

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

For further information, please contact Jennifer Michael on 202-224-7143 or Jonathan Black on 202-224-6722.

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 Resources.

The hearing will take place on Thursday, July 18, 2002, at 2:30 p.m. in room 366 of the Dirksen Senate Office Building in Washington, DC.

The purpose of the hearing is to receive testimony on the following bills:

S. 1865, to authorize the Secretary of the Interior to study the suitability and feasibility of establishing the Lower Los Angeles River and San Gabriel River watersheds in the State of California as a unit of the National Park System, and for other purposes;

S. 1943, to expand the boundary of the George Washington Birthplace National Monument, and for other purposes;

S. 2571, to direct the Secretary of the Interior to conduct a special resources study to evaluate the suitability and feasibility of establishing the Rim of the Valley Corridor as a unit of the Santa Monica Mountains National Recreation Area;

S. 2595, to authorize the expenditure of funds on private lands and facilities at Mesa Verde National Park, in the State of Colorado, and for other purposes; and

H.R. 1925, to direct the Secretary of the Interior to study the suitability and feasibility of designating the Waco Mammoth Site Area in Waco, Texas, as a unit of the National Park System, 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.

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 Public Lands and Forests of the Committee on Energy and Natural Resources.

The hearing will take place on Thursday, July 25, at 2:30 p.m. in room 366 of the Dirksen Senate Office Building in Washington, DC.

The purpose of the hearing is to receive testimony on S. 2672, to provide

opportunities for collaborative restoration projects on National Forest System and other public domain lands, 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 Kira Finkler of the Committee staff at 202/224-8164.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be allowed to conduct a hearing during the session of the Senate on Wednesday, July 10, 2002. The purpose of this hearing will be to discuss energy derivatives. The hearing will take place at 9:30 a.m.

The PRESIDING OFFICER. Without objection it is so ordered.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to hold a Hearing during the session of the Senate on Wednesday, July 10, 2002, at 2:30 p.m. in SD-366.

The purpose of the hearing is to explore the present and future roles of the Department of Energy/National Nuclear Security Administration national laboratories in protecting our homeland security.

The PRESIDING OFFICER. Without objection it is so ordered.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet on Wednesday, July 10, 2002, at 2:00 p.m. to conduct a hearing to receive testimony on the President's proposal to establish the Department of Homeland Security.

The hearing will be held in SD-406.

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet in executive session during the session of the Senate on Wednesday, July 10, 2002, at 10:00 a.m. in SD-430 during the session of the Senate.

Agenda

S. 710, Eliminate Colorectal Cancer Act of 2001.

S. 2328, Safe Motherhood Act for Research and Treatment.

S. 812, Greater Access to Affordable Pharmaceuticals Act of 2001.

S. 2489, Lifespan Respite Care Act of 2002.

Nominations: Richard H. Carmona, of Arizona to be Surgeon General of the Public Health Service; Naomi Shihab Nye, of Texas, to be a Member of the National Council on the Humanities; Earl A. Powell III, of Virginia, to be a Member of the National Council on the Arts; Robert Davila, of New York, to be a Member of the National Council on Disability; Michael Pack, of Maryland, to be a Member of the National Council on the Humanities; Peter J. Hurtgen, of Maryland, to be Federal Mediation Conciliation Director.

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

COMMITTEE ON INDIAN AFFAIRS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet on Wednesday, July 10, 2002, at 10:00 a.m. in Room 485 of the Russell Senate Office Building to conduct an oversight hearing on Native American Elder Health Issues.

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

COMMITTEE ON VETERANS' AFFAIRS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be authorized to meet during the session of the Senate on Wednesday, July 10, 2002, for a hearing on "Military Exposures: The continuing challenges of care and compensation."

The hearing will take place in SR-418 of the Russell Senate Office Building at 9:30 a.m.

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

SUBCOMMITTEE ON CRIME AND DRUGS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on the Judiciary Subcommittee on Crime and Drugs be authorized to meet to conduct a hearing on "Penalties From White Collar Crime: Are We Really Getting Tough on Crime?" on Wednesday, July 10, 2002, at 2:30 p.m. in Room 226 of the Dirksen Senate Office Building.

Agenda

Witnesses

Panel I: Michael Chertoff, Assistant Attorney General, Criminal Division, U.S. Department of Justice, Washington, DC; and William W. Mercer, U.S. Attorney for the District of Montana, U.S. Attorneys' White Collar Crime Working Group, Billings, MT.

Panel II: John C. Coffee, Jr., Adolf A. Berle Professor of Law, Columbia University Law School, New York, NY; Thomas Donaldson, Mark O. Winkelman Professor, the Wharton School, University of Pennsylvania, Philadelphia, PA; Charles M. Elson, Edgar S. Woolard, Jr. Professor of Corporate Governance, Director, Center for Corporate Governance, University of Delaware, Newark, DE; George

Terwilliger, Partner, White & Case, LLP, Washington, DC; and Tom Devine, Legal Director, Government Accountability Project, Washington, DC.

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

SUBCOMMITTEE ON SURFACE TRANSPORTATION  
AND MERCHANT MARINE

Mr. REID. Mr. President, I ask unanimous consent that the Subcommittee on Surface Transportation and Merchant Marine be authorized to meet at 9:30 a.m. on rail safety on Wednesday, July 20, 2002.

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

SUBCOMMITTEE ON WATER AND POWER

Mr. REID. Mr. President, I ask unanimous consent that the Subcommittee on Water and Power of the Committee on Energy and Natural Resources be authorized to hold a Hearing during the session of the Senate on Wednesday, July 10, 2002, at 9:30 a.m. in SD-366.

The purpose of the hearing is to receive testimony on water resource management issues concerning the Missouri River.

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

JOINT COMMITTEE ON PRINTING

Mr. REID. Mr. President, I ask unanimous consent that the Joint Committee on Printing be authorized to meet during the session of the Senate on Wednesday, July 10 at 11:00 a.m., in SR-301, Russell Senate Office Building. The Committee is holding a hearing to receive testimony from The Honorable Mitchell E. Daniels, Jr., Director, Office of Management and Budget; The Honorable Michael F. DiMario, Public Printer, United States Government Printing Office; Ms. Julia F. Wallace, Regional Depository Librarian (representing the American Library Association, Association of Research Librarians, American Association of Law Libraries, and the Medical Library Association); Benjamin Y. Cooper, Executive Vice President for Public Affairs, Printing Industries of America; Mr. William J. Boarman, President Printing, Publishing and Media Workers Sector, Communication Workers of America on federal government printing and public access to government documents.

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

PRIVILEGE OF THE FLOOR

Mr. WELLSTONE. Madam President, I ask unanimous consent Fiona Wright of my staff be given floor privileges for the duration of the debate on this bill.

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

EXECUTIVE SESSION

NOMINATION OF LAVENSKI R. SMITH, OF ARKANSAS, TO BE UNITED STATES CIRCUIT JUDGE FOR THE EIGHTH CIRCUIT

Mr. REID. Madam President, I move to proceed to executive session to consider Executive Calendar No. 903, Lavenski Smith, to be United States Circuit Judge.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

CLOTURE MOTION

Mr. REID. Madam President, this nomination is cleared on this side but because of an objection from a Member on the other side of the aisle, 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.

The legislative clerk read as follows:

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 Executive Calendar No. 903, the nomination of Lavenski R. Smith, of Arkansas, to be United States Circuit Judge for the Eighth Circuit:

Zell Miller, Fritz Hollings, Kent Conrad, Byron L. Dorgan, Harry Reid, Jeff Bingaman, Debbie Stabenow, Jack Reed, Barbara Boxer, Patrick Leahy, Barbara Mikulski, Blanche R. Lincoln, Bob Graham, Jean Carnahan, Jay Rockefeller, Charles Schumer.

Mr. REID. Madam President, I ask unanimous consent that the live quorum prior to this vote as required under rule XXII be waived and that the Senate resume legislative session.

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

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will now resume legislative session.

The PRESIDING OFFICER (Mr. REID). The Senator from Washington is recognized.

PROVIDING FOR AN INDEPENDENT INVESTIGATION OF FOREST SERVICE FIREFIGHTER DEATHS

Ms. CANTWELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 3971, Calendar No. 446.

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

The legislative clerk read as follows:

A bill (H.R. 3971) to provide for an independent investigation of Forest Service firefighter deaths that are caused by wildfire entrapment or burnover.

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

The PRESIDING OFFICER. The Senator from Washington.

Ms. CANTWELL. Mr. President, I rise today to urge the passage of this legislation. Roughly a year ago, about this time of night, my colleague, Senator MURRAY, and I stood before the Senate in a terrible moment to describe our sympathy for the deaths of four young firefighters: Devin Weaver, Jessica Johnson, Karen Fitzpatrick, and Tom Craven.

They lost their lives fighting a forest fire that had been out of control, and, as we found out, these four young people were barely trained. They were on the job, having had training, but were new, and this was their first fire.

Since that day on the Senate floor, we have had hearings, investigations, a lot of discussion, and what we found in the report from the Forest Service on the Thirtymile fire is that some of the same issues that had arisen in a fire, the Storm King fire, many years ago were the same issues that were arising again; the fact that maybe there were rules in place but they were not being followed.

When the report came back to say that, sadly, the young men and women who perished fighting the Thirtymile fire did not have to die, it was a very painful moment. The fact that they did not have to die meant we were not really implementing the processes and procedures that needed to be in place.

Tonight I am glad to say that we are taking a big step forward in assuring the oversight and accountability of the Forest Service, by making sure there is an independent investigation in the case of forest fire fatalities.

This legislation will not bring back Devin Weaver, Jessica Johnson, Karen Fitzpatrick, or Tom Craven, but it will say that the Congress—the House and the Senate—does believe there needs to be accountability, there needs to be oversight, there needs to be protection. There needs to be rules in place not just because we can point to them on a piece of paper but that they are actually being followed.

So tonight, even though it has been just 1 year, I feel at least we can go to families and say we do believe accountability is important.

I thank my colleague in the House, DOC HASTINGS, for getting this legislation passed as companion legislation to what we have.

I note that the Senate did take action earlier this year. We passed this as an amendment as part of the farm bill, and, unfortunately, it did not make it through the conference process. So we are passing this legislation tonight, to send on to the President for his signature, in hopes he will sign this in fast order and help improve the process to make sure we have accountability in the Forest Service in this particular area.

Mr. President, I ask unanimous consent the bill be read three times, passed, and the motion to reconsider be laid upon the table, with no further intervening action or debate, and that any statements relating thereto be printed in the RECORD.