

**Corporate and Auditing Accountability, Responsibility, and Transparency Act Conferees:** Pursuant to the order of July 15, 2002, the Chair was authorized to appoint the following conferees on the part of the Senate to H.R. 3763, to protect investors by improving the accuracy and reliability of corporate disclosures made pursuant to the securities laws: Senators Sarbanes, Dodd, Johnson, Reed, Leahy, Gramm, Shelby, Bennett, and Enzi.

Page S6898

**Executive Session:** Senate agreed to the motion to proceed to Executive Session to consider the nomination of Richard R. Clifton, of Hawaii, to be United States Circuit Judge for the Ninth Circuit.

Page S6964

**Nomination Cloture Motion Filed:** A motion was entered to close further debate on the nomination of Richard R. Clifton, of Hawaii, to be United States Circuit Judge for the Ninth Circuit and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a cloture vote will occur on Friday, July 19, 2002.

Pages S6964–65

**Messages From the President:** Senate received the following messages from the President of the United States:

Transmitting, pursuant to the provisions of the 25th Amendment to the Constitution of the United States, a letter declaring the temporary transfer of power to the Vice President of the United States; ordered to lie on the table. (PM–103)

Pages S6945–46

Transmitting, pursuant to the provisions of the 25th Amendment to the Constitution of the United States, a letter declaring the resumption of duties as President of the United States; ordered to lie on the table. (PM104)

Page S6946

**Messages From the House:**

Page S6946

**Measures Referred:**

Page S6946

**Executive Communications:**

Pages S6946–47

**Executive Reports of Committees:**

Page S6947

**Additional Cosponsors:**

Pages S6947–49

**Statements on Introduced Bills/Resolutions:**

Pages S6949–60

**Additional Statements:**

Pages S6944–45

**Amendments Submitted:**

Pages S6960–64

**Notices of Hearings/Meetings:**

Page S6964

**Authority for Committees to Meet:**

Page S6964

**Privilege of the Floor:**

Page S6964

**Record Votes:** Three record votes were taken today. (Total—180)

Pages S6883, S6909, S6930

**Adjournment:** Senate met at 9:30 a.m., and adjourned at 8:02 p.m., until 9:30 a.m., on Thursday,

July 18, 2002. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S6965).

## Committee Meetings

(Committees not listed did not meet)

### HOMELAND SECURITY

*Committee on Agriculture, Nutrition, and Forestry:* Committee concluded hearings to examine the Animal Plant Health Inspection Service and the Plum Island Research Center, with respect to border security and scientific goals of the President's proposed Department of Homeland Security, after receiving testimony from Tom Ridge, Director, Homeland Security Transition Office, Office of Management and Budget; Ann M. Veneman, Secretary of Agriculture; and Alfonso Torres, Cornell University College of Veterinary Medicine/New York State Animal Health Diagnostic Laboratory, Ithaca, New York.

### MASS TRANSIT PROGRAMS

*Committee on Banking, Housing, and Urban Affairs:* Subcommittee on Housing and Transportation concluded oversight hearings to examine public mass transit systems, focusing on the reauthorization of certain programs within the Transportation Equity Act for the 21st Century (TEA 21), including the Job Access and Reverse Commute (JARC) program after receiving testimony from John D. Porcari, Maryland Department of Transportation, BWI Airport; Gloria McKenzie, Capital District Transportation Authority, Albany, New York; Lavada E. DeSalles, Sacramento, California, on behalf of the American Association of Retired Persons; Andrew J. Imperato, American Association of People with Disabilities, Washington, D.C.; Jessie Tehranchi, Birmingham, Alabama, on behalf of the Transportation Equity Network; and Faye Thompson, Fort Gay, West Virginia, on behalf of the Wayne County Community Service Organization, Inc.

### FTC REAUTHORIZATION

*Committee on Commerce, Science, and Transportation:* Subcommittee on Consumer Affairs, Foreign Commerce, and Tourism concluded hearings on proposed legislation authorizing funds for the Federal Trade Commission, after receiving testimony from Timothy Muris, Chairman, and Sheila F. Anthony, Mozelle W. Thompson, Orson Swindle, and Thomas B. Leary, each a Commissioner, all of the Federal Trade Commission; Charlie Mendoza, Association of American Retired Persons, Lawrence Sarjeant, United States Telecom Association, H. Robert Wientzen, Direct Marketing Association, Ari Schwartz, Center for Democracy and Technology, and Lou Cannon,

Fraternal Order of Police, all of Washington, D.C.; and Dennis H. Alldridge, Wisconsin Special Olympics, Madison.

#### FUEL TAX FRAUD

*Committee on Finance:* Committee held hearings to examine different strategies used to perpetuate schemes, scams, and cons regarding fuel tax fraud, and how this fraud affects the Highways, Airport, and Airway Trust Funds, receiving testimony from Mary E. Peters, Administrator, Federal Highway Administration, Department of Transportation; Joseph R. Brimacombe, Deputy Director of Compliance, Small Business and Self Employed Operating Division, Internal Revenue Service, Department of the Treasury; Ray Barnhart, Center for Balanced Public Policy, Washington, D.C., former Administrator, Federal Highway Administration, Department of Transportation; Wayne Rhoads, Mississippi Department of Transportation, Jackson; and David L. Skinner, Florida Department of Revenue, Tallahassee.

Hearings recessed subject to call.

#### STRATEGIC OFFENSIVE REDUCTION

*Committee on Foreign Relations:* Committee continued hearings on the Treaty Between the United States of America and the Russian Federation on Strategic Offensive Reductions, Signed at Moscow on May 24, 2002 (Treaty Doc. 107–8), receiving testimony from Donald L. Rumsfeld, Secretary of Defense; and Gen. Richard B. Myers, Chairman, Joint Chiefs of Staff.

Hearings will continue on Tuesday, July 23.

#### NOMINATION

*Committee on Governmental Affairs:* Committee concluded hearings on the nomination of Mark W. Everson, of Texas, to be Deputy Director for Management, Office of Management and Budget, after the nominee testified and answered questions in his own behalf.

#### NOMINATIONS

*Committee on Health, Education, Labor, and Pensions:* Committee ordered favorably reported the nomination of Richard H. Carmona, of Arizona, to be Medical Director in the Regular Corps of the Public Health Service, and to be Surgeon General of the

Public Health Service, Department of Health and Human Services.

#### SACRED SITES

*Committee on Indian Affairs:* Committee continued oversight hearings to examine the protection of Native American sacred sites as they are affected by the undertakings and activities of certain Federal agencies, focusing on land management activities of the Department of the Interior and the impact of those activities on the federal policy which supports the protection of Native American sacred places, receiving testimony from Senator Boxer; Christopher Kearney, Deputy Assistant Secretary of the Interior for Policy and International Affairs, who was accompanied by several of his associates; Mike Jackson, Sr. and Lorey Cachora, both of the Quechan Indian Tribe, Yuma, Arizona; Malcolm B. Bowekaty, Pueblo of Zuni, Zuni, New Mexico; Suzan Shown Harjo, Morning Star Institute, Washington, D.C.; Vernon Masayesva, Black Mesa Trust, Kykotsmovi, Arizona; and Robert W. Trepp, Inter-Tribal Sacred Land Trust, Tulsa, Oklahoma.

Hearings recessed subject to call.

#### VICTIMS' RIGHTS CONSTITUTIONAL AMENDMENT

*Committee on the Judiciary:* Subcommittee on the Constitution held hearings on S.J. Res. 35, proposing an amendment to the Constitution of the United States to protect the rights of crime victims, receiving testimony from John Gillis, Director, Office for Victims of Crime, Department of Justice; Arwen Bird, Survivors Advocating For an Effective System, Portland, Oregon; Julie Goldscheid, Safe Horizon, and James Orenstein, Baker and Hostetler, former Assistant United States Attorney for the Eastern District of New York, both of New York, New York; Roger Pilon, Cato Institute Center for Constitutional Studies, Washington, D.C.; and Roberta Roper, Stephanie Roper Committee and Foundation, Inc., Upper Marlboro, Maryland, and Steven J. Twist, Scottsdale, Arizona, both on behalf of the National Victims' Constitutional Amendment Network.

Hearings recessed subject to call.