

(A) striking "\$100,000" and inserting "\$1,000,000"; and  
 (B) striking "\$500,000" and inserting "\$2,000,000".

(b) SECURITIES EXCHANGE ACT OF 1934.—

(1) PENALTIES.—Section 32 of the Securities Exchange Act of 1934 (15 U.S.C. 78ff) is amended—

(A) in subsection (b), by striking "\$100" and inserting "\$10,000"; and

(B) in subsection (c)—

(i) in paragraph (1)(B), by striking "\$10,000" and inserting "\$500,000"; and

(ii) in paragraph (2)(B), by striking "\$2,000" and inserting "\$500,000".

(2) INSIDER TRADING.—Section 21A(a)(3) of the Securities Exchange Act of 1934 (15 U.S.C. 78u-1(a)(3)) is amended by striking "\$1,000,000" and inserting "\$2,000,000".

(3) ADMINISTRATIVE PROCEEDINGS.—Section 21B(b) of the Securities Exchange Act of 1934 (15 U.S.C. 78u-2(b)) is amended—

(A) in paragraph (1), by—

(i) striking "\$5,000" and inserting "\$100,000"; and

(ii) striking "\$50,000" and inserting "\$250,000";

(B) in paragraph (2), by—

(i) striking "\$50,000" and inserting "\$500,000"; and

(ii) striking "\$250,000" and inserting "\$1,000,000"; and

(C) in paragraph (3), by—

(i) striking "\$100,000" and inserting "\$1,000,000"; and

(ii) striking "\$500,000" and inserting "\$2,000,000".

(4) CIVIL ACTIONS.—Section 21(d)(3)(B) of the Securities Exchange Act of 1934 (15 U.S.C. 78u(d)(3)(B)) is amended—

(A) in clause (i), by—

(i) striking "\$5,000" and inserting "\$100,000"; and

(ii) striking "\$50,000" and inserting "\$250,000";

(B) in clause (ii), by—

(i) striking "\$50,000" and inserting "\$500,000"; and

(ii) striking "\$250,000" and inserting "\$1,000,000"; and

(C) in clause (iii), by—

(i) striking "\$100,000" and inserting "\$1,000,000"; and

(ii) striking "\$500,000" and inserting "\$12,000,000".

(c) INVESTMENT COMPANY ACT OF 1940.—

(1) INELIGIBILITY.—Section 9(d)(2) of the Investment Company Act of 1940 (15 U.S.C. 80a-9(d)(2)) is amended—

(A) in subparagraph (A), by—

(i) striking "\$5,000" and inserting "\$100,000"; and

(ii) striking "\$50,000" and inserting "\$250,000";

(B) in subparagraph (B), by—

(i) striking "\$50,000" and inserting "\$500,000"; and

(ii) striking "\$250,000" and inserting "\$1,000,000"; and

(C) in subparagraph (C), by—

(i) striking "\$100,000" and inserting "\$1,000,000"; and

(ii) striking "\$500,000" and inserting "\$2,000,000".

(2) ENFORCEMENT OF INVESTMENT COMPANY ACT.—Section 42(e)(2) of the Investment Company Act of 1940 (15 U.S.C. 80a-41(e)(2)) is amended—

(A) in subparagraph (A), by—

(i) striking "\$5,000" and inserting "\$100,000"; and

(ii) striking "\$50,000" and inserting "\$250,000";

(B) in subparagraph (B), by—

(i) striking "\$50,000" and inserting "\$500,000"; and

(ii) striking "\$250,000" and inserting "\$1,000,000"; and

(C) in subparagraph (C), by—

(i) striking "\$100,000" and inserting "\$1,000,000"; and

(ii) striking "\$500,000" and inserting "\$2,000,000".

(d) INVESTMENT ADVISORS ACT OF 1940.—

(1) REGISTRATION.—Section 203(i)(2) of the Investment Advisors Act of 1940 (15 U.S.C. 80b-3(i)(2)) is amended—

(A) in subparagraph (A), by—

(i) striking "\$5,000" and inserting "\$100,000"; and

(ii) striking "\$50,000" and inserting "\$250,000";

(B) in subparagraph (B), by—

(i) striking "\$50,000" and inserting "\$500,000"; and

(ii) striking "\$250,000" and inserting "\$1,000,000"; and

(C) in subparagraph (C), by—

(i) striking "\$100,000" and inserting "\$1,000,000"; and

(ii) striking "\$500,000" and inserting "\$2,000,000".

(2) ENFORCEMENT OF INVESTMENT ADVISORS ACT.—Section 209(e)(2) of the Investment Advisors Act of 1940 (15 U.S.C. 80b-9(e)(2)) is amended—

(A) in subparagraph (A), by—

(i) striking "\$5,000" and inserting "\$100,000"; and

(ii) striking "\$50,000" and inserting "\$250,000";

(B) in subparagraph (B), by—

(i) striking "\$50,000" and inserting "\$500,000"; and

(ii) striking "\$250,000" and inserting "\$1,000,000"; and

(C) in subparagraph (C), by—

(i) striking "\$100,000" and inserting "\$1,000,000"; and

(ii) striking "\$500,000" and inserting "\$12,000,000".

**SEC. 608. AUTHORITY TO OBTAIN FINANCIAL RECORDS.**

Section 21(h) of the Securities Exchange Act of 1934 (15 U.S.C. 78u(h)) is amended—

(1) by striking paragraphs (2) through (8);

(2) in paragraph (9), by striking "(9)(A)" and all that follows through "(B) The" and inserting "(3) The";

(3) by inserting after paragraph (1), the following:

"(2) ACCESS TO FINANCIAL RECORDS.—

"(A) IN GENERAL.—Notwithstanding section 1105 or 1107 of the Right to Financial Privacy Act of 1978, the Commission may obtain access to and copies of, or the information contained in, financial records of any person held by a financial institution, including the financial records of a customer, without notice to that person, when it acts pursuant to a subpoena authorized by a formal order of investigation of the Commission and issued under the securities laws or pursuant to an administrative or judicial subpoena issued in a proceeding or action to enforce the securities laws.

"(B) NONDISCLOSURE OF REQUESTS.—If the Commission so directs in its subpoena, no financial institution, or officer, director, partner, employee, shareholder, representative or agent of such financial institution, shall, directly or indirectly, disclose that records have been requested or provided in accordance with subparagraph (A), if the Commission finds reason to believe that such disclosure may—

"(i) result in the transfer of assets or records outside the territorial limits of the United States;

"(ii) result in improper conversion of investor assets;

"(iii) impede the ability of the Commission to identify, trace, or freeze funds involved in any securities transaction;

"(iv) endanger the life or physical safety of an individual;

"(v) result in flight from prosecution;

"(vi) result in destruction of or tampering with evidence;

"(vii) result in intimidation of potential witnesses; or

"(viii) otherwise seriously jeopardize an investigation or unduly delay a trial.";

(4) by striking paragraph (10); and

(5) by redesignating paragraphs (11), (12), and (13) as paragraphs (4), (5), and (6), respectively.

**AUTHORITY FOR COMMITTEES TO MEET**

**COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION**

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet on Thursday, July 11, 2002, at 9:30 a.m., on global climate change and the U.S. Climate Action Report.

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 Thursday, July 11, 2002, at 10 a.m. in SD-366.

The purpose of the hearing is to explore the Department of Energy's progress in implementing its accelerated cleanup initiative and the changes DOE has proposed to the Environmental Management science and technology program.

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 Thursday, July 11, 2002, at 9:30 a.m. to conduct a hearing to assess the progress of national recycling efforts. The Committee will evaluate two areas of recycling. First, the Committee is interested in assessing what the federal government is doing to ensure the federal procurement of recycled-content products, and what can be done to improve these efforts. Second, the Committee is interested in evaluating the concept of producer responsibility specifically related to the beverage industry.

The hearing will be held in SD-406.

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

**COMMITTEE ON FINANCE**

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet in Open Executive Session during the session of the Senate on Thursday, July 11, 2002 at 10 a.m.

**Agenda:**

- S. 321, Family Opportunity Act.
- S. 724, Mothers and Newborns Health Insurance.
- S. 1971, National Employee Savings and Trust Equity Guarantee Act.

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

## COMMITTEE ON FINANCE

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on Thursday, July 11, 2002 at 2 p.m., to hear testimony on "Protecting the Social Security Number."

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

## COMMITTEE ON FOREIGN RELATION

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session on the Senate on Thursday, July 11, 2002 at 2:30 p.m. to hold a hearing on implementing U.S. Policy in Sudan.

## Agenda

## Witnesses

Panel 1: The Honorable Walter Kansteiner, Assistant Secretary of State for African Affairs, Department of State, Washington, DC and the Honorable Roger Winter, Assistant Administrator for Democracy, Conflict, Humanitarian Assistance, U.S. Agency for International Development, Washington, DC.

Panel 2: Mr. John Prendergast, Co-Director, Africa Program, International Crisis Group, Washington, DC.

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 Education, Labor, and Pensions be authorized to meet in executive session during the session of the Senate on Thursday, July 11, 2002, at 10:00 a.m. in SD-430 during the session of the Senate.

## Agenda

S. 710, Eliminate Colorectal Cancer Act of 2002.

S. 2328, Safe Motherhood Act for Research and Treatment

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

S. 2489, Lifespan Respire Care Act of 2002

Nominations: 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; and Peter J. Hurtgen, of Maryland, to be Federal Mediation Conciliation Director.

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

## COMMITTEE ON THE JUDICIARY

Mr. REID. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a markup on Thursday, July 11, 2002 at 10:00 a.m., in SD226.

## AGENDA

## NOMINATIONS

John M. Rogers to be a United States Circuit Court Judge for the Sixth Circuit.

To be a United States Attorney; Marcos D. Jimenez for the Southern District of Florida, and Miriam F. Miquelon for the Southern District of Illinois.

To be a United States Marshal; James Robert Dougan for the Western District of Michigan, and George Brefini Walsh for the District of Columbia.

## BILLS

H.R. 3375, Embassy Employee Compensation Act [Blunt].

S. 486, Innocence Protection Act [Leahy/Smith].

S. 862, State Criminal Alien Assistance Program Reauthorization Act of 2001 [Feinstein/Kyl/Durbin/Cantwell].

S. 2395, Anticounterfeiting Amendment of 2002 [Biden/Hatch/Leahy/Feinstein/DeWine].

S. 2513, DNA Sexual Assault Justice Act of 2002 [Biden/Cantwell/Specter/Clinton/Carper].

## RESOLUTIONS

S. Res. 293, A resolution designating the week of November 10 through November 16, 2002, as "National Veterans Awareness Week" to emphasize the need to develop educational programs regarding the contributions of veterans to the country. [Biden].

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

## SUBCOMMITTEE ON EMPLOYMENT, SAFETY, AND TRAINING

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions, Subcommittee on Employment, Safety, and Training be authorized to meet for a hearing on Workplace Safety and Health: Oversight of MSHA and OSHA regulation and enforcement during the session of the Senate on Thursday, July 11, 2002 at 10:00 a.m.

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

## PRIVILEGE OF THE FLOOR

Mr. SARBANES. Madam President, I ask unanimous consent that Glenna Humphries, a fellow in the office of Senator BILL NELSON of Florida, be granted the privilege of the floor during deliberations of S. 2673, the Public Company Accounting Reform and Investor Protection Act of 2002.

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

Mr. REID. Madam President, I ask unanimous consent that Bill Michael, a fellow on the staff of the majority leader, be granted floor privileges during the debate on S. 2673.

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

## ORDERS FOR FRIDAY, JULY 12, 2002

Mr. REID. Madam President, I ask unanimous consent that when the Sen-

ate completes its business today, it recess until 9:15 a.m., Friday, July 12; that following the prayer and pledge, the Senate resume consideration of the accounting reform bill with the time until 9:30 equally divided between the two managers for debate only prior to the vote on cloture on the bill; further, that Senators have until 9:25 a.m. to file second-degree amendments to the accounting reform bill.

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

## PROGRAM

Mr. REID. Madam President, we are not going to go out right now. The staff has a number of things they need to do so we can complete our wrap-up. On behalf of the majority leader, there will be no more rollcall votes today. The next rollcall will occur tomorrow morning at approximately 9:30 a.m. The leader asked me to notify everyone that additional rollcall votes are very possible until about noon tomorrow; also, that there likely will be votes Monday afternoon starting at 2 o'clock.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

## GLOBAL AIDS AND TUBERCULOSIS RELIEF ACT OF 2000

Mr. REID. Madam President, I ask unanimous consent that the Foreign Relations Committee be discharged from further consideration of H.R. 2069 and the Senate proceed to its immediate consideration; that the substitute amendment at the desk be agreed to; that the act, as amended, be read the third time and passed; the amendment to the title be agreed to; and that the motion to reconsider be laid on the table, all with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. ENZI. Madam President, this has not been cleared on our side, so I have to object.

The PRESIDING OFFICER. Objection is heard.

## REMOVAL OF INJUNCTION OF SECRECY—TREATY DOCUMENTS NUMBERED 107-9, 107-10, AND 107-11

Mr. REID. Madam President, as in executive session, I ask unanimous consent that the injunction of secrecy be removed from the following treaty, agreement, and protocol transmitted to the Senate on July 11, 2002, by the President of the United States: