boeing Model 737-200, 200C, 300, and 500 Series Airplanes" ((RIN2120-AA64)(2002-0155)) received on March 21, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6010. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Airbus Model A300 B2 and B4, B4-600, B4-600R, and F4 600R; and Model A310 Series Airplanes" ((RIN2120-AA64)(2002-0154)) received on March 21, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6011. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: SOCAT A Groupe AEROSPATIALE Model TBM 700 Airplanes" ((RIN2120-AA64)(2002-0159)) received on March 21, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6012. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: BAE Systems Limited Model BAe 136 Series Airplanes and Model Avro 146 RJ Series Airplanes" ((RIN2120-AA64)(2002-0158)) received on March 21, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6013. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Airbus Model A319, A320, and A321 Series Airplanes" ((RIN2120-AA64)(2002-0157)) received on March 21, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6014. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: BAE Systems Limited Model BAe 146 and Avro 146-RJ Series Airplanes" ((RIN2120-AA64)(2002-0160)) received on March 21, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6015. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: CFM International, SA CFM56-5 Series Turbofan Engines" ((RIN2120-AA64)(2002-0161)) received on March 21, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6016. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Pratt and Whitney PW400 Series Turbofan Engines" ((RIN2120-AA64)(2002-0165)) received on March 21, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6017. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska—Modification of a Closure (Reopens A Season Pollock Fishery in Statistical Area 630, Gulf of Alaska)" received on March 21, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6018. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Fisheries Off West Coast States and in the Western Pacific; Pacific Coast Groundfishery; Trip Limit Adjustment for Dover Sole in the Limited Entry Trawl Fishery" received on March 21, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6019. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska—Closes A Season Pollock Fishing in Statistical Area, 610, Gulf of Alaska" received on March 21, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6020. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Atka Mackerel in the Bering Sea and Aleutian Islands" received on March 21, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6021. A communication from the White House Liaison, transmitting, pursuant to law, the report of a nomination for the position of Director of the National Institution of Standards and Technology, Department of Commerce, received on March 21, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6022. A communication from the White House Liaison, transmitting, pursuant to law, the report of a nomination for the position of Under Secretary of Oceans and Atmospheres, National Oceanic and Atmospheric Administration, Department of Commerce, received on March 21, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6023. A communication from the White House Liaison, transmitting, pursuant to law, the report of a nomination confirmed for the position of Under Secretary for Technology, Technology Administration, Department of Commerce, received on March 21, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6024. A communication from the Associate Administrator for Human Resources and Education, transmitting, pursuant to law, the report of a vacancy and the designation of acting officer for the position of Administrator, NASA Headquarters, received on March 21, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6025. A communication from the Attorney/Advisor, Department of Transportation, transmitting, pursuant to law, the report of a nomination for the position of Associate Deputy Secretary, received on March 21, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6026. A communication from the White House Liaison, transmitting, pursuant to law, the report of a change in previously submitted reported information and a nomination confirmed for the position of Director, National Institute of Standards and Technology, Technology Administration, Department of Commerce, received on March 21, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6027. A communication from the White House Liaison, transmitting, pursuant to law, the report of a change in previously submitted reported information and a nomination confirmed for the position of Under Secretary for Oceans and Atmospheres, National Oceanic and Atmospheric Administration, Department of Commerce, received on March 21, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6028. A communication from the Secretary of the Bureau of Consumer Protection, Federal Trade Commission, transmitting, pursuant to law, the report of a rule entitled "Used Automobile Parts Guides, 16 CFR Part 20" received on March 21, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6029. A communication from the Secretary of the Bureau of Consumer Protec-

tion, Federal Trade Commission, transmitting, pursuant to law, the report of rule entitled "Household Furniture Guides 16 CFR Part 250" received on March 21, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6030. A communication from the Secretary of the Bureau of Consumer Protection, Federal Trade Commission, transmitting, pursuant to law, the report of a rule entitled "Fuel Economy Guides 16 CFR Part 259" received on March 21, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6031. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Atlantic Bluefishery; Commercial Quota Transfer" (ID 110701E) received on March 21, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6032. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Closure of the Commercial Fishery for Gulf Group King Mackerel in the Northern Florida West Coast Subzone" received on March 21, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6033. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska—Closes Pollock Fishing in Statistical Area 610, Gulf of Alaska" received on March 21, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6034. A communication from the Secretary of the Commission, Bureau of Consumer Protection, Federal Trade Commission, transmitting, pursuant to law, the report of a rule entitled "16 CFR Part 305—Rule Concerning Disclosures Regarding Energy Consumption and Water Use of Certain Home Appliances and Other Products Required Under the Energy Policy and Conservation Act ("Appliance Labeling Rule")—Correction to November 19, 2001 Notice" received on March 21, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6035. A communication from the Acting Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries Off West Coast States and in the Western Pacific; Pacific Coast Groundfish Fishery; Restrictions on Frequency of Limited Entry Permit Transfers" (RIN0648-AO87) received on March 21, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6036. A communication from the Acting Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries Off West Coast States and in the Western Pacific; Pacific Coast Groundfish Fishery; Amendment 14" (RIN0648-AO97) received on March 21, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6037. A communication from the Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries Off West Coast States and in the Western Pacific; Coastal Pelagic Species Fisheries; Annual Specifications; Pacific Sardine Fishery" (RIN0648-AP00) received on March 21, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6038. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Spiny Dogfish Fishery; Commercial Quota Harvested for Period 2" (ID 111401C) received on March 21, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6039. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Scup Fishery; Commercial Quota Harvested for Winter II Period" received on March 21, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6040. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Atlantic Bluefish Fishery; Commercial Quota Harvested for New York" (ID 112601D) received on March 21, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6041. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries Off West Coast States and in the Western Pacific; Coastal Pelagic Species Fisheries; Closure of Directed Fishery for Pacific Mackerel" received on March 21, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6042. A communication from the Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Atlantic Highly Migratory Species; Pelagic Longline Fishery; Sea Turtle Protection Measures; Emergency Rule; Extension of Expiration Date; Request for Comments" (RIN0648-AP31) received on March 21, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6043. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Magnuson-Stevens Act Provisions; Fisheries Off West Coast State and in the Western Pacific; Pacific Coast Groundfish Fishery; Groundfishery Management Measures" (RIN0648-AO69) received on March 21, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6044. A communication from the Acting Administrator for Ocean Services and Coastal Zone Management, National Oceanic and Atmospheric Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Revisions to Anchoring Prohibitions in the Flower Garden Banks National Marine Sanctuary" (RIN0648-AP22) received on March 21, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6045. A communication from the Assistant Administrator of the Office of Oceanic and Atmospheric Research, National Oceanic and Atmospheric Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Sea Grant National Strategic Investments in Technology, Marine Environmental Biotechnology, and Fisheries Habitat: Request for Proposals for FY2002" received on March

21, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6046. A communication from the Chairman of the Surface Transportation Board, Section of Economics and Environmental Analysis, transmitting, pursuant to law, the report of a rule entitled "Modification of the Carload Waybill Sample Reporting Procedures" (STB Ex Parte No. 385 (sub-no. 5)) received on March 21, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6047. A communication from the Director of the Office of Personnel Management, Workforce Compensation and Performance Service, transmitting, pursuant to law, the report of a rule entitled "Interim Regulations on Administrative Appeals Judge Pay System" (RIN3206-AJ44) received on March 21, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6048. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Increase in the Trip Limit in the Commercial Hook-and-Line Fishery for Gulf Group King Mackerel in the Florida East Coast Subzone to 75 Fish Per Day for the 2001/2002 Fishing Year" received on March 21, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6049. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries Off West Coast States and in the Western Pacific; Pacific Coast Groundfish Fishery; Whiting Closure for the Catcher/Processor Sector" received on March 21, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6050. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries Off West Coast States and in the Western Pacific; Coastal Pelagic Species Fisheries, Reallocation of Pacific Sardine" received on March 21, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6051. A communication from the Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Final Initial Specifications for the 2002 Fishing Year for Atlantic Mackerel, Squid, and Butterfish (MSB); Including an In-Season Adjustment Provision for the 2002 Mackerel Joint Venture Processing (JVP) Annual Specification" (RIN0648-AP08) received on March 21, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6052. A communication from the General Counsel, National Aeronautics and Space Administration, National Aeronautics and Space Administration, transmitting, pursuant to law, the report of a rule entitled "Standards of Conduct" (RIN2700-AC37) received on March 21, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6053. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Closure of Trawl of Directed Fishery for Groundfish in the Gulf of Alaska" received on March 21, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6054. A communication from the Chief of the Endangered Species Division, Office of Protected Resources, Department of Com-

merce, transmitting, pursuant to law, the report of a rule entitled "Sea Turtle Conservation; Restrictions to Fishing Activities" (RIN0648-AP63) received on March 21, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6055. A communication from the Deputy Assistant Administrator for Ocean Services and Coastal Zone Management, National Oceanic Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Coastal Ocean Program Supplemental Notice of Funds Availability for the South Florida Ecosystem Research and Monitoring Program for FY02" (RIN0648-ZA79) received on March 21, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6056. A communication from the Secretary of Commerce, transmitting, pursuant to law, the Biennial report relative to the Chesapeake Bay for the period November 1998 through November 2000; to the Committee on Commerce, Science, and Transportation.

EC-6057. A communication from the Director of the Employment Service, United States Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled "Reasonable Accommodation Requirements in Vacancy Announcements" (RIN3206-AJ11) received on March 21, 2002; to the Committee on Governmental Affairs.

EC-6058. A communication from the Director of the Office of Personnel Management, Workforce Compensation and Performance Service, transmitting, pursuant to law, the report of a rule entitled "Interim Regulations on Basic Pay for Employees of Temporary Organizations" (RIN3206-AJ47) received on March 21, 2002; to the Committee on Governmental Affairs.

EC-6059. A communication from the Director of Personnel Management, Workforce Compensation and Performance Service, transmitting, pursuant to law, the report of a rule entitled "Interim Regulations on the Restoration of Annual Leave Forfeited Due to the Exigency of Public Business Created by the "National Emergency by Reason of Certain Terrorist Attacks" received on March 21, 2001; to the Committee on Governmental Affairs.

EC-6060. A communication from the Acting Chairman of the National Endowment for the Arts, transmitting, pursuant to law, the report of Commercial Activities Inventory for Fiscal Year 2001; to the Committee on Governmental Affairs.

EC-6061. A communication from the Inspector General, Railroad Retirement Board, transmitting, the Semiannual Report providing a summary of the Board's activities and accomplishments for the period April 1, 2001 through September 30, 2001; to the Committee on Governmental Affairs.

EC-6062. A communication from the Inspector General, General Service Administration, transmitting, pursuant to law, the report of the Office of the Inspector General for the period April 1, 2001 through September 30, 2001; to the Committee on Governmental Affairs.

EC-6063. A communication from the Federal Co-Chairman of the Appalachian Regional Commission, transmitting, pursuant to law, the Semiannual Report of the Office of the Inspector General for the period April 1, 2001 through September 30, 2001; to the Committee on Governmental Affairs.

EC-6064. A communication from the Executive Director of the Federal Labor Relations Authority, transmitting, pursuant to law, a report concerning the inventory of commercial activities performed by Federal employees for Fiscal Year 2001; to the Committee on Governmental Affairs.

EC-6065. A communication from the Executive Director of the Broadcasting Board of



Governors, transmitting, pursuant to law, the report of the Office of the Inspector General for the period April 1, 2001 through September 30, 2001; to the Committee on Governmental Affairs.

EC-6066. A communication from the Chairman of the Federal Election Commission, transmitting, pursuant to law, the Financial Management Control Plan for Fiscal Year 2002; to the Committee on Governmental Affairs.

EC-6067. A communication from the Chairman of the National Mediation Board, transmitting, pursuant to law, the Board's Documentation of Management Control Plan for Fiscal Year 2001; to the Committee on Governmental Affairs.

EC-6068. A communication from the Secretary of Education, transmitting, pursuant to law, the Semiannual Report of the Office of the Inspector General for the period April 1, 2001 through September 30, 2001; to the Committee on Governmental Affairs.

EC-6069. A communication from the Colonel, Corps of Engineers, Secretary, Mississippi River Commission, Department of the Army, transmitting, the Commission's report under the Government in the Sunshine Act for calendar year 2001; to the Committee on Governmental Affairs.

EC-6070. A communication from the Executive Director of the Committee for Purchase from People Who Are Blind or Severely Disabled, transmitting, pursuant to law, the report of additions to the procurement list received on March 21, 2002; to the Committee on Governmental Affairs.

EC-6071. A communication from the Chairman of the Merit Systems Protection Board, transmitting, pursuant to law, a report on the Board's internal management controls; to the Committee on Governmental Affairs.

EC-6072. A communication from the Inspector General of the United States Environmental Protection Board, transmitting, pursuant to law, the Board's Annual Inventory of Commercial Activities for Fiscal Year 2001; to the Committee on Governmental Affairs.

EC-6073. A communication from the Chairman and General Counsel of the National Labor Relations Board, transmitting jointly, the Semiannual Report of the Office of the Inspector General for the period April 1, 2001 through September 30, 2001; to the Committee on Governmental Affairs.

EC-6074. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled "Noncompetitive Memorandum of Agreement Between DPW and WMATA Is Not Cost Effective"; to the Committee on Governmental Affairs.

EC-6075. A communication from the Secretary of Education, transmitting, pursuant to law, the Semiannual Report of the Office of the Inspector General for the period April 1, 2001 through September 30, 2001; to the Committee on Governmental Affairs.

EC-6076. A communication from the Deputy Director of the Federal Mediation and Conciliation Service, transmitting, pursuant to law, the report of the Federal Mediation and Conciliation Service under the Federal Managers' Financial Integrity Act (FMFIA) for Fiscal Year 2001; to the Committee on Governmental Affairs.

EC-6077. A communication from the Executive Director of the Committee For Purchase From People Who Are Blind or Severely Disabled, transmitting, pursuant to law, the report of additions to the procurement list received on March 21, 2002; to the Committee on Governmental Affairs.

EC-6078. A communication from the President of the James Madison Memorial Fellowship Foundation, transmitting, the Foundation's Annual Report in accordance with the Federal Managers Financial Integrity Act of

1982; to the Committee on Governmental Affairs.

EC-6079. A communication from the Administrator of the Office of Management and Budget, Executive Office of the President, transmitting, a report entitled "Making Sense of Regulation: 2001 Report to Congress on the Costs and Benefits of Federal Regulations and Unfunded Mandates on State, Local, and Tribal Entities"; to the Committee on Governmental Affairs.

EC-6080. A communication from the Director of the Office of Personnel Management, transmitting, pursuant to law, a report on the pay of Bureau of Prisons Federal Wage System (FWS) Employees dated February 2002; to the Committee on Governmental Affairs.

EC-6081. A communication from the President of the Overseas Private Investment Corporation, transmitting, pursuant to law, a report on the Agency's Formal Management Control Review Program for Fiscal Year 2001; to the Committee on Governmental Affairs.

EC-6082. A communication from the Director of the Holocaust Memorial Museum, transmitting, a report on audit activities for Fiscal Year 2001; to the Committee on Governmental Affairs.

EC-6083. A communication from the Chairman of the International Trade Commission, transmitting, pursuant to law, the Semiannual Report of the Office of Inspector General for the period April 1, 2001 through September 30, 2001; to the Committee on Governmental Affairs.

EC-6084. A communication from the Commissioner of the Social Security Administration, a report of the Administration's inventory of commercial activities; to the Committee on Governmental Affairs.

EC-6085. A communication from the Chairman of the Appraisal Subcommittee, Federal Financial Institutions Examination Council, transmitting, the Council's combined annual report under the Inspector Generals Act and the annual statement under the Federal Managers' Financial Integrity Act; to the Committee on Governmental Affairs.

EC-6086. A communication from the Acting Deputy Director of the Peace Corps, transmitting, pursuant to law, the Semiannual Report of the Office of the Inspector General for the period April 1, 2001 through September 30, 2001; to the Committee on Governmental Affairs.

EC-6087. A communication from the Commissioner of the Social Security Administration, transmitting, pursuant to law, the report of the Office of the Inspector General for the period April 1, 2001 through September 30, 2001, and a report under the Omnibus Consolidated Appropriations Act for Fiscal Year 1997; to the Committee on Governmental Affairs.

EC-6088. A communication from the Chief Executive Officer of the Corporation for National Service, transmitting, pursuant to law, the Semiannual Report of the Office of the Inspector General for the period April 1, 2001 through September 30, 2001, and the Corporation's Report on Final Action; to the Committee on Governmental Affairs.

EC-6089. A communication from the Acting Chairman of the National Endowment for the Arts, transmitting, pursuant to law, the report of the Office of the Inspector General, and the Chairman's Semiannual Report on Final Action for the period April 1, 2001 through September 30, 2001; to the Committee on Governmental Affairs.

EC-6090. A communication from the Chair of the Equal Employment Opportunity Commission, transmitting, pursuant to law, the report of the Office of the Inspector General for the period April 1, 2001 through September 30, 2001; to the Committee on Governmental Affairs.

EC-6091. A communication from the Secretary of State, transmitting, pursuant to law, the Accountability Report for Fiscal Year 2001; to the Committee on Governmental Affairs.

EC-6092. A communication from the Administrator of the Office of the Independent Counsel, transmitting, pursuant to law, the Annual Report on Audit and Investigative Activities dated October 31, 2001; to the Committee on Governmental Affairs.

EC-6093. A communication from the Secretary of Veterans' Affairs, transmitting, pursuant to law, the Annual Accountability Report for Fiscal Year 2001; to the Committee on Governmental Affairs.

EC-6094. A communication from the Commissioner of the Social Security Administration, transmitting, pursuant to law, the Administration's Performance and Accountability Report for Fiscal Year 2001; to the Committee on Governmental Affairs.

EC-6095. A communication from the Deputy Associate Administrator for Management and Administration, transmitting, pursuant to law, the report of the discontinuation of service in acting role and a nomination confirmed for the position of Chief Counsel for Advocacy, Small Business Administration, received on April 1, 2002; to the Committee on Small Business and Entrepreneurship.

EC-6096. A communication from the Former Chairman of the Advisory Council on California Indian Policy, transmitting, pursuant to law, the Annual Progress Report on the Status of Implementation of the Recommendations of the Advisory Council on California Indian Policy for 1999 to 2000; to the Committee on Indian Affairs.

EC-6097. A communication from the Deputy Chief for National Forest System, Department of Agriculture, transmitting, pursuant to law, a report relative to the detail boundaries of Sespe Creek, Big Spur River, and Sisquoc River on the Los Padres National Forest in California to be added to the National Wild and Scenic Rivers System; to the Committee on Energy and Natural Resources.

EC-6098. A communication from the Director of the Office of Personnel Policy, Department of the Interior, transmitting, pursuant to law, the report of a nomination confirmed for the position of Solicitor, received on March 21, 2002; to the Committee on Energy and Natural Resources.

EC-6099. A communication from the Director of the Office of Personnel Policy, Department of the Interior, transmitting, pursuant to law, the report of a nomination confirmed for the position of Assistant Secretary, Water and Science, received on March 21, 2002; to the Committee on Energy and Natural Resources.

EC-6100. A communication from the Director of the Office of Personnel Policy, Department of the Interior, transmitting, pursuant to law, the report of a nomination confirmed for the position of Commissioner, Bureau of Reclamation, received on March 21, 2002; to the Committee on Energy and Natural Resources.

EC-6101. A communication from the Director of the Office of Personnel Policy, Department of the Interior, transmitting, pursuant to law, the report of a nomination confirmed for the position of Director of the National Park Service, received on March 21, 2002; to the Committee on Energy and Natural Resources.

EC-6102. A communication from the Director of the Office of Personnel Policy, Department of the Interior, transmitting, pursuant to law, the report of a nomination confirmed for the position of Assistant Secretary, Policy, Management and Budget, received on March 21, 2002; to the Committee on Energy and Natural Resources.



EC-6103. A communication from the Director of the Office of Personnel Policy, Department of the Interior, transmitting, pursuant to law, the report of a nomination confirmed for the position of Deputy Secretary, received on March 21, 2002; to the Committee on Energy and Natural Resources.

EC-6104. A communication from the Director of the Office of Personnel Policy, Department of the Interior, transmitting, pursuant to law, the report of a vacancy and a nomination for the position of Assistant Secretary, Water and Science, received on March 21, 2002; to the Committee on Energy and Natural Resources.

EC-6105. A communication from the Director of the Office of Personnel Policy, Department of the Interior, transmitting, pursuant to law, the report of a vacancy and a nomination for the position of Director of the Office of Surface Mining, received on March 21, 2002; to the Committee on Energy and Natural Resources.

EC-6106. A communication from the Director of the Office of Personnel Policy, Department of the Interior, transmitting, pursuant to law, the report of a vacancy and a nomination for the position of Director, Bureau of Land Management, received on March 21, 2002; to the Committee on Energy and Natural Resources.

EC-6107. A communication from the Director of the Office of Personnel Policy, Department of the Interior, transmitting, pursuant to law, the report of a vacancy and a nomination for the position of Assistant Secretary, Lands, Minerals and Management, received on March 21, 2002; to the Committee on Energy and Natural Resources.

EC-6108. A communication from the Acting Secretary of Land and Minerals Management, Department of the Interior, transmitting, pursuant to law, a report on the Outer Continental Shelf, Central Gulf of Mexico, Oil and Gas Lease Sale 182; to the Committee on Energy and Natural Resources.

EC-6109. A communication from the Director, Office of White House Liaison, transmitting, pursuant to law, the report of a change in previously submitted reported information, and a nomination confirmed for the position of Under Secretary, Director, Patent and Trademark Office, Department of Commerce, received on March 21, 2002; to the Committee on the Judiciary.

EC-6110. A communication from the Acting General Counsel, Office of National Drug Control Policy, Executive Office of the President, transmitting, pursuant to law, the report of a change in previously submitted reported information, and a nomination confirmed for the position of Director of National Drug Control Policy, received on March 21, 2002; to the Committee on the Judiciary.

EC-6111. A communication from the Acting General Counsel, Office of National Drug Control Policy, Executive Office of the President, transmitting, pursuant to law, the report of a nomination for the position of Deputy Director of National Drug Control Policy, received on March 21, 2002; to the Committee on the Judiciary.

EC-6112. A communication from the Acting General Counsel, Office of National Drug Control Policy, Executive Office of the President, transmitting, pursuant to law, the report of a nomination for the position of Deputy Director for Supply Reduction, received on March 21, 2002; to the Committee on the Judiciary.

EC-6113. A communication from the Acting General Counsel, Office of National Drug Control Policy, Executive Office of the President, transmitting, pursuant to law, the report of a nomination for the position of Deputy Director for State and Local Affairs, received on March 21, 2002; to the Committee on the Judiciary.

EC-6114. A communication from the White House Liaison, transmitting, pursuant to law, the report of a nomination for the position of Assistant Attorney General, Office of Legal Counsel, Department of Justice, received on March 21, 2002; to the Committee on the Judiciary.

EC-6115. A communication from the White House Liaison, transmitting, pursuant to law, the report of a nomination confirmed for the position of Assistant Attorney General, Environmental and Natural Resources Division, Department of Justice, received on March 21, 2002; to the Committee on the Judiciary.

EC-6116. A communication from the White House Liaison, transmitting, pursuant to law, the report of a nomination confirmed for the position of Associate Attorney General, Office of the Associate Attorney General, Department of Justice, received on March 21, 2002; to the Committee on the Judiciary.

EC-6117. A communication from the White House Liaison, transmitting, pursuant to law, the report of a nomination confirmed for the position of Director, United States Marshall Service, Department of Justice, received on March 21, 2002; to the Committee on the Judiciary.

EC-6118. A communication from the White House Liaison, transmitting, pursuant to law, the report of the discontinuation of service in acting role for the position of Director, United States Marshall Service, Department of Justice, received on March 21, 2002; to the Committee on the Judiciary.

EC-6119. A communication from the White House Liaison, transmitting, pursuant to law, the report of a nomination confirmed for the position of Assistant Attorney General, Office of Legal Counsel, Department of Justice, received on March 21, 2002; to the Committee on the Judiciary.

EC-6120. A communication from the White House Liaison, transmitting, pursuant to law, the report of the discontinuation of service in acting role for the position of Assistant Attorney General, Office of Legal Counsel, Department of Justice, received on March 21, 2002; to the Committee on the Judiciary.

EC-6121. A communication from the Solicitor General, Department of Justice, transmitting, pursuant to law, a report concerning *Bates v. Indiana Department of Corrections*; to the Committee on the Judiciary.

EC-6122. A communication from the Deputy Assistant Administrator of the Office of Diversion Control, Drug Enforcement Administration, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Control of Red Phosphorus, White Phosphorus and Hypophosphorous Acid (and its salts) as List I Chemicals" (RIN1117-AA57) received on March 21, 2002; to the Committee on the Judiciary.

EC-6123. A communication from the Architect of the Capitol, transmitting, pursuant to law, a report on the expenditures during the period April 1, 2001 through September 30, 2001; to the Committee on Appropriations.

EC-6124. A communication from the Comptroller, Under Secretary of Defense, transmitting, pursuant to law, the report of a violation of the Antideficiency Act, case number 99-05; to the Committee on Appropriations.

EC-6125. A communication from the Comptroller, Under Secretary of Defense, transmitting, pursuant to law, the report of a violation of the Antideficiency Act, case number 98-02; to the Committee on Appropriations.

EC-6126. A communication from the Comptroller, Under Secretary of Defense, transmitting, pursuant to law, the report of a violation of the Antideficiency Act, case num-

ber 99-03; to the Committee on Appropriations.

EC-6127. A communication from the Comptroller, Under Secretary of Defense, transmitting, pursuant to law, the report of a violation of the Antideficiency Act, case number 99-07; to the Committee on Appropriations.

EC-6128. A communication from the Director of the Office of Regulations Management, Veterans' Benefits Administration, Department of Veterans' Affairs, transmitting, pursuant to law, the report of a rule entitled "Exclusion from Countable Income of Expenses Paid for Veteran's Last Illness Subsequent to Veteran's Death but Prior to Date of Death Pension Entitlement" (RIN2900-AK84) received on April 1, 2002; to the Committee on Veterans' Affairs.

EC-6129. A communication from the Director of the Office of Regulations Management, Veterans' Benefits Administration, Department of Veterans' Affairs, transmitting, pursuant to law, the report of a rule entitled "Loan Guaranty: Advertising and Solicitation Requirements" (RIN2900-AJ86) received on April 1, 2002; to the Committee on Veterans' Affairs.

EC-6130. A communication from the Director of the Office of Regulations Management, Veterans' Benefits Administration, Department of Veterans' Affairs, transmitting, pursuant to law, the report of a rule entitled "Copayment for Medications" (RIN2900-AK85) received on April 1, 2002; to the Committee on Veterans' Affairs.

EC-6131. A communication from the Director of the Office of Regulations Management, Veterans' Benefits Administration, Department of Veterans' Affairs, transmitting, pursuant to law, the report of a rule entitled "Provision of Hospital and Outpatient Care to Veterans—Enrollment Decision Level; Copayments for Inpatient Hospital Care and Outpatient Medical Care" (RIN2900-AK50) received on April 1, 2002; to the Committee on Veterans' Affairs.

EC-6132. A communication from the Director of the Office of Regulations Management, Veterans' Benefits Administration, Department of Veterans' Affairs, transmitting, pursuant to law, the report of a rule entitled "Board of Veterans' Appeals: Rules of Practice—Notice of Appeal in Simultaneously Contested Claim" (RIN2900-AJ73) received on April 1, 2002; to the Committee on Veterans' Affairs.

EC-6133. A communication from the Director of the Office of Regulations Management, Veterans' Benefits Administration, Department of Veterans' Affairs, transmitting, pursuant to law, the report of a rule entitled "Written and Oral Information or Statements Affecting Entitlement to Benefits" (RIN2900-AK25) received on April 1, 2002; to the Committee on Veterans' Affairs.

EC-6134. A communication from the Director of the Office of Regulations Management, Veterans' Benefits Administration, Department of Veterans' Affairs, transmitting, pursuant to law, the report of a rule entitled "Extension of the Presumptive Period for Compensation for Gulf War Veterans' Undiagnosed Illnesses" (RIN2900-AK98) received on April 1, 2002; to the Committee on Veterans' Affairs.

EC-6135. A communication from the Director of the Office of Regulations Management, Veterans' Benefits Administration, Department of Veterans' Affairs, transmitting, pursuant to law, the report of a rule entitled "Diseases Specific to Radiation—Exposed Veterans" (RIN2900-AK64) received on April 1, 2002; to the Committee on Veterans' Affairs.

EC-6136. A communication from the Director of the Office of Regulations Management, Veterans' Benefits Administration, Department of Veterans' Affairs, transmitting, pursuant to law, the report of a rule entitled

"Civilian Health and Medical Program of the Department of Veterans' Affairs" (RIN2900-AK89) received on April 1, 2002; to the Committee on Veterans' Affairs.

EC-6137. A communication from the Director of the Office of Regulations Management, Veterans' Benefits Administration, Department of Veterans' Affairs, transmitting, pursuant to law, the report of a rule entitled "Compensated Work Therapy/Traditional Residences Program" (RIN2900-AK01) received on April 1, 2002; to the Committee on Veterans' Affairs.

EC-6138. A communication from the Director of the Office of Regulations Management, Veterans' Benefits Administration, Department of Veterans' Affairs, transmitting, pursuant to law, the report of a rule entitled "Board of Veterans' Appeals: Obtaining Evidence and Curing Procedural Defects Without Remanding" (RIN2900-AK91) received on April 1, 2002; to the Committee on Veterans' Affairs.

EC-6139. A communication from the Assistant Secretary for Administration and Management, Department of Labor, transmitting, pursuant to law, the report of the discontinuation of service in acting role for the position of Assistant Secretary for Employment Standards, received on March 21, 2002; to the Committee on Health, Education, Labor, and Pensions.

EC-6140. A communication from the Assistant Secretary for Administration and Management, Department of Labor, transmitting, pursuant to law, the report of the discontinuation of service in acting role for the position of Assistant Secretary of Veterans' Employment and Training Service, received on March 21, 2002; to the Committee on Health, Education, Labor, and Pensions.

EC-6141. A communication from the Special Assistant, White House Liaison, transmitting, pursuant to law, the report of a nomination confirmed for the position of Chief Financial Officer, Department of Education, received on March 21, 2002; to the Committee on Health, Education, Labor, and Pensions.

EC-6142. A communication from the Assistant Secretary for Administration and Management, Department of Labor, transmitting, pursuant to law, the report of the designation of acting officer for the position of Assistant Secretary of the Office of Disability Policy, received on March 21, 2002; to the Committee on Health, Education, Labor, and Pensions.

EC-6143. A communication from the Assistant Secretary for Administration and Management, Department of Labor, transmitting, pursuant to law, the report of a nomination withdrawn for the position of Assistant Secretary of the Office of Disability Employment Policy, received on March 21, 2002; to the Committee on Health, Education, Labor, and Pensions.

EC-6144. A communication from the Assistant Secretary for Administration and Management, Department of Labor, transmitting, pursuant to law, the report of a nomination confirmed for the position of Administrator of the Wage and Hour Division, Employment Standards Administration, received on March 21, 2002; to the Committee on Health, Education, Labor, and Pensions.

EC-6145. A communication from the Assistant Secretary for Administration and Management, Department of Labor, transmitting, pursuant to law, the report of a vacancy and the designation of acting officer for the position of Commissioner, Bureau of Land Statistics, received on March 21, 2002; to the Committee on Health, Education, Labor, and Pensions.

EC-6146. A communication from the Director, Corporate Policy and Research Department, Pension Benefit Guaranty Corpora-

tion, transmitting, pursuant to law, the report of a rule entitled "Benefits Payable in Terminated Single-Employer Plans; Allocation of Assets in Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits" received on March 21, 2002; to the Committee on Health, Education, Labor, and Pensions.

EC-6147. A communication from the Director, Regulations Policy and Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medical Devices; Gastroenterology-Urology Devices; Classification of the Ingestible Telemetric Gastrointestinal Capsule Imaging System" (Doc. No. 01P-0304) received on March 21, 2002; to the Committee on Health, Education, Labor, and Pensions.

EC-6148. A communication from the Director, Regulations Policy and Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medical Devices; Device Tracking" (Doc. No. 00N-1034) received on March 21, 2002; to the Committee on Health, Education, Labor, and Pensions.

EC-6149. A communication from the Director, Corporate Policy and Research Department, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled "Allocation of Assets in Single-Employer Plans; Valuation of Benefits and Assets; Expected Retirement Age" received on March 21, 2002; to the Committee on Health, Education, Labor, and Pensions.

EC-6150. A communication from the Assistant Secretary, Pension and Welfare Benefits Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Voluntary Fiduciary Correction Program" (RIN1210-AA76) received on April 1, 2002; to the Committee on Health, Education, Labor, and Pensions.

EC-6151. A communication from the Assistant Secretary, Pension and Welfare Benefits Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Delinquent Filer Voluntary Compliance Program" (RIN1210-AA86) received on April 1, 2002; to the Committee on Health, Education, Labor, and Pensions.

EC-6152. A communication from the President, James Madison Memorial Fellowship Foundation, transmitting, pursuant to law, the Annual Report for the year ending September 30, 2001; to the Committee on Health, Education, Labor, and Pensions.

EC-6153. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report relative to Infertility and Sexually Transmitted Diseases for Fiscal Years 1997, 1998, and 1999; to the Committee on Health, Education, Labor, and Pensions.

EC-6154. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report regarding number of Chimpanzees and Funding for Care of Chimpanzees; to the Committee on Health, Education, Labor, and Pensions.

EC-6155. A communication from the Executive Secretary and Chief of Staff, Agency for International Development, transmitting, pursuant to law, the report of the discontinuation of service in acting role for the position of Assistant Administrator, Bureau for Africa, received on March 18, 2002; to the Committee on Foreign Relations.

EC-6156. A communication from the Executive Secretary and Chief of Staff, Agency for International Development, transmitting, pursuant to law, the report of the discontinuation of service in acting role and a nomination confirmed for the position of Assistant Administrator, Bureau for Europe and Eurasia, received on March 21, 2002; to the Committee on Foreign Relations.

EC-6157. A communication from the Executive Secretary and Chief of Staff, Agency for International Development, transmitting, pursuant to law, the report of the discontinuation of service in acting role for the position of Assistant Administrator, Bureau for Global Programs, Field Support and Research, received on March 21, 2002; to the Committee on Foreign Relations.

EC-6158. A communication from the Executive Secretary and Chief of Staff, Agency for International Development, transmitting, pursuant to law, the report of a nomination for the position of Assistant Administrator, Bureau for Latin America and the Caribbean, received on March 21, 2002; to the Committee on Foreign Relations.

EC-6159. A communication from the Executive Secretary and Chief of Staff, Agency for International Development, transmitting, pursuant to law, the report of a nomination for the position of Assistant Administrator, Bureau for Management, received on March 21, 2002; to the Committee on Foreign Relations.

EC-6160. A communication from the Executive Secretary and Chief of Staff, Agency for International Development, transmitting, pursuant to law, the report of a nomination confirmed for the position of Assistant Administrator, Bureau for Global Health, received on March 21, 2002; to the Committee on Foreign Relations.

EC-6161. A communication from the Executive Secretary and Chief of Staff, Agency for International Development, transmitting, pursuant to law, the report of a nomination confirmed for the position of Assistant Administrator, Bureau for Legislative and Public Affairs, received on March 21, 2002; to the Committee on Foreign Relations.

EC-6162. A communication from the Executive Secretary and Chief of Staff, Agency for International Development, transmitting, pursuant to law, the report of a nomination confirmed for the position of Assistant Administrator, Bureau for Europe and Eurasia, received on March 21, 2002; to the Committee on Foreign Relations.

EC-6163. A communication from the Executive Secretary and Chief of Staff, Agency for International Development, transmitting, pursuant to law, the report of a nomination confirmed for the position of Assistant Administrator, Bureau for Economic Growth, Agriculture, received on March 21, 2002; to the Committee on Foreign Relations.

EC-6164. A communication from the Executive Secretary and Chief of Staff, Agency for International Development, transmitting, pursuant to law, the report of a nomination confirmed for the position of Assistant Administrator, Bureau for Africa, received on March 21, 2002; to the Committee on Foreign Relations.

EC-6165. A communication from the Executive Secretary and Chief of Staff, Agency for International Development, transmitting, pursuant to law, the report of a nomination confirmed for the position of Assistant Administrator, Bureau for Management, received on March 21, 2002; to the Committee on Foreign Relations.

EC-6166. A communication from the Executive Secretary and Chief of Staff, Agency for International Development, transmitting, pursuant to law, the report of the discontinuation of service in acting role for the position of Assistant Administrator, Bureau for Humanitarian Response, received on March 21, 2002; to the Committee on Foreign Relations.

EC-6167. A communication from the Executive Secretary and Chief of Staff, Agency for International Development, transmitting, pursuant to law, the report of a nomination confirmed for the position of Assistant Administrator, Bureau for Democracy, Conflict

and Humanitarian Assistance, received on March 21, 2002; to the Committee on Foreign Relations.

EC-6168. A communication from the Executive Secretary and Chief of Staff, Agency for International Development, transmitting, pursuant to law, the report of a nomination confirmed for the position of Assistant Administrator, Bureau for Latin America and the Caribbean, received on March 21, 2002; to the Committee on Foreign Relations.

EC-6169. A communication from the Executive Secretary and Chief of Staff, Agency for International Development, transmitting, pursuant to law, the report of a nomination confirmed for the position of Deputy Administrator, received on March 21, 2002; to the Committee on Foreign Relations.

EC-6170. A communication from the Assistant Legal Advisor for Treaty Affairs, Department of State, transmitting, pursuant to law, the report of the texts and background statements of international agreements, other than treaties; to the Committee on Foreign Relations.

EC-6171. A communication from the Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the report of a certification of a proposed license for the export of defense articles or defense services sold commercially under a contract in the amount of \$50,000,000 or more to Egypt; to the Committee on Foreign Relations.

EC-6172. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Isoxadifen-ethyl; Pesticide Tolerance" (FRL6828-5) received on March 15, 2002; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6173. A communication from the Administrator, Food and Safety Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Elimination of Requirements for Partial Quality Control Programs; Certification of Scales" (RIN0583-AC35) received on March 21, 2002; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6174. A communication from the Chairman and Chief Executive Officer, Farm Credit Administration, transmitting, pursuant to law, the Proposed Budget and Annual Performance Plan for Fiscal Year 2003; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6175. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Acetamiprid; Pesticide Tolerance" (FRL6829-3) received on March 22, 2002; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6176. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Change in Disease Status of Finland Because of BSE" (Doc. No. 01-131-1) received on March 22, 2002; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6177. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Change in Disease Status of Austria Because of BSE" (FRL02-004-1) received on March 22, 2002; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6178. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to

law, the report of a rule entitled "Citrus and Canker; Removal of Quarantined Area" (Doc. No. 02-018-1) received on March 22, 2002; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6179. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Origin Health Certificates for Livestock Exported from the United States" (Doc. No. 99-053-2) received on March 22, 2002; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6180. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Importation of Horses, Ruminants, Swine, and Dogs; Inspection and Treatment for Screwworm" (Doc. No. 00-028-2) received on March 22, 2002; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6181. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Commutated Traveltime Periods; Overtime Services Relating to Imports and Exports" (Doc. No. 01-125-1) received on March 22, 2002; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6182. A communication from the Under Secretary of Research, Education, and Economics, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Cooperative State Research, Education, and Extension Service, USDA" (7 CFR Part 3404) received on April 1, 2002; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6183. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Foramsulfuron; Exemption from the Requirement of a Tolerance" (FRL6829-8) received on April 1, 2002; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6184. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Propiconazole; Extension of Tolerance for Emergency Exemptions" (FRL6828-3) received on April 1, 2002; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6185. A communication from the Secretary of the Army, transmitting, pursuant to law, the report of a breach in the Nunn-McCurdy Unit Cost (NMUC) thresholds for both Program Acquisition Unit Cost (PAUC) and Average Procurement Unit Cost (APUC); to the Committee on Armed Services.

EC-6186. A communication from the Acting Assistant Secretary of Defense, Health Affairs, transmitting, pursuant to law, a report relative to the military's direct care system; to the Committee on Armed Services.

EC-6187. A communication from the Deputy Secretary of Defense, transmitting, pursuant to law, a report on the Appropriate Executive Agency for the Cooperative Threat Reduction (CTR) Programs; to the Committee on Armed Services.

EC-6188. A communication from the Deputy Secretary of Defense, transmitting, pursuant to law, a report relative to the transportation of Chemical Warfare Agent from Dugway Proving Ground, Utah, to Desert Chemical Depot, Utah; to the Committee on Armed Services.

EC-6189. A communication from the Secretary of Energy, transmitting, pursuant to law, a report regarding programs for the protection, control and accounting of fissile ma-

terials in the countries of the former Soviet Union; first half of Fiscal Year 2001; to the Committee on Armed Services.

EC-6190. A communication from the Acting Deputy Chief of Naval Operations, Fleet Readiness and Logistics, Department of Defense, transmitting, a report concerning the conversion to contractor performance by 26 Department of Defense civilian employees; to the Committee on Armed Services.

EC-6191. A communication from the Acting Deputy Chief of Naval Operations, Fleet Readiness and Logistics, Department of Defense, transmitting, a report concerning the conversion to contractor performance by 239 Department of Defense Civilian Employees; to the Committee on Armed Services.

EC-6192. A communication from the Acting Deputy Chief of Naval Operations, Fleet Readiness and Logistics, Department of Defense, transmitting, a report concerning the conversion to contractor performance by 11 Department of Defense Civilian Employees; to the Committee on Armed Services.

EC-6193. A communication from the Assistant Secretary of Defense, Force Management Policy, transmitting, pursuant to law, a report of military skills to be designated as critical for purpose of payment of the special retention bonus; to the Committee on Armed Services.

EC-6194. A communication from the Under Secretary of Defense, Acquisition, Technology and Logistics, transmitting, pursuant to law, a report on the Distribution of Department of Defense, Depot Maintenance Workloads for Fiscal Years 2000 and 2001; to the Committee on Armed Services.

EC-6195. A communication from the Assistant Director, Executive and Political Personnel, Department of Defense, transmitting, pursuant to law, the report of a nomination confirmed for the position of Assistant to the Secretary of Defense for Nuclear and Cham, and Biological Defense Programs, received on March 21, 2002; to the Committee on Armed Services.

EC-6196. A communication from the Assistant Director, Executive and Political Personnel, Department of Defense, transmitting, pursuant to law, the report of a nomination for the position of Assistant Secretary of the Army, Financial Management, received on March 21, 2002; to the Committee on Armed Services.

EC-6197. A communication from the Assistant Director, Executive and Political Personnel, Department of Defense, transmitting, pursuant to law, the report of a nomination confirmed for the position of General Counsel, Department of the Air Force, received on March 21, 2002; to the Committee on Armed Services.

EC-6198. A communication from the Assistant Director, Executive and Political Personnel, Department of Defense, transmitting, pursuant to law, the report of a nomination for the position of Assistant Secretary of the Army, Acquisition, Logistics and Technology, received on March 21, 2002; to the Committee on Armed Services.

EC-6199. A communication from the Assistant Director, Executive and Political Personnel, Department of Defense, transmitting, pursuant to law, the report of a nomination confirmed for the position of Under Secretary of the Army, received on March 21, 2002; to the Committee on Armed Services.

EC-6200. A communication from the Assistant Director, Executive and Political Personnel, Department of Defense, transmitting, pursuant to law, the report of a nomination confirmed for the position of Assistant Secretary of the Army, Financial Management, received on March 21, 2002; to the Committee on Armed Services.

EC-6201. A communication from the Assistant Director, Executive and Political Personnel, Department of Defense, transmitting, pursuant to law, the report of a nomination confirmed for the position of Assistant Secretary of the Air Force, Acquisition, received on March 21, 2002; to the Committee on Armed Services.

EC-6202. A communication from the Under Secretary of Defense, Acquisition, Technology, and Logistics, transmitting, pursuant to law, the notice of a delay in submitting the report concerning the amount of purchases from foreign entities in Fiscal Year 2001; to the Committee on Armed Services.

EC-6203. A communication from the Assistant Secretary of Defense, Force Management Policy, transmitting, a report concerning the closure of five Department of Defense commissary stores; to the Committee on Armed Services.

EC-6204. A communication from the Assistant Secretary of Defense, Health Affairs, transmitting, pursuant to law, a report regarding Quality of Health Care Furnished under the Defense Health Program for Fiscal Year 2000; to the Committee on Armed Services.

EC-6205. A communication from the Assistant Secretary of Defense, Force Management Policy, transmitting, pursuant to law, the Department's Annual Report regarding appropriated funds for recruiting functions; to the Committee on Armed Services.

EC-6206. A communication from the Deputy Secretary, Division of Corporation Finance, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled "Requirements for Arthur Anderson LLP Auditing Clients" (RIN3235-A146) received on March 19, 2002; to the Committee on Banking, Housing, and Urban Affairs.

EC-6207. A communication from the General Counsel, National Credit Union Administration, transmitting, pursuant to law, the report of a rule entitled "12 CFR Part 700, 701, 712, 715, 723, 725, and 790; Definitions and Technical Amendments" received on March 21, 2002; to the Committee on Banking, Housing, and Urban Affairs.

EC-6208. A communication from the General Counsel, National Credit Union Administration, transmitting, pursuant to law, the report of a rule entitled "12 CFR Part 701.33; Reimbursement, Insurance and Identification of Officials and Employees" received on March 21, 2002; to the Committee on Banking, Housing, and Urban Affairs.

EC-6209. A communication from the General Counsel, Federal Emergency Management Agency, transmitting, pursuant to law, the report of a rule entitled "Final Flood Elevation Determinations" (44 CFR 67) received on March 21, 2002; to the Committee on Banking, Housing, and Urban Affairs.

EC-6210. A communication from the General Counsel, Federal Emergency Management Agency, transmitting, pursuant to law, the report of a rule entitled "Final Flood Determinations" (66 FR 65115) received on March 21, 2002; to the Committee on Banking, Housing, and Urban Affairs.

EC-6211. A communication from the General Counsel, Federal Emergency Management Agency, transmitting, pursuant to law, the report of a rule entitled "Changes in Flood Elevation Determinations" (Doc. No. FEMA-D-7517) received on March 21, 2002; to the Committee on Banking, Housing, and Urban Affairs.

EC-6212. A communication from the General Counsel, Federal Emergency Management Agency, transmitting, pursuant to law, the report of a rule entitled "Changes in Flood Elevation Determinations" (44 CFR 65) received on March 21, 2002; to the Committee on Banking, Housing, and Urban Affairs.

EC-6213. A communication from the General Counsel, Federal Emergency Management Agency, transmitting, pursuant to law, the report of a rule entitled "Changes in Flood Elevation Determinations" (66 FR 65110) received on March 21, 2002; to the Committee on Banking, Housing, and Urban Affairs.

EC-6214. A communication from the General Counsel, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a nomination for the position of Inspector General, received on March 21, 2002; to the Committee on Banking, Housing, and Urban Affairs.

EC-6215. A communication from the General Counsel, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a nomination for the position of Assistant Secretary for Public Affairs, received on March 21, 2002; to the Committee on Banking, Housing, and Urban Affairs.

EC-6216. A communication from the General Counsel, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a nomination for the position of Assistant Secretary for Administration, received on March 21, 2002; to the Committee on Banking, Housing, and Urban Affairs.

EC-6217. A communication from the White House Liaison, transmitting, pursuant to law, the report of a vacancy, a nomination, and a nomination confirmed for the position of Director, Office of Thrift Supervision, Department of the Treasury; to the Committee on Banking, Housing, and Urban Affairs.

EC-6218. A communication from the Assistant Secretary for Export Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "License Exception CIV Eligibility for Certain 'Microprocessors' Controlled by ECCN 3A001" (RIN0694-AC59) received on March 21, 2002; to the Committee on Banking, Housing, and Urban Affairs.

EC-6219. A communication from the Deputy Legal Counsel, CDFI Fund, Treasury, Assistant Secretary for Financial Institutions, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Notice of Funds Availability Inviting Applications for the First Accounts Program" received on March 21, 2002; to the Committee on Banking, Housing, and Urban Affairs.

EC-6220. A communication from the Managing Director, Federal Housing Finance Board, transmitting, pursuant to law, the report of a rule entitled "Capital Requirements for Federal Housing Loan Banks" (RIN3069-AB06) received on March 21, 2002; to the Committee on Banking, Housing, and Urban Affairs.

EC-6221. A communication from the Managing Director, Federal Housing Board, transmitting, pursuant to law, the report of a rule entitled "Maintenance of Effort—Minimum Number of Annual Bank Board of Director Meetings" (RIN3069-AB05) received on March 21, 2002; to the Committee on Banking, Housing, and Urban Affairs.

EC-6222. A communication from the Assistant General Counsel for Regulations, Office of the Secretary, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled "Amendments to HUD's Civil Money Penalty Regulations" (RIN2501-AC56) received on March 21, 2002; to the Committee on Banking, Housing, and Urban Affairs.

EC-6223. A communication from the Group Vice President, Structured Export and Trade Finance, Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Australia; to the Committee on Banking, Housing, and Urban Affairs.

EC-6224. A communication from the Secretary of Commerce, transmitting, pursuant to law, the Annual Report of the Bureau of Export Administration (BXA) for Fiscal Year 2001; to the Committee on Banking, Housing, and Urban Affairs.

EC-6225. A communication from the Assistant to the Federal Reserve Board, transmitting, pursuant to law, the report of a rule entitled "Amendments to the Capital Guidelines in Regulation H (Membership of State Banking Institutions in the Federal Reserve System) and Regulation Y (Bank Holding Companies and Change in Bank Control) Relating to the Risk-Based Capital Treatment of Claims on Securities Firms" (R-1085) received on April 1, 2002; to the Committee on Banking, Housing, and Urban Affairs.

EC-6226. A communication from the White House Liaison, transmitting, pursuant to law, the report of a nomination for the position of Chief Financial Officer, Department of the Treasury, received on March 21, 2002; to the Committee on Finance.

EC-6227. A communication from the White House Liaison, transmitting, pursuant to law, the report of a nomination from the position of Assistant Secretary, Management, Department of the Treasury, received on March 21, 2002; to the Committee on Finance.

EC-6228. A communication from the White House Liaison, transmitting, pursuant to law, the report of a nomination for the position of Assistant Secretary, Enforcement, Department of the Treasury, received on March 21, 2002; to the Committee on Finance.

EC-6229. A communication from the White House Liaison, transmitting, pursuant to law, the report of a nomination for the position of Assistant Secretary, Economic Policy, Department of the Treasury, received on March 21, 2002; to the Committee on Finance.

EC-6230. A communication from the White House Liaison, transmitting, pursuant to law, the report of the discontinuation of service in acting role, and a nomination for the position of Deputy Secretary/Designated Assistant Secretary, International Affairs, Department of the Treasury, received on March 21, 2002; to the Committee on Finance.

EC-6231. A communication from the Assistant Secretary of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to Import Restrictions Imposed on Archaeological and Ethnological Materials From Bolivia; to the Committee on Finance.

EC-6232. A communication from the Administrator of the Department of Health and Human Services, transmitting, pursuant to law, a report entitled "Expansion of Telehealth Services for Homebound Beneficiaries"; to the Committee on Finance.

EC-6233. A communication from the Boards of Trustees of the Federal Hospital Insurance and Federal Supplementary Medical Insurance Trust Funds, transmitting jointly, pursuant to law, the Board's Annual Report for 2002; to the Committee on Finance.

EC-6234. A communication from the Board of Trustees of the Federal Old-Age and Survivors Insurance and Disability Insurance Trust Funds, transmitting, pursuant to law, the Annual Report of the Board of Trustees of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disabilities Insurance Trust Fund for 2002; to the Committee on Finance.

EC-6235. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Coordinated Issue: Losses Reported from Inflated Basis Assets from Lease Stripping Transactions" (UILLN 9226.01-00) received on March 21, 2002; to the Committee on Finance.

EC-6236. A communication from the Chief, Regulations Division, Bureau of Alcohol, Tobacco and Firearms, Department of the

Treasury, transmitting, pursuant to law, the report of a rule entitled "Addition of New Grape Variety Names for American Wines" (RIN1512-AC26) received on March 21, 2002; to the Committee on Finance.

EC-6237. A communication from the Chief of the Regulations Division, Bureau of Alcohol, Tobacco and Firearms, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Implementation of Public Law 106-544 for Certain Amendments Related to Balanced Budget Act of 1997 [T.D. ATF-467]" (RIN1512-AC55) received on March 21, 2002; to the Committee on Finance.

EC-6238. A communication from the Chief of the Regulations Division, Bureau of Alcohol, Tobacco and Firearms, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Delegation of Authority [T.D. ATF-437]" (RIN1512-AC07) received on March 21, 2002; to the Committee on Finance.

EC-6239. A communication from the Chief of the Regulations Branch, United States Customs Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Drawback; Conforming Amendments" (RIN1515-AD00) received on April 2, 2002; to the Committee on Finance.

EC-6240. A communication from the Program Manager, Bureau of Alcohol, Tobacco and Firearms, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Importation of Surplus Military Curio or Relic Firearms" (ATF Rul. 2001-3) received on March 21, 2002; to the Committee on Finance.

EC-6241. A communication from the Program Manager, Bureau of Alcohol, Tobacco and Firearms, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Implementation of Public Law 105-277, Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999, Relating to Firearms Disabilities for Nonimmigrant Aliens, and Requirement for Import Permit for Nonimmigrant Aliens Bringing Firearms and Ammunition Into the United States (2001R-332P)" (RIN1512-AB93) received on March 21, 2002; to the Committee on Finance.

EC-6242. A communication from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare Program; Correction of Certain Calendar Year 2002 Payment Rates Under the Hospital Outpatient Prospective Payment Systems and the Pro Rata Reduction on Transitional Pass-Through Payments; Correction of Technical and Typographical Errors (CMS-1159-F4)" (RIN0938-AK54) received on March 21, 2002; to the Committee on Finance.

EC-6243. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Weighted Average Interest Rate Update Notice" (Notice 2002-16) received on March 22, 2002; to the Committee on Finance.

EC-6244. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "2002 Census Count" (Notice 2002-13) received on March 22, 2002; to the Committee on Finance.

EC-6245. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Frequent Flyer Miles Attributed to Business or Official Travel" (Ann. 2002-18, 2002-10 IRB) received on March 22, 2002; to the Committee on Finance.

EC-6246. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Optional Election for Certain Partnerships to Make Monthly 706(a) Computations" (Rev. Proc. 2002-16) received on March 22, 2002; to the Committee on Finance.

EC-6247. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Tentative Differential Earnings Rate" (Notice 2002-19) received on March 22, 2002; to the Committee on Finance.

EC-6248. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Election in Respect of Losses Attributed to a Disaster" (Rev. Rul. 2002-11) received on March 22, 2002; to the Committee on Finance.

EC-6249. A communication from the Chief of the Regulations Branch, United States Customs Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Technical Amendments to the Customs Regulations" (T.D. 02-14) received on March 25, 2002; to the Committee on Finance.

EC-6250. A communication from the Program Manager, Bureau of Alcohol, Tobacco and Firearms, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Identification of Transferee—Firearms Transaction Record" (ATF Rul. 2001-5) received on April 1, 2002; to the Committee on Finance.

EC-6251. A communication from Regulations Officer, Social Security Administration, transmitting, pursuant to law, the report of a rule entitled "Determining Income Under the Supplemental Security Income Program; Student Child Earned Income Exclusion" (RIN0960-AF60) received on April 1, 2002; to the Committee on Finance.

EC-6252. A communication from the Acting Chief, Regulations Branch, United States Customs Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "North American Free Trade Agreement" (RIN1515-AD08) received on April 1, 2002; to the Committee on Finance.

EC-6253. A communication from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare and Medicaid Programs; Emergency Recertification for Coverage for Organ Procurement Organizations (OPOs)" (RIN0938-AK81) received on April 1, 2002; to the Committee on Finance.

EC-6254. A communication from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare Program; Fee Schedule for Payment of Ambulance Services and Revisions to the Physician Certification Requirements for Coverage of Nonemergency Ambulance Services" (RIN0938-AK30) received on April 1, 2002; to the Committee on Finance.

EC-6255. A communication from the Regulations Coordinator, Health Resources and Services Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Ricky Ray Hemophilia Relief Fund Program" (RIN0906-AA56) received on April 1, 2002; to the Committee on Finance.

EC-6256. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of

a rule entitled "Airworthiness Directives: Final Rule; Boeing Model 707 and 720 Series Airplanes; Docket No. 2000-NM-381" ((RIN2120-AA64)(2002-0143)) received on March 19, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6257. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Pilatus Britten-Norman Limited BN-2, BN-2A, BN-2B, BN-2T, and BN-2A MK. III Series Airplanes; Doc. No. 2001-CE-39" ((RIN2120-AA64)(2002-0149)) received on March 19, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6258. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Final Rule; Boeing Model 747-100, 747-200, 747-300, 747SP, and 747-SR Series Airplanes Powered by Pratt and Whitney JT9D-3 and JT9D-7 Series Engines; Doc. No. 2001-NM-363" ((RIN2120-AA64)(2002-0147)) received on March 19, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6259. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: General Electric Company DF6-45 and CF6-50 Series Turbofan Engines; Doc. No. 2001-NE-33" ((RIN2120-AA64)(2002-0146)) received on March 19, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6260. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Final Rule BAE Systems (Operations) Limited Model BAe 146 Series Airplanes; Doc. No. 2001-NM-05" ((RIN2120-AA64)(2002-0145)) received on March 19, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6261. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Final Rule; Airbus Model A330 and A340 Series Airplanes; Doc. No. 2001-NM-153" ((RIN2120-AA64)(2002-0148)) received on March 19, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6262. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: McDonnell Douglas Model DC-8 Series Airplanes; Doc. No. 97-NM-242" ((RIN2120-AA64)(2002-0150)) received on March 19, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6263. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures; Miscellaneous Amendments 64 Amdt. No. 2096; Doc. No. 30298" ((RIN2120-AA65)(2002-0018)) received on March 19, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6264. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Final Rule; Model HH-1K, TH-1F, TH-1L, UH-1B, UH-1E, UH-1F, UH-1H, UH-1L, UH-1P, and Southwest Florida Aviation Model SW24, SW24HP, SW205, and SW205A-1 Helicopters, Manufactured by Bell Helicopter

Textron, Inc. for the Armed Forces of the United States" ((RIN2120-AA64)(2002-0142)) received on March 19, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6265. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Final Rule; Eagle Aircraft Pty. Ltd. Model 150B Airplanes; Doc. No. 2001-CE-03" ((RIN2120-AA64)(2002-0144)) received on March 19, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6266. A communication from the Regulations Officer, Federal Motor Carrier Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revision of Regulations and Application Form for Mexico-Domiciled Motor Carriers to Operate in U.S. Municipalities and Commercial Zones on the United State-Mexico Border" (RIN2126-AA33) received on March 21, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6267. A communication from the Regulations Officer, Federal Motor Carrier Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Safety Monitoring System and Compliance Initiative for Mexico-Domiciled Motor Carriers Operating in the United States" (RIN2126-AA35) received on March 21, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6268. A communication from the Regulations Officer, Federal Motor Carrier Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Certification of Safety Auditors, Safety Investigators, and Safety Inspectors" (RIN2126-AA64) received on March 21, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6269. A communication from the Regulations Officer, Federal Motor Carrier Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Application by Certain Mexico-Domiciled Motor Carriers to Operate Beyond U.S. Municipalities and Commercial Zones on the United States-Mexico Border" (RIN2126-AA34) received on March 21, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6270. A communication from the Director, Bureau of Economic Analysis, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "International Service Surveys: BE-20, Benchmark Survey of Selected Services Transactions with Unaffiliated Foreign Persons" (RIN0691-AA41) received on March 21, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6271. A communication from the Director, Bureau of Economic Analysis, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "International Service Surveys: BE-48, Annual Survey of Reinsurance and Other Insurance Transactions by U.S. Insurance Companies with Foreign Persons" (RIN0691-AA42) received on March 21, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6272. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska—Closes a Season Pollock Fishing in Statistical Area 630, Gulf of Alaska" received on March 21, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6273. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, De-

partment of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fraser River Sockeye and Pink Salmon Fisheries; 2001 Inseason Orders" (I.D. 110801F) received on March 21, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6274. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Atka Mackerel Fisheries in Areas 542 and 543" received on March 21, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6275. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Closure of Directed Fishing for Groundfish with Non-Pelagic Trawl Gear in the Red King Crab Savings Subarea (RKCSS) of the Bering Sea and Aleutian Islands Management Area (BSAI)" received on March 21, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6276. A communication from the Secretary of the Commission, Bureau of Consumer Protection, Federal Trade Commission, transmitting, pursuant to law, the report of a rule entitled "Textile Rules, 16 CFR Part 303" (RIN3084-0101) received on March 21, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6277. A communication from the Acting Assistant Administrator for Ocean Services and Coastal Zone Management, National Oceanic and Atmospheric Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Final Rule Prohibiting the Operation of Motorized Personal Watercraft in the Gulf of Farallones National Marine Sanctuary" (RIN6048-AK01) received on March 21, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6278. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "2002 Final Specifications for Surfclam, Ocean Quahog, and Main Mahogany Quahog Fisheries" (RIN0648-AP09) received on March 21, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6279. A communication from the Legal Advisor to the Chief, Cable Services Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "In the Matter of 1998 Biennial Regulatory Review-Streamlining of Cable Television Services Part 76 Public File and Notice Requirements" (Doc. No. 98-132, FCC 01-314) received on March 21, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6280. A communication from the Attorney/Advisor, Department of Transportation, transmitting, pursuant to law, the report of a nomination for the position of Administrator, Maritime Administration, received on March 21, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6281. A communication from the Associate Administrator for Human Resources and Education, NASA Headquarters, transmitting, pursuant to law, the report of a vacancy and the determination of service in acting role for the position of Chief Financial Officer, received on March 21, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6282. A communication from the Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of

Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Revisions to Record Keeping and Reporting Requirements" (RIN0648-AO20) received on March 21, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6283. A communication from the Secretary of Transportation, transmitting, pursuant to law, the Presidential Initiative for Increasing Seat Belt Use Nationwide dated November 2001; to the Committee on Commerce, Science, and Transportation.

EC-6284. A communication from the Administrator of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, a report on a study for an airport to receive a credit for emergency services to be applied to the airport's share for a project under the Airport Improvement Program (AIP); to the Committee on Commerce, Science, and Transportation.

EC-6285. A communication from the Chairman of the Commission on the Future of the United States Aerospace Industry, transmitting, pursuant to law, the interim report relative to improving the business climate for aerospace industry, reforming the U.S. export control system, and creating the infrastructure needed to meet the nation's future air transportation needs; to the Committee on Commerce, Science, and Transportation.

EC-6286. A communication from the Chairman of the National Transportation Safety Board, transmitting, pursuant to law, the Board's appeal letter to the Office of Management and Budget regarding the initial determination of the Board's Fiscal Year 2003 budget request; to the Committee on Commerce, Science, and Transportation.

EC-6287. A communication from the Chairman of the Centennial of Flight Commission, transmitting, pursuant to law, the Commission's Annual Report for Fiscal Year 2001; to the Committee on Commerce, Science, and Transportation.

EC-6288. A communication from the Secretary of Transportation, transmitting, pursuant to law, a report entitled "Ejection Mitigation Using Advanced Glazing"; to the Committee on Commerce, Science, and Transportation.

EC-6289. A communication from the Senior Trial Attorney, Office of the Secretary of Transportation, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Extension of Computer Reservations System Regulations" (RIN2105-AD09) received on March 25, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6290. A communication from the Trial Attorney, Federal Railroad Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Freight Car Safety Standards: Maintenance-of-Way Equipment" (RIN2130-AA68) received on March 25, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6291. A communication from the Assistant Administrator for Procurement, National Aeronautics and Space Administration, transmitting, pursuant to law, the report of a rule entitled "Major Breach of Safety or Security" (RIN2700-AC33) received on April 1, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6292. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Andres-Murphy, NC; Correction; Doc. No. 02-ASO-2" ((RIN2120-AA66)(2002-0038)) received on April 1, 2002; to the Committee on Commerce, Science, and Transportation.



EC-6293. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Restricted Area 5201, Fort Drum, NY; Doc. No. 01-AEA-11" ((RIN2120-AA66)(2002-0037)) received on April 1, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6294. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E5 Airspace; Andres, SC; Doc. No. 01-ASO-18" ((RIN2120-AA66)(2002-0036)) received on April 1, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6295. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Modification of the Washington Tri Area Class B Airspace; DC; Doc. No. FAA-2001-11180" ((RIN2120-AA66)(2002-0035)) received on April 1, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6296. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revision of Class E Airspace; Kemmerer, WY" ((RIN2120-AA66)(2002-0042)) received on April 1, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6297. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Scobey, MT" ((RIN2120-AA66)(2002-0041)) received on April 1, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6298. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revision of Class E Airspace; Pasco, WA" ((RIN2120-AA66)(2002-0040)) received on April 1, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6299. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E5 Airspace; Batesville, MS" ((RIN2120-AA66)(2002-0039)) received on April 1, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6300. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revision of Class E Airspace; Greeley, CO" ((RIN2120-AA66)(2002-0043)) received on April 1, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6301. A communication from the Chief of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Safety/Security Zone Regulations; Operation Native Atlas 2002, Waters Adjacent to Camp Pendleton, California (COTP San Diego 01-004)" ((RIN2115-AA97)(2002-0054)) received on April 1, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6302. A communication from the Chief of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Safety/Security Zone Regulations; Long Beach, CA (COTP Los Angeles-Long Beach 02-003)"

((RIN2115-AA97)(2002-00581)) received on April 1, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6303. A communication from the Chief of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Safety/Security Zone Regulations; Corpus Christi Inner Harbor, Corpus Christi, Texas (COTP Corpus Christi 02-001)" ((RIN2115-AA97)(2002-0055)) received on April 1, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6304. A communication from the Chief of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Regulations; Hackensack River, NJ" ((RIN2115-AE47)(2002-0033)) received on April 1, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6305. A communication from the Chief of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Safety/Security Zone Regulations; Ouzinkie Harbor, Ouzinkie, AK (COTP Western Alaska 02-003)" ((RIN2115-AA97)(2002-0053)) received on April 1, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6306. A communication from the Chief of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Regatta Regulations; St. Mary's River, St. Mary's City, MD" ((RIN2115-AE46)(2002-0008)) received on April 1, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6307. A communication from the Chief of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Regulations; Tauton River, MA" ((RIN2115-AE47)(2002-0032)) received on April 1, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6308. A communication from the General Counsel, National Aeronautics and Space Administration, transmitting, pursuant to law, the report of a rule entitled "Supplemental Standards of Ethical Conduct for Employees of the National Aeronautics and Space Administration" (RIN2700-AC45) received on March 21, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6309. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Designations of Areas for Air Quality Planning Purposes; State of Nevada; Technical Connection" (FRL7159-6) received on March 15, 2002; to the Committee on Environment and Public Works.

EC-6310. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval or Operating Permit Programs; State of Iowa" (FRL7158-6) received on March 15, 2002; to the Committee on Environment and Public Works.

EC-6311. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Finding of Failure to Submit a Required State Implementation Plan for Particulate Matter, California—San Joaquin Valley" (FRL7157-9) received on March 15, 2002; to the Committee on Environment and Public Works.

EC-6312. A communication from the Principal Deputy Associate Administrator of the

Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Modification of Significant New Uses of Certain Chemical Substances" (FRL6817-8) received on March 15, 2002; to the Committee on Environment and Public Works.

EC-6313. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Modification of Significant New Uses of Certain Chemical Substances" (FRL6819-5) received on March 15, 2002; to the Committee on Environment and Public Works.

EC-6314. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Outer Continental Shelf Air Regulations Consistency Update for Alaska" (FRL7158-2) received on March 15, 2002; to the Committee on Environment and Public Works.

EC-6315. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Protection of Stratospheric Ozone: Removal of Restrictions on Certain Fire Suppression Substitutes for Ozone-Depleting Substances; and Listing of Substitutes; Correction" (FRL7160-3) received on March 15, 2002; to the Committee on Environment and Public Works.

EC-6316. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of State Plans for Designated Facilities and Pollutants; States of Kansas, Missouri, and Nebraska; Correction" (FRL7161-9) received on March 19, 2002; to the Committee on Environment and Public Works.

EC-6317. A communication from the Director of the Office of Personnel Policy, Department of the Interior, transmitting, pursuant to law, the report of a vacancy and a nomination for the position of Director, Fish and Wildlife Service, received on March 21, 2002; to the Committee on Environment and Public Works.

EC-6318. A communication from the Director, Office of Personnel Policy, Department of the Interior, transmitting, pursuant to law, the report of a vacancy and a nomination for the position of Assistant Secretary, Fish, Wildlife and Parks, received on March 21, 2002; to the Committee on Environment and Public Works.

EC-6319. A communication from the Director of the Federal Emergency Management Agency, transmitting, pursuant to law, a report relative to a notice that the funding for the State of New Jersey as a result of the September 11, 2001, fires and explosion at the World Trade Center has exceeded \$5,000,000; to the Committee on Environment and Public Works.

EC-6320. A communication from the Administrator of the Federal Highway Administration, Department of Transportation, transmitting, pursuant to law, a report relative to Fundamental Properties of Asphalts and Modified Asphalts—II for Fiscal Year 2000; to the Committee on Environment and Public Works.

EC-6321. A communication from the Director of the Office of Congressional Affairs, Nuclear Material Safety and Safeguards, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "List of Approved Spent Fuel Storage Casks: Standardized NUHOMS-24P, -52B, and -61BT Revision" (RIN3150-AG88) received on March 21, 2002; to the Committee on Environment and Public Works.

EC-6322. A communication from the Principal Deputy Associate Administrator of the



Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "National Emissions Standards for Hazardous Air Pollutants for Pesticide Active Ingredient Production; Good Cause Final Rule" (FRL7162-7) received on March 22, 2002; to the Committee on Environment and Public Works.

EC-6323. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "National Emission Standards for Hazardous Air Pollutants for Pesticide Active Ingredient Production" (FRL7162-5) received on March 22, 2002; to the Committee on Environment and Public Works.

EC-6324. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; State of Missouri" (FRL7162-9) received on March 22, 2002; to the Committee on Environment and Public Works.

EC-6325. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "National Emission Standards for Hazardous Air Pollutants for Wet-Formed Fiberglass Mat Production" (FRL7163-3) received on March 22, 2002; to the Committee on Environment and Public Works.

EC-6326. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "National Emission Standards for Hazardous Air Pollutants for Petroleum Refineries: Catalytic Cracking Units, Catalytic Reforming Units, and Sulfur Recovery Units" (FRL7163-7) received on March 22, 2002; to the Committee on Environment and Public Works.

EC-6327. A communication from the Director of the Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "List of Approved Spent Fuel Storage Casks: HI-STORM Revision" (RIN3150-AG97) received on April 1, 2002; to the Committee on Environment and Public Works.

EC-6328. A communication from the Regulations Officer for the Federal Highway Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Procedures for Abatement of Highway Traffic Noise and Construction Noise" (RIN2125-AE80) received on April 1, 2002; to the Committee on Environment and Public Works.

EC-6329. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval of Section 112(1) Authority for Hazardous Air Pollutants; State of West Virginia; Department of Environmental Protection" (FRL7166-6) received on April 1, 2002; to the Committee on Environment and Public Works.

EC-6330. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Interim Final Determination that the State of California Has Conditionally Corrected Deficiencies and Stay of Sanctions, San Joaquin Valley Unified Air Pollution Control District" (FRL7164-7) received on April 1, 2002; to the Committee on Environment and Public Works.

EC-6331. A communication from the Chairman of the Nuclear Regulatory Commission, transmitting, the monthly status report on the licensing activities and regulatory duties

of the Commission dated December 2001; to the Committee on Environment and Public Works.

EC-6332. A communication from the Chairman of the Nuclear Regulatory Commission, transmitting, the monthly status report on the licensing activities and regulatory duties of the Commission dated November 2001; to the Committee on Environment and Public Works.

EC-6333. A communication from the Regulations Director for the Federal Highway Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Truck Length and Width Exclusive Devices" (RIN2125-AC30) received on April 2, 2002; to the Committee on Environment and Public Works.

EC-6334. A communication from the Chair of the Farm Credit System Insurance Corporation, transmitting, pursuant to law, the Corporations consolidated report addressing the Federal Managers' Financial Integrity Act (Integrity Act) and the Inspector General Act Amendments of 1978 (IG Act); to the Committee on Governmental Affairs.

EC-6335. A communication from the Secretary of the Interior, transmitting, pursuant to law, the Semiannual Report of the Office of the Inspector General for the period April 1, 2001 through September 30, 2001; to the Committee on Governmental Affairs.

EC-6336. A communication from the Chair of the Railroad Retirement Board, transmitting, pursuant to law, the Semiannual Report of the Office of the Inspector General for the period April 1, 2001 through September 30, 2001; to the Committee on Governmental Affairs.

EC-6337. A communication from the Chair of the Architectural and Transportation Barriers Compliance Board, transmitting, pursuant to law, the Board's consolidated report to meet the requirements of the Inspector General Act and the Federal Managers' Financial Integrity Act for Fiscal Year 2001; to the Committee on Governmental Affairs.

EC-6338. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the report of the Office of the Inspector General for the period April 1, 2001 through September 30, 2001; to the Committee on Governmental Affairs.

EC-6339. A communication from the Director of the Office of Personnel Management, transmitting, pursuant to law, the report of a nomination confirmed for the position of Deputy Director, received on March 21, 2002; to the Committee on Governmental Affairs.

EC-6340. A communication from the Director of the Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled "Prevailing Rate Systems; Definition of San Joaquin County, California, as a Nonappropriated Fund Wage Area" (RIN3206-AJ35) received on March 21, 2002; to the Committee on Governmental Affairs.

EC-6341. A communication from the Director of the Office of Personnel Management, transmitting, pursuant to law, the Semiannual Report of the Office of the Inspector General for the period April 1, 2001 through September 30, 2001; to the Committee on Governmental Affairs.

EC-6342. A communication from the Comptroller General of the United States, transmitting, pursuant to law, the report of the list of General Accounting Office Reports for November 2001; to the Committee on Governmental Affairs.

EC-6343. A communication from the District of Columbia Auditor, transmitting, a report entitled "Homestead Tax Deduction Program Deficiencies May Have Caused the District to Lose As Much As \$44.7 Million During Fiscal Years 1998 through 2000"; to the Committee on Governmental Affairs.

EC-6344. A communication from the Senior Vice President and Chief Financial Officer, Potomac Electric Power Company, transmitting, pursuant to law, the Company's balance sheet as of December 31, 2001; to the Committee on Governmental Affairs.

EC-6345. A communication from the Director of the Office of General Counsel and Legal Policy, Office of Government Ethics, transmitting, pursuant to law, the report of a rule entitled "Standards of Ethical Conduct for Employees of the Executive Branch; Definition of Compensation for Purposes of Prohibition on Acceptance of Compensation in Connection with Certain Teaching, Speaking and Writing Activities" (RIN3209-AA04) received on March 21, 2002; to the Committee on Governmental Affairs.

EC-6346. A communication from the Director of the Office of Federal Housing Enterprise Oversight, transmitting, pursuant to law, a report relative to the Office's regulation and oversight of Fannie Mae and Freddie Mac during Fiscal Year 2001; to the Committee on Governmental Affairs.

EC-6347. A communication from the Chief Financial Officer and Assistant Secretary for Administration, Department of Commerce, transmitting, pursuant to law, a report of functions performed by the Agency that are not inherently governmental; to the Committee on Governmental Affairs.

EC-6348. A communication from the Director, Office of White House Liaison, transmitting, pursuant to law, the report of a nomination for the position of Director of the Bureau of the Census, Economics and Statistics Administration, Department of Commerce, received on March 21, 2002; to the Committee on Governmental Affairs.

EC-6349. A communication from the Director of the Office of Personnel Management, transmitting, pursuant to law, the report of a nomination for the position of Deputy Director, received on March 21, 2002; to the Committee on Governmental Affairs.

EC-6350. A communication from the Secretary of Education, transmitting, pursuant to law, the Department's report concerning surplus Federal Real Property disposed of to educational institutions under Section 203(k) of the Federal Property and Administrative Services Act of 1949; to the Committee on Governmental Affairs.

EC-6351. A communication from the General Counsel, Office of Management and Budget, transmitting, pursuant to law, the report of a nomination for the position of Controller, Office of Federal Financial Management, received on March 21, 2002; to the Committee on Governmental Affairs.

EC-6352. A communication from the Secretary of Commerce, transmitting, pursuant to law, the Department's Accountability Report for Fiscal Year 2001; to the Committee on Governmental Affairs.

EC-6353. A communication from the Assistant Secretary for Administration and Management, Department of Health and Human Services, transmitting, pursuant to law, a report on the Department's commercial activities inventory for Fiscal Year 2001; to the Committee on Governmental Affairs.

EC-6354. A communication from the Director of the Office of Personnel Management, transmitting, pursuant to law, a report relative to the Office's Commercial Activities Inventory as of June 30, 2001; to the Committee on Governmental Affairs.

EC-6355. A communication from the Administrator of the National Aeronautics and Space Administration, transmitting, pursuant to law, the Administration's Performance Report for Fiscal Year 2001; to the Committee on Governmental Affairs.

EC-6356. A communication from the Attorney General, Department of Justice, transmitting, pursuant to law, the Department's

Performance Report for Fiscal Year 2001, the Revised Final Performance Plan for Fiscal Year 2002, and the Performance Plan for Fiscal Year 2003; to the Committee on Governmental Affairs.

EC-6357. A communication from the Chairman of the United States Postal Service, transmitting, pursuant to law, the Service's report under the Government in the Sunshine Act for calendar year 2001; to the Committee on Governmental Affairs.

EC-6358. A communication from the Chairman of the Federal Reserve System, transmitting, pursuant to law, the Board's annual report under the Government in the Sunshine Act for calendar year 2001; to the Committee on Governmental Affairs.

EC-6359. A communication from the Chairman of the Federal Maritime Commission, transmitting, pursuant to law, the report of the Commission's Final Annual Performance Plan for Fiscal Year 2003; to the Committee on Governmental Affairs.

EC-6360. A communication from the Administrator of the National Aeronautics and Space Administration, transmitting, pursuant to law, the report of the Administration's Commercial Activities Inventory for 2001; to the Committee on Governmental Affairs.

EC-6361. A communication from the Director of the Office of Personnel Management, transmitting, pursuant to law, a report relative to the Office's management controls and financial management systems for calendar year 2001; to the Committee on Governmental Affairs.

EC-6362. A communication from the Manager, Benefits Communications, Western Farm Credit Bank, Farm Credit Bank of Wichita, transmitting, the report of the Bank's Performance Plan for calendar year 2000; to the Committee on Governmental Affairs.

EC-6363. A communication from the Assistant Administrator, Bureau for Legislative and Public Affairs, Agency for International Development, transmitting, pursuant to law, the Agency's Accountability Report for Fiscal Year 2001; to the Committee on Governmental Affairs.

EC-6364. A communication from the Under Secretary of Defense, Comptroller, transmitting, pursuant to law, the report of the Department's audited financial statements for Fiscal Year 2001; to the Committee on Governmental Affairs.

EC-6365. A communication from the Acting Chairman of the Consumer Product Safety Commission, transmitting, pursuant to the Commission's Annual Program Performance Report for Fiscal Year 2001; to the Committee on Governmental Affairs.

EC-6366. A communication from the Acting Secretary, Postal Rate Commission, transmitting, pursuant to law, the report of the discontinuation of service in acting role for the position of Chairman, received on April 1, 2002; to the Committee on Governmental Affairs.

EC-6367. A communication from the Director of the Office of Congressional Relations, Office of Personnel Management, transmitting, pursuant to law, the Office's Performance and Accountability Report for Fiscal Year 2001; to the Committee on Governmental Affairs.

EC-6368. A communication from the Governor of the State of Nevada, transmitting, pursuant to law, a Statement of Reasons Supporting the Notice of Disapproval of the Proposed Yucca Mountain Project; to the Committee on Energy and Natural Resources.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted.

By Mr. LIEBERMAN, from the Committee on Governmental Affairs, without amendment and with an amended preamble:

S. Res. 187: A resolution commending the staffs of Members of Congress, the Capitol Police, the Office of the Attending Physician and his health care staff, and other members of the Capitol Hill community for their courage and professionalism during the days and weeks following the release of anthrax in Senator Daschle's office.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. ROCKEFELLER:

S. 2074. A bill to increase, effective as of December 1, 2002, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans; to the Committee on Veterans' Affairs.

#### ADDITIONAL COSPONSORS

S. 121

At the request of Mrs. FEINSTEIN, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 121, a bill to establish an Office of Children's Services within the Department of Justice to coordinate and implement Government actions involving unaccompanied alien children, and for other purposes.

S. 572

At the request of Mr. CHAFEE, the names of the Senator from Maine (Ms. SNOWE), the Senator from Massachusetts (Mr. KENNEDY), and the Senator from Massachusetts (Mr. KERRY) were added as cosponsors of S. 572, a bill to amend title XIX of the Social Security Act to extend modifications to DSH allotments provided under the Medicare, Medicaid, and SCHIP Benefits Improvement and Protection Act of 2000.

S. 611

At the request of Ms. MIKULSKI, the name of the Senator from Georgia (Mr. CLELAND) was added as a cosponsor of S. 611, a bill to amend title II of the Social Security Act to provide that the reduction in social security benefits which are required in the case of spouses and surviving spouses who are also receiving certain Government pensions shall be equal to the amount by which two-thirds of the total amount of the combined monthly benefit (before reduction) and monthly pension exceeds \$1,200, adjusted for inflation.

S. 808

At the request of Mr. BAUCUS, the name of the Senator from Virginia (Mr. ALLEN) was added as a cosponsor of S. 808, a bill to amend the Internal Revenue Code of 1986 to repeal the occupational taxes relating to distilled spirits, wine, and beer.

S. 913

At the request of Ms. SNOWE, the name of the Senator from Georgia (Mr.

CLELAND) was added as a cosponsor of S. 913, a bill to amend title XVIII of the Social Security Act to provide for coverage under the Medicare program of all oral anticancer drugs.

S. 1009

At the request of Mrs. HUTCHISON, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 1009, a bill to require the provision of information to parents and adults concerning bacterial meningitis and the availability of a vaccination with respect to such diseases.

S. 1079

At the request of Mr. LEVIN, the name of the Senator from New York (Mrs. CLINTON) was added as a cosponsor of S. 1079, a bill to amend the Public Works and Economic Development Act of 1965 to provide assistance to communities for the redevelopment of brownfield sites.

S. 1140

At the request of Mr. HATCH, the names of the Senator from Oregon (Mr. WYDEN) and the Senator from Florida (Mr. NELSON) were added as cosponsors of S. 1140, a bill to amend chapter 1 of title 9, United States Code, to provide for greater fairness in the arbitration process relating to motor vehicle franchise contracts.

S. 1278

At the request of Mrs. LINCOLN, the names of the Senator from Nevada (Mr. ENSIGN) and the Senator from New York (Mrs. CLINTON) were added as cosponsors of S. 1278, a bill to amend the Internal Revenue Code of 1986 to allow a United States independent film and television production wage credit.

S. 1311

At the request of Mr. LEAHY, the name of the Senator from Wisconsin (Mr. FEINGOLD) was added as a cosponsor of S. 1311, a bill to amend the Immigration and Nationality Act to reaffirm the United States historic commitment to protecting refugees who are fleeing persecution or torture.

S. 1339

At the request of Mr. CAMPBELL, the names of the Senator from Kentucky (Mr. MCCONNELL) and the Senator from New Hampshire (Mr. SMITH) were added as cosponsors of S. 1339, a bill to amend the Bring Them Home Alive Act of 2000 to provide an asylum program with regard to American Persian Gulf War POW/MIAs, and for other purposes.

S. 1367

At the request of Ms. COLLINS, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 1367, a bill to amend title XVIII of the Social Security Act to provide appropriate reimbursement under the Medicare program for ambulance trips originating in rural areas.

S. 1408

At the request of Mr. ROCKEFELLER, the names of the Senator from North Dakota (Mr. CONRAD), the Senator from Illinois (Mr. DURBIN), the Senator from Massachusetts (Mr. KERRY), and the

Senator from Hawaii (Mr. AKAKA) were added as cosponsors of S. 1408, a bill to amend title 38, United States Code, to standardize the income threshold for copayment for outpatient medications with the income threshold for inability to defray necessary expense of care, and for other purposes.

S. 1409

At the request of Mr. FEINSTEIN, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. 1409, a bill to impose sanctions against the PLO or the Palestinian Authority if the President determines that those entities have failed to substantially comply with commitments made to the State of Israel.

S. 1549

At the request of Mr. LIEBERMAN, the names of the Senator from Mississippi (Mr. COCHRAN) and the Senator from Louisiana (Mr. LANDRIEU) were added as cosponsors of S. 1549, a bill to provide for increasing the technically trained workforce in the United States.

S. 1707

At the request of Mr. BUNNING, his name was added as a cosponsor of S. 1707, a bill to amend title XVIII of the Social Security Act to specify the update for payments under the medicare physician fee schedule for 2002 and to direct the Medicare Payment Advisory Commission to conduct a study on replacing the use of the sustainable growth rate as a factor in determining such update in subsequent years.

S. 1722

At the request of Mr. BAUCUS, the name of the Senator from Indiana (Mr. BAYH) was added as a cosponsor of S. 1722, a bill to amend the Internal Revenue Code of 1986 to simplify the application of the excise tax imposed on bows and arrows.

S. 1745

At the request of Mrs. LINCOLN, the name of the Senator from Arkansas (Mr. HUTCHINSON) was added as a cosponsor of S. 1745, a bill to delay until at least January 1, 2003, any changes in medicaid regulations that modify the medicaid upper payment limit for non-State Government-owned or operated hospitals.

S. 1749

At the request of Mr. KENNEDY, the name of the Senator from Minnesota (Mr. WELLSTONE) was added as a cosponsor of S. 1749, a bill to enhance the border security of the United States, and for other purposes.

S. 1777

At the request of Mrs. CLINTON, the name of the Senator from Wisconsin (Mr. FEINGOLD) was added as a cosponsor of S. 1777, a bill to authorize assistance for individuals with disabilities in foreign countries, including victims of landmines and other victims of civil strife and warfare, and for other purposes.

S. 1828

At the request of Mr. BUNNING, his name was added as a cosponsor of S.

1828, a bill to amend subchapter III of the chapter 83 and chapter 84 of title 5, United States Code, to include Federal prosecutors within the definition of a law enforcement officer, and for other purposes.

S. 1899

At the request of Mr. BROWNBACK, the name of the Senator from Kentucky (Mr. MCCONNELL) was added as a cosponsor of S. 1899, a bill to amend title 18, United States Code, to prohibit human cloning.

S. 1917

At the request of Mr. JEFFORDS, the names of the Senator from Wisconsin (Mr. KOHL) and the Senator from Oregon (Mr. SMITH) were added as cosponsors of S. 1917, a bill to provide for highway infrastructure investment at the guaranteed funding level contained in the Transportation Equity Act for the 21st Century.

S. 1961

At the request of Mr. GRAHAM, the name of the Senator from Oregon (Mr. SMITH) was added as a cosponsor of S. 1961, a bill to improve financial and environmental sustainability of the water programs of the United States.

S. 1984

At the request of Mr. BUNNING, the name of the Senator from Virginia (Mr. ALLEN) was added as a cosponsor of S. 1984, a bill to authorize the Secretary of Health and Human Services to make grants to nonprofit tax-exempt organizations for the purchase of ultrasound equipment to provide free examinations to pregnant women needing such services, and for other purposes.

S. 1986

At the request of Mr. BINGAMAN, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 1986, a bill to amend the Intermodal Surface Transportation Efficiency Act of 1991 to identify a route that passes through the States of Texas, New Mexico, Oklahoma, and Kansas as a high priority corridor on the National Highway System.

S. 2064

At the request of Mr. MCCAIN, the name of the Senator from South Dakota (Mr. DASCHLE) was added as a cosponsor of S. 2064, a bill to reauthorize the United States Institute for Environmental Conflict Resolution, and for other purposes.

AMENDMENT NO. 3032

At the request of Mrs. LINCOLN, the names of the Senator from Arkansas (Mr. HUTCHINSON), and the Senator from Louisiana (Ms. LANDRIEU) were added as cosponsors of amendment No. 3032 intended to be proposed to S. 517, a bill to authorize funding the Department of Energy to enhance its mission areas through technology transfer and partnerships for fiscal years 2002 through 2006, and for other purposes.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. ROCKEFELLER:

S. 2074. A bill to increase, effective as of December 1, 2002, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans; to the Committee on Veterans' Affairs.

Mr. ROCKEFELLER. Mr. President, as Chairman of the Committee on Veterans' Affairs, I am tremendously pleased to introduce legislation that will authorize a cost-of-living adjustment, COLA, to veterans' compensation for next year.

Every year, Congress fulfills its obligation to provide a cost-of-living adjustment to veterans disability benefits. While we can never truly repay the debt that we owe to these individuals for their sacrifices to our country, what we can do is ensure that the benefits we provide for the men and women who are disabled while serving in places such as Afghanistan retain their value and are not eroded by inflation.

The Veterans' Compensation Cost-of-Living Adjustment Act of 2002 continues this tradition of fulfilling our obligation to America's veterans by directing the Secretary of Veterans Affairs to increase, as of December 1, 2002, the rates of veterans' disability compensation, as well as compensation for eligible dependents and surviving spouses. This increase would be the same percentage as the increase Social Security Act beneficiaries will receive.

The COLA is enormously important to veterans and their families. It is critical that veterans' disability compensation rates keep pace with the increasing cost of living. Without it, many disabled veterans might not be able to afford the simple necessities of life—warm clothes, food, and shelter. I, therefore, encourage my colleagues to join me in supporting this very important bill.

I ask unanimous consent that the text of the legislation be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2074

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Veterans' Compensation Cost-of-Living Adjustment Act of 2002".

#### SEC. 2. INCREASE IN RATES OF DISABILITY COMPENSATION AND DEPENDENCY AND INDEMNITY COMPENSATION.

(a) RATE ADJUSTMENT.—The Secretary of Veterans Affairs shall, effective on December 1, 2002, increase the dollar amounts in effect for the payment of disability compensation and dependency and indemnity compensation by the Secretary, as specified in subsection (b).

(b) AMOUNTS TO BE INCREASED.—The dollar amounts to be increased pursuant to subsection (a) are the following:

(1) COMPENSATION.—Each of the dollar amounts in effect under section 1114 of title 38, United States Code.

(2) ADDITIONAL COMPENSATION FOR DEPENDENTS.—Each of the dollar amounts in effect under sections 1115(1) of such title.

(3) CLOTHING ALLOWANCE.—The dollar amount in effect under section 1162 of such title.

(4) NEW DIC RATES.—The dollar amounts in effect under paragraphs (1) and (2) of section 1311(a) of such title.

(5) OLD DIC RATES.—Each of the dollar amounts in effect under section 1311(a)(3) of such title.

(6) ADDITIONAL DIC FOR SURVIVING SPOUSES WITH MINOR CHILDREN.—The dollar amount in effect under section 1311(b) of such title.

(7) ADDITIONAL DIC FOR DISABILITY.—The dollar amounts in effect under sections 1311(c) and 1311(d) of such title.

(8) DIC FOR DEPENDENT CHILDREN.—The dollar amounts in effect under sections 1313(a) and 1314 of such title.

(c) DETERMINATION OF INCREASE.—(1) The increase under subsection (a) shall be made in the dollar amounts specified in subsection (b) as in effect on November 30, 2000.

(2) Except as provided in paragraph (3), each such amount shall be increased by the same percentage as the percentage by which benefit amounts payable under title II of the Social Security Act (42 U.S.C. 401 et seq.) are increased effective December 1, 2002, as a result of a determination under section 215(i) of such Act (42 U.S.C. 415(i)).

(3) Each dollar amount increased pursuant to paragraph (2) shall, if not a whole dollar amount, be rounded down to the next lower whole dollar amount.

(d) SPECIAL RULE.—The Secretary may adjust administratively, consistent with the increases made under subsection (a), the rates of disability compensation payable to persons within the purview of section 10 of Public Law 85-857 (72 Stat. 1263) who are not in receipt of compensation payable pursuant to chapter 11 of title 38, United States Code.

### SEC. 3. PUBLICATION OF ADJUSTED RATES.

At the same time as the matters specified in section 215(i)(2)(D) of the Social Security Act (42 U.S.C. 415(i)(2)(D)) are required to be published by reason of a determination made under section 215(i) of such Act during fiscal year 2003, the Secretary of Veterans Affairs shall publish in the Federal Register the amounts specified in subsection (b) of section 2, as increased pursuant to that section.

### AMENDMENTS SUBMITTED AND PROPOSED

SA 3078. Mr. GRASSLEY submitted an amendment intended to be proposed to amendment SA 2917 proposed by Mr. DASCHLE (for himself and Mr. BINGAMAN) to the bill (S. 517) to authorize funding the Department of Energy to enhance its mission areas through technology transfer and partnerships for fiscal years 2002 through 2006, and for other purposes; which was ordered to lie on the table.

SA 3079. Mr. REID (for himself and Mr. CRAPO) proposed an amendment to amendment SA 2989 proposed by Mrs. FEINSTEIN (for herself, Ms. CANTWELL, Mr. WYDEN, Mrs. BOXER, Mr. LEAHY, Mr. DURBIN, Mr. FITZGERALD, and Mr. CORZINE) to the amendment SA 2917 proposed by Mr. DASCHLE (for himself and Mr. BINGAMAN) to the bill (S. 517) supra.

SA 3080. Mr. GRAHAM submitted an amendment intended to be proposed to amendment SA 2917 proposed by Mr. DASCHLE (for himself and Mr. BINGAMAN) to the bill (S. 517) supra; which was ordered to lie on the table.

SA 3081. Mr. REID proposed an amendment to amendment SA 2989 proposed by Mrs. FEINSTEIN (for herself, Ms. CANTWELL, Mr. WYDEN, Mrs. BOXER, Mr. LEAHY, Mr. DURBIN, Mr. FITZGERALD, and Mr. CORZINE) to the amendment SA 2917 proposed by Mr.

DASCHLE (for himself and Mr. BINGAMAN) to the bill (S. 517) supra.

### TEXT OF AMENDMENTS

SA 3078. Mr. GRASSLEY submitted an amendment intended to be proposed to amendment SA 2917 proposed by Mr. DASCHLE (for himself and Mr. BINGAMAN) to the bill (S. 517) to authorize funding the Department of Energy to enhance its mission areas through technology transfer and partnerships for fiscal years 2002 through 2006, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

#### DIVISION —MISCELLANEOUS PROVISIONS

##### TITLE —GENERAL PROVISIONS

#### SEC. —. REVIEW OF FEDERAL PROCUREMENT INITIATIVES RELATING TO USE OF RECYCLED PRODUCTS AND FLEET AND TRANSPORTATION EFFICIENCY.

Not later than 180 days after the date of enactment of this Act, the Administrator of General Services shall submit to Congress a report that details efforts by each Federal agency to implement the procurement policies specified in Executive Order No. 13101 (63 Fed. Reg. 49643; relating to governmental use of recycled products) and Executive Order No. 13149 (65 Fed. Reg. 24607; relating to Federal fleet and transportation efficiency).

SA 3079. Mr. REID (for himself, and Mr. CRAPO) proposed an amendment to amendment SA 2989 proposed by Mrs. FEINSTEIN (for herself, Ms. CANTWELL, Mr. WYDEN, Mrs. BOXER, Mr. LEAHY, Mr. DURBIN, Mr. FITZGERALD, and Mr. CORZINE) to the amendment SA 2917 proposed by Mr. DASCHLE (for himself and Mr. BINGAMAN) to the bill (S. 517) to authorize funding the Department of Energy to enhance its mission areas through technology transfer and partnerships for fiscal years 2002 through 2006, and for other purposes; as follows:

In lieu of the matter proposed to be added, add the following:

#### DIVISION —MISCELLANEOUS

##### TITLE I—ENERGY DERIVATIVES

#### SEC. —. 1. JURISDICTION OF THE COMMODITY FUTURES TRADING COMMISSION OVER ENERGY TRADING MARKETS.

(a) FERC LIAISON.—Section 2(a)(8) of the Commodity Exchange Act (7 U.S.C. 2(a)(8)) is amended by adding at the end the following:

“(C) FERC LIAISON.—The Commission shall, in cooperation with the Federal Energy Regulatory Commission, maintain a liaison between the Commission and the Federal Energy Regulatory Commission.”.

(b) EXEMPT TRANSACTIONS.—Section 2 of the Commodity Exchange Act (7 U.S.C. 2) is amended—

(1) in subsection (h)—

(A) in paragraph (5)(B)(i)—

(i) in subclause (I), by striking “or” at the end;

(ii) in subclause (II), by adding “or” at the end; and

(iii) by adding at the end the following:

“(III) make available to the public on a daily basis information on volume, settlement price, open interest, and opening and closing ranges, and any other information that the Commission determines to be appropriate for public disclosure, except that the Commission may not—

“(aa) require the real time publication of proprietary information; or

“(bb) prohibit the commercial sale of real time proprietary information;” and

(B) by adding at the end the following:

“(7) APPLICABILITY.—This subsection does not apply to an agreement, contract, or transaction in an exempt energy commodity described in section 2(j)(1).

“(8) RECORDKEEPING BY ELIGIBLE CONTRACT PARTICIPANTS.—On request of the Commission made within 5 years after the date of any transaction, an eligible contract participant that trades on an electronic trading facility shall provide to the Commission, within the time period specified in the request and in such form and manner as the Commission may specify, any information relating to the transactions of the eligible contract participant on the facility or system that the Commission determines to be appropriate.”; and

(2) by adding at the end the following:

“(j) EXEMPT TRANSACTIONS.—

“(1) TRANSACTIONS IN EXEMPT ENERGY COMMODITIES.—An agreement, contract, or transaction (including a transaction described in section 2(g)) in an exempt energy commodity shall be subject to—

“(A) sections 4b, 4c(b), 4o, and 5b;

“(B) subsections (c) and (d) of section 6 and sections 6c, 6d, and 8a, to the extent that those provisions—

“(i) provide for the enforcement of the requirements specified in this subsection; and

“(ii) prohibit the manipulation of the market price of any commodity in interstate commerce or for future delivery on or subject to the rules of any contract market;

“(C) sections 6c, 6d, 8a, and 9(a)(2), to the extent that those provisions prohibit the manipulation of the market price of any commodity in interstate commerce or for future delivery on or subject to the rules of any contract market;

“(D) section 12(e)(2); and

“(E) section 22(a)(4).

“(2) BILATERAL DEALER MARKETS.—

“(A) IN GENERAL.—Except as provided in paragraph (6), a person or group of persons that constitutes, maintains, administers, or provides a physical or electronic facility or system in which a person or group of persons has the ability to offer, execute, trade, or confirm the execution of an agreement, contract, or transaction (including a transaction described in section 2(g)) (other than an agreement, contract, or transaction in an excluded commodity), by making or accepting the bids and offers of 1 or more participants on the facility or system (including facilities or systems described in clauses (i) and (iii) of section 1a(33)(B)), may offer or may allow participants in the facility or system to enter into, enter into, or confirm the execution of any agreement, contract, or transaction under paragraph (1) (other than an agreement, contract, or transaction in an excluded commodity) only if the person or group of persons meets the requirement of subparagraph (B).

“(B) REQUIREMENT.—The requirement of this subparagraph is that a person or group of persons described in subparagraph (A) shall—

“(i) provide notice to the Commission in such form as the Commission may specify by rule or regulation;

“(ii) file with the Commission any reports (including large trader position reports) that the Commission requires by rule or regulation;

“(iii) maintain sufficient capital, commensurate with the risk associated with the transaction, as determined by the Commission;

“(iv)(I) consistent with section 4i, maintain books and records relating to each transaction in such form as the Commission

may specify for a period of 5 years after the date of the transaction; and

“(II) make those books and records available to representatives of the Commission and the Department of Justice for inspection for a period of 5 years after the date of each transaction; and

“(v) make available to the public on a daily basis information on volume, settlement price, open interest, and opening and closing ranges, and any other information that the Commission determines to be appropriate for public disclosure, except that the Commission may not—

“(I) require the real time publication of proprietary information; or

“(II) prohibit the commercial sale of real time proprietary information.

“(3) REPORTING REQUIREMENTS.—On request of the Commission made within 5 years after the date of any transaction, an eligible contract participant that trades on a facility or system described in paragraph (2)(A) shall provide to the Commission, within the time period specified in the request and in such form and manner as the Commission may specify, any information relating to the transactions of the eligible contract participant on the facility or system that the Commission determines to be appropriate.

“(4) TRANSACTIONS EXEMPTED BY COMMISSION ACTION.—Any agreement, contract, or transaction described in paragraph (1) (other than an agreement, contract, or transaction in an excluded commodity) that would otherwise be exempted by the Commission under section 4(c) shall be subject to—

“(A) sections 4b, 4c(b), 4o, and 5b; and

“(B) subsections (c) and (d) of section 6 and sections 6c, 6d, 8a, and 9(a)(2), to the extent that those provisions prohibit the manipulation of the market price of any commodity in interstate commerce or for future delivery on or subject to the rules of any contract market.

“(5) NO EFFECT ON OTHER FERC AUTHORITY.—This subsection does not affect the authority of the Federal Energy Regulatory Commission to regulate transactions under the Federal Power Act (16 U.S.C. 791a et seq.) or the Natural Gas Act (15 U.S.C. 717 et seq.).

“(6) APPLICABILITY.—This subsection does not apply to—

“(A) a designated contract market regulated under section 5; or

“(B) a registered derivatives transaction execution facility regulated under section 5a.”

(C) CONTRACTS DESIGNED TO DEFRAUD OR MISLEAD.—Section 4b of the Commodity Exchange Act (7 U.S.C. 6b) is amended by striking subsection (a) and inserting the following:

“(a) PROHIBITION.—It shall be unlawful for any member of a registered entity, or for any correspondent, agent, or employee of any member, in or in connection with any order to make, or the making of, any contract of sale of any commodity in interstate commerce, made, or to be made on or subject to the rules of any registered entity, or for any person, in or in connection with any order to make, or the making of, any agreement, transaction, or contract in a commodity subject to this Act—

“(1) to cheat or defraud or attempt to cheat or defraud any person;

“(2) willfully to make or cause to be made to any person any false report or statement, or willfully to enter or cause to be entered any false record;

“(3) willfully to deceive or attempt to deceive any person by any means; or

“(4) to bucket the order, or to fill the order by offset against the order of any person, or willfully, knowingly, and without the prior consent of any person to become the buyer in respect to any selling order of any person, or

to become the seller in respect to any buying order of any person.”

(d) CONFORMING AMENDMENTS.—The Commodity Exchange Act is amended—

(1) in section 2 (7 U.S.C. 2)—

(A) in subsection (h)—

(i) in paragraph (1), by striking “paragraph (2)” and inserting “paragraphs (2) and (7)”; and

(ii) in paragraph (3), by striking “paragraph (4)” and inserting “paragraphs (4) and (7)”; and

(B) in subsection (i)(1)(A), by striking “section 2(h) or 4(c)” and inserting “subsection (h) or (j) of section 4(c)”; and

(2) in section 4i (7 U.S.C. 6i)—

(A) by striking “any contract market or” and inserting “any contract market.”; and

(B) by inserting “, or pursuant to an exemption under section 4(c)” after “transaction execution facility”; and

(3) in section 5a(g)(1) (7 U.S.C. 7a(g)(1)), by striking “section 2(h)” and inserting “subsection (h) or (j) of section 2”; and

(4) in section 5b (7 U.S.C. 7a-1)—

(A) in subsection (a)(1), by striking “2(h) or” and inserting “2(h), 2(j), or”; and

(B) in subsection (b), by striking “2(h) or” and inserting “2(h), 2(j), or”; and

(5) in section 12(e)(2)(B) (7 U.S.C. 16(e)(2)(B)), by striking “section 2(h) or 4(c)” and inserting “subsection (h) or (j) of section 2 or section 4(c)”.

#### SEC. 2. RECRUITMENT AND RETENTION OF QUALIFIED PERSONNEL AT THE COMMODITY FUTURES TRADING COMMISSION.

(a) IN GENERAL.—Section 2(a)(6) of the Commodity Exchange Act (7 U.S.C. 2(a)(6)) is amended by adding at the end the following:

“(G) PERSONNEL MATTERS.—

“(i) IN GENERAL.—The Chairman may appoint and fix the compensation of any officers, attorneys, economists, examiners, and other employees that are necessary in the execution of the duties of the Commission.

“(ii) COMPENSATION.—

“(I) IN GENERAL.—Rates of basic pay for all employees of the Commission may be set and adjusted by the Chairman without regard to the provisions of chapter 51 or subchapter III of chapter 53 of title 5, United States Code.

“(II) ADDITIONAL COMPENSATION.—The Chairman may provide additional compensation and benefits to employees of the Chairman if the same type and amount of compensation or benefits are provided, or are authorized to be provided, by any other Federal agency specified in section 1206 of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (12 U.S.C. 1833b).

“(III) COMPARABILITY.—In setting and adjusting the total amount of compensation and benefits for employees under this subparagraph, the Chairman shall consult with, and seek to maintain comparability with, any other Federal agency specified in section 1206 of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (12 U.S.C. 1833b).”

(b) CONFORMING AMENDMENTS.—

(1) Section 3132(a)(1) of title 5, United States Code, is amended—

(A) in subparagraph (C), by striking “or”; and

(B) in subparagraph (D), by adding “or” at the end; and

(C) by adding at the end the following:

“(E) the Commodity Futures Trading Commission.”

(2) Section 5316 of title 5, United States Code, is amended—

(A) by striking “General Counsel, Commodity Futures Trading Commission.”; and

(B) by striking “Executive Director, Commodity Futures Trading Commission.”

(3) Section 5373(a) of title 5, United States Code, is amended—

(A) in paragraph (2), by striking “or” at the end;

(B) by redesignating paragraph (3) as paragraph (4); and

(C) by inserting after paragraph (2) the following:

“(3) section 2(a)(6)(G) of the Commodity Exchange Act.”

(4) Section 1206 of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (12 U.S.C. 1833b) is amended by inserting “the Commodity Futures Trading Commission,” after “the Farm Credit Administration.”

#### SEC. 3. JURISDICTION OF THE FEDERAL ENERGY REGULATORY COMMISSION OVER ENERGY TRADING MARKETS.

Section 402 of the Department of Energy Organization Act (42 U.S.C. 7172) is amended by adding at the end the following:

“(i) JURISDICTION OVER DERIVATIVES TRANSACTIONS.—

“(1) IN GENERAL.—To the extent that the Commission determines that any contract that comes before the Commission is not under the jurisdiction of the Commission, the Commission shall refer the contract to the appropriate Federal agency.

“(2) MEETINGS.—A designee of the Commission shall meet quarterly with a designee of the Commodity Futures Trading Commission, the Securities Exchange Commission, the Federal Trade Commission, and the Federal Reserve Board to discuss—

“(A) conditions and events in energy trading markets; and

“(B) any changes in Federal law (including regulations) that may be appropriate to regulate energy trading markets.

“(3) LIAISON.—The Commission shall, in cooperation with the Commodity Futures Trading Commission, maintain a liaison between the Commission and the Commodity Futures Trading Commission.”

**SA 3080.** Mr. GRAHAM submitted an amendment intended to be proposed to amendment SA 2917 proposed by Mr. DASCHLE (for himself and Mr. BINGAMAN) to the bill (S. 517) to authorize funding the Department of Energy to enhance its mission areas through technology transfer and partnerships for fiscal years 2002 through 2006, and for other purposes, which was ordered to lie on the table; as follows:

Strike (1)(3) and replace with:

“(3) ELIGIBLE RENEWABLE ENERGY RESOURCE.—The term ‘renewable energy resource’ means solar, wind, ocean, or geothermal energy, biomass, landfill gas, a generation offset, or incremental hydropower.”

**SA 3081.** Mr. REID proposed an amendment to amendment SA 2989 proposed by Mrs. FEINSTEIN (for herself, Ms. CANTWELL, Mr. WYDEN, Mrs. BOXER, Mr. LEAHY, Mr. DURBIN, Mr. FITZGERALD, and Mr. BINGAMAN) to the bill (S. 517) to authorize funding the Department of Energy to enhance its mission areas through technology transfer and partnerships for fiscal years 2002 through 2006, and for other purposes; as follows:

In lieu of the matter proposed to be added, add the following:

#### DIVISION — MISCELLANEOUS

##### TITLE I—ENERGY DERIVATIVES

#### SEC. 1. JURISDICTION OF THE COMMODITY FUTURES TRADING COMMISSION OVER ENERGY TRADING MARKETS.

(a) FERC LIAISON.—Section 2(a)(8) of the Commodity Exchange Act (7 U.S.C. 2(a)(8)) is amended by adding at the end the following:

“(C) FERC LIAISON.—The Commission shall, in cooperation with the Federal Energy Regulatory Commission, maintain a liaison between the Commission and the Federal Energy Regulatory Commission.”.

(b) EXEMPT TRANSACTIONS.—Section 2 of the Commodity Exchange Act (7 U.S.C. 2) is amended—

(1) in subsection (h), by adding at the end the following:

“(7) APPLICABILITY.—This subsection does not apply to an agreement, contract, or transaction in an exempt energy commodity described in section 2(j)(1).”; and

(2) by adding at the end the following:

“(j) EXEMPT TRANSACTIONS.—

“(1) TRANSACTIONS IN EXEMPT ENERGY COMMODITIES.—An agreement, contract, or transaction (including a transaction described in section 2(g)) in an exempt energy commodity shall be subject to—

“(A) sections 4b, 4c(b), 4o, and 5b;

“(B) subsections (c) and (d) of section 6 and sections 6c, 6d, and 8a, to the extent that those provisions—

“(i) provide for the enforcement of the requirements specified in this subsection; and

“(ii) prohibit the manipulation of the market price of any commodity in interstate commerce or for future delivery on or subject to the rules of any contract market;

“(C) sections 6c, 6d, 8a, and 9(a)(2), to the extent that those provisions prohibit the manipulation of the market price of any commodity in interstate commerce or for future delivery on or subject to the rules of any contract market;

“(D) section 12(e)(2); and

“(E) section 22(a)(4).

“(2) BILATERAL DEALER MARKETS.—

“(A) IN GENERAL.—Except as provided in paragraph (6), a person or group of persons that constitutes, maintains, administers, or provides a physical or electronic facility or system in which a person or group of persons has the ability to offer, execute, trade, or confirm the execution of an agreement, contract, or transaction (including a transaction described in section 2(g)) (other than an agreement, contract, or transaction in an excluded commodity), by making or accepting the bids and offers of 1 or more participants on the facility or system (including facilities or systems described in clauses (i) and (iii) of section 1a(33)(B)), may offer or may allow participants in the facility or system to enter into, enter into, or confirm the execution of any agreement, contract, or transaction under paragraph (1) (other than an agreement, contract, or transaction in an excluded commodity) only if the person or group of persons meets the requirement of subparagraph (B).

“(B) REQUIREMENT.—The requirement of this subparagraph is that a person or group of persons described in subparagraph (A) shall—

“(i) provide notice to the Commission in such form as the Commission may specify by rule or regulation;

“(ii) file with the Commission any reports (including large trader position reports) that the Commission requires by rule or regulation;

“(iii) maintain sufficient capital, commensurate with the risk associated with the transaction, as determined by the Commission;

“(iv)(I) consistent with section 4i, maintain books and records relating to each transaction in such form as the Commission may specify for a period of 5 years after the date of the transaction; and

“(II) make those books and records available to representatives of the Commission and the Department of Justice for inspection for a period of 5 years after the date of each transaction; and

“(iv) make available to the public on a daily basis information on volume, settlement price, open interest, opening and closing ranges, and any other information that the Commission determines to be appropriate for public disclosure, except that the Commission may not—

“(I) require the real time publication of proprietary information; or

“(II) prohibit the commercial sale of real time proprietary information.

“(3) REPORTING REQUIREMENTS.—On request of the Commission, an eligible contract participant that trades on a facility or system described in paragraph (2)(A) shall provide to the Commission, within the time period specified in the request and in such form and manner as the Commission may specify, any information relating to the transactions of the eligible contract participant on the facility or system within 5 years after the date of any transaction that the Commission determines to be appropriate.

“(4) TRANSACTIONS EXEMPTED BY COMMISSION ACTION.—Any agreement, contract, or transaction described in paragraph (1) (other than an agreement, contract, or transaction in an excluded commodity) that would otherwise be exempted by the Commission under section 4(c) shall be subject to—

“(A) sections 4b, 4c(b), 4o, and 5b; and

“(B) subsections (c) and (d) of section 6 and sections 6c, 6d, 8a, and 9(a)(2), to the extent that those provisions prohibit the manipulation of the market price of any commodity in interstate commerce or for future delivery on or subject to the rules of any contract market.

“(5) NO EFFECT ON OTHER FERC AUTHORITY.—This subsection does not affect the authority of the Federal Energy Regulatory Commission to regulate transactions under the Federal Power Act (16 U.S.C. 791a et seq.) or the Natural Gas Act (15 U.S.C. 717 et seq.).

“(6) APPLICABILITY.—This subsection does not apply to—

“(A) a designated contract market regulated under section 5; or

“(B) a registered derivatives transaction execution facility regulated under section 5a.”.

(c) CONTRACTS DESIGNED TO DEFRAUD OR MISLEAD.—Section 4b of the Commodity Exchange Act (7 U.S.C. 6b) is amended by striking subsection (a) and inserting the following:

“(a) PROHIBITION.—It shall be unlawful for any member of a registered entity, or for any correspondent, agent, or employee of any member, in or in connection with any order to make, or the making of, any contract of sale of any commodity in interstate commerce, made, or to be made on or subject to the rules of any registered entity, or for any person, in or in connection with any order to make, or the making of, any agreement, transaction, or contract in a commodity subject to this Act—

“(1) to cheat or defraud or attempt to cheat or defraud any person;

“(2) willfully to make or cause to be made to any person any false report or statement, or willfully to enter or cause to be entered any false record;

“(3) willfully to deceive or attempt to deceive any person by any means; or

“(4) to bucket the order, or to fill the order by offset against the order of any person, or willfully, knowingly, and without the prior consent of any person to become the buyer in respect to any selling order of any person, or to become the seller in respect to any buying order of any person.”

(d) CONFORMING AMENDMENTS.—The Commodity Exchange Act is amended—

(1) in section 2 (7 U.S.C. 2)—

(A) in subsection (h)—

(i) in paragraph (1), by striking “paragraph (2)” and inserting “paragraphs (2) and (7)”; and

(ii) in paragraph (3), by striking “paragraph (4)” and inserting “paragraphs (4) and (7)”; and

(B) in subsection (i)(1)(A), by striking “section 2(h) or 4(c)” and inserting “subsection (h) or (j) or section 4(c)”; and

(2) in section 4i (7 U.S.C. 6i)—

(A) by striking “any contract market or” and inserting “any contract market,”; and

(B) by inserting “, or pursuant to an exemption under section 4(c)” after “transaction execution facility”; and

(3) in section 5a(g)(1) (7 U.S.C. 7a(g)(1)), by striking “section 2(h)” and inserting “subsection (h) or (j) of section 2”; and

(4) in section 5b (7 U.S.C. 7a-1)—

(A) in subsection (a)(1), by striking “2(h) or” and inserting “2(h), 2(j), or”; and

(B) in subsection (b), by striking “2(h) or” and inserting “2(h), 2(j), or”; and

(5) in section 12(e)(2)(B) (7 U.S.C. 16(e)(2)(B)), by striking “section 2(h) or 4(c)” and inserting “subsection (h) or (j) of section 2 or section 4(c)”.

## SEC. 2. RECRUITMENT AND RETENTION OF QUALIFIED PERSONNEL AT THE COMMODITY FUTURES TRADING COMMISSION.

(a) IN GENERAL.—Section 2(a)(6) of the Commodity Exchange Act (7 U.S.C. 2(a)(6)) is amended by adding at the end the following:

“(G) PERSONNEL MATTERS.—

“(i) IN GENERAL.—The Chairman may appoint and fix the compensation of any officers, attorneys, economists, examiners, and other employees that are necessary in the execution of the duties of the Commission.

“(ii) COMPENSATION.—

“(I) IN GENERAL.—Rates of basic pay for all employees of the Commission may be set and adjusted by the Chairman without regard to the provisions of chapter 51 or subchapter III of chapter 53 of title 5, United States Code.

“(II) ADDITIONAL COMPENSATION.—The Chairman may provide additional compensation and benefits to employees of the Chairman if the same type and amount of compensation or benefits are provided, or are authorized to be provided, by any other Federal agency specified in section 1206 of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (12 U.S.C. 1833b).

“(III) COMPARABILITY.—In setting and adjusting the total amount of compensation and benefits for employees under this subparagraph, the Chairman shall consult with, and seek to maintain comparability with, any other Federal agency specified in section 1206 of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (12 U.S.C. 1833b).”.

(b) CONFORMING AMENDMENTS.—

(1) Section 3132(a)(1) of title 5, United States Code, is amended—

(A) in subparagraph (C), by striking “or”; and

(B) in subparagraph (D), by adding “or” at the end; and

(C) by adding at the end the following:

“(E) the Commodity Futures Trading Commission.”.

(2) Section 5316 of title 5, United States Code, is amended—

(A) by striking “General Counsel, Commodity Futures Trading Commission.”; and

(B) by striking “Executive Director, Commodity Futures Trading Commission.”.

(3) Section 5373(a) of title 5, United States Code, is amended—

(A) in paragraph (2), by striking “or” at the end;

(B) by redesignating paragraph (3) as paragraph (4); and

(C) by inserting after paragraph (2) the following:



"(3) section 2(a)(6)(G) of the Commodity Exchange Act."

(4) Section 1206 of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (12 U.S.C. 1833b) is amended by inserting "the Commodity Futures Trading Commission," after "the Farm Credit Administration,".

### SEC. 3. JURISDICTION OF THE FEDERAL ENERGY REGULATORY COMMISSION OVER ENERGY TRADING MARKETS.

Section 402 of the Department of Energy Organization Act (42 U.S.C. 7172) is amended by adding at the end the following:

"(i) JURISDICTION OVER DERIVATIVES TRANSACTIONS.—

"(1) IN GENERAL.—To the extent that the Commission determines that any contract that comes before the Commission is not under the jurisdiction of the Commission, the Commission shall refer the contract to the appropriate Federal agency.

"(2) MEETINGS.—A designee of the Commission shall meet quarterly with a designee of the Commodity Futures Trading Commission, the Securities Exchange Commission, the Federal Trade Commission, and the Federal Reserve Board to discuss—

"(A) conditions and events in energy trading markets; and

"(B) any changes in Federal law (including regulations) that may be appropriate to regulate energy trading markets.

"(3) LIAISON.—The Commission shall, in cooperation with the Commodity Futures Trading Commission, maintain a liaison between the Commission and the Commodity Futures Trading Commission."

### NOTICES OF HEARINGS/MEETINGS

#### COMMITTEE ON ENERGY AND NATURAL RESOURCES

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

The hearing will take place on Thursday, April 18, 2002, at 3 p.m. in room 366 of the Dirksen Senate Office Building in Washington, DC.

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

S. 1441, to establish the Oil Region National Heritage Area;

S. 1526, to establish the Arabia Mountain National Heritage Area in the State of Georgia, and for other purposes.

S. 1638, to authorize the Secretary of the Interior to study the suitability and feasibility of designating the French Colonial Heritage Area in the State of Missouri as a unit of the National Park System, and for other purposes;

S. 1809 and H.R. 1776, to authorize the Secretary of the Interior to study the suitability and feasibility of establishing the Buffalo Bayou National Heritage Area in west Houston, Texas;

S. 1939, to establish the Great Basin National Heritage Area, Nevada and Utah; and

S. 2033 and H.R. 4004, to authorize appropriations for the John H. Chafee Blackstone River Valley Heritage Corridor in Massachusetts and Rhode Island, and for other purposes.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Committee on Energy and Natural Resources, United States Senate, 312 Dirksen Senate Office Building, Washington, DC 20510.

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

### REMOVAL OF INJUNCTION OF SECRECY—TREATY DOCUMENT NO. 107-3

Mr. REID. Mr. President, as in executive session, I ask unanimous consent that the injunction of secrecy be removed from the following treaty transmitted to the Senate on April 8, 2002, by the President of the United States:

Treaty with India on Mutual Legal Assistance in Criminal Matters (Treaty Document No. 107-3).

I further ask that the treaty be considered as having been read the first time; that it be referred, with accompanying papers, to the Committee on Foreign Relations, and ordered to be printed; and that the President's message be printed in the RECORD.

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

The President's message is as follows:

*To the Senate of the United States:*

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith the Treaty between the Government of the United States of America and the Government of the Republic of India on Mutual Legal Assistance in Criminal Matters, signed at New Delhi on October 17, 2001. I transmit also, for the information of the Senate, the report of the Department of State with respect to the Treaty.

The Treaty is one of a series of modern mutual legal assistance treaties that the United States has concluded or is negotiating in order to counter criminal activities more effectively. The Treaty should be an effective tool to assist in the investigation and prosecution of a wide variety of modern crimes, including terrorism-related crimes, drug trafficking, and "white collar" crimes. The Treaty is self-executing.

The Treaty provides for a broad range of cooperation in criminal matters and related proceedings. Mutual assistance available under the Treaty includes: (1) taking the testimony or statements of persons; (2) providing documents, records, and items of evidence; (3) locating or identifying persons or items; (4) serving documents; (5) transferring persons in custody for testimony or other purposes; (6) executing requests for searches and seizures; (7) assisting in proceedings relating to seizure and forfeiture of assets,

restitution, and collection of fines; and (8) rendering any other form of assistance not prohibited by the laws of the Requested State.

I recommend that the Senate give early and favorable consideration to the Treaty and give its advice and consent to ratification.

GEORGE BUSH.

THE WHITE HOUSE, April 8, 2002.

### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider Calendar No. 726.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the nomination.

The legislative clerk read the nomination of Melanie Sabelhaus, of Maryland, to be Deputy Administrator of the Small Business Administration.

Mr. REID. Mr. President, I ask unanimous consent that the nomination be confirmed, the motion to reconsider be laid on the table, the President be immediately notified of the Senate's action, that any statements appear at the appropriate place in the RECORD as though read, and the Senate return to legislative session, without any intervening action or debate.

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

The nomination was considered and confirmed as follows:

#### SMALL BUSINESS ADMINISTRATION

Melanie Sabelhaus, of Maryland, to be Deputy Administrator of the Small Business Administration.

### ORDERS FOR TUESDAY, APRIL 9, 2002

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until the hour of 10 a.m., Tuesday, April 9; that following the prayer and the pledge, the Journal of the proceedings be approved to date, the morning hour be deemed to have expired, the time for the two leaders be reserved for their use later in the day, and there be a period for morning business until 11 a.m., with Senators permitted to speak for up to 10 minutes each, with the time equally divided between the two leaders or their designees; that at 11 a.m., the Senate resume consideration of the energy reform bill; further, that the Senate recess from 12:30 to 2:15 tomorrow for the weekly party conferences.

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

### ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that



the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 5:50 p.m, adjourned until Tuesday, April 9, 2002, at 10 a.m.



NOMINATIONS

Executive nominations received by the Senate April 8, 2002:

IN THE COAST GUARD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS CHIEF OF STAFF OF THE UNITED STATES COAST GUARD UNDER TITLE 14, U.S.C., SECTION 50A:

*To be chief of staff*

VICE ADM. THAD W. ALLEN, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS VICE COMMANDANT OF THE UNITED STATES COAST GUARD AND TO THE GRADE INDICATED UNDER TITLE 14, U.S.C., SECTION 47:

*To be vice admiral*

REAR ADM. THOMAS J. BARRETT, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS COMMANDER, ATLANTIC AREA OF THE UNITED STATES COAST GUARD AND TO THE GRADE INDICATED UNDER TITLE 14, U.S.C., SECTION 50:

*To be vice admiral*

REAR ADM. JAMES D. HULL, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS COMMANDER, PACIFIC AREA OF THE UNITED STATES

COAST GUARD AND TO THE GRADE INDICATED UNDER TITLE 14, U.S.C., SECTION 50:

*To be vice admiral*

REAR ADM. TERRY M. CROSS, 0000



CONFIRMATION

Executive nomination confirmed by the Senate April 8, 2002:

SMALL BUSINESS ADMINISTRATION

MELANIE SABELHAUS, OF MARYLAND, TO BE DEPUTY ADMINISTRATOR OF THE SMALL BUSINESS ADMINISTRATION.

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