

Linkage Plan filed by the options exchanges that, among other things, requires the intermarket linkage to be fully implemented no later than April 30, 2003. The intermarket linkage in an important step in improving options customers' ability to receive the best prices available. (May 29, 2002)

*Investment management initiatives*

Investment Adviser Public Disclosure—Launched website which provides investors a valuable tool to help compare the business practices, services and fees of investment advisers online, free of charge. The website also contains disciplinary information regarding advisers. (September 25, 2001)

Mutual Fund Advertising Proposal—Proposed amendments to modernize the mutual fund advertising rules. (May 14, 2002)

Hedge Funds Investigation—Launched a formal fact-finding investigation to provide the Commission with a better understanding of the issues currently affecting private investment funds, including Hedge Funds. (May 29, 2002)

Disclosure of Proxy Voting by Mutual Funds and Investment Advisers—Proposed amendments that would require mutual funds and other registered management investment companies to file with the Commission, and make available to shareholders, their proxy voting records relating to portfolio securities and disclose the policies and procedures they use to determine how to vote proxies. The proposal would require advisers to adopt proxy voting policies, to disclose these policies to clients and how clients can obtain information on how the adviser has voted on the proxies. (September 19, 2002)

Fixed Income Exchange-Traded Funds—Approved the first exchange-trade funds based on fixed income indices, giving investors another option to invest in a basket of fixed income securities, providing lower expenses and intra-day pricing.

*Investor education and assistance initiatives*

Fake "Scam" Site Initiative—Launched three fake "scam" Web sites that warn investors about fraud before they lose their money. <http://www.mcwhortle.com>. (January 20, 2002)

Roundtables and Investor Summit—Held three Roundtables on Accounting and Auditing: New York (March 4, 2002), Washington, DC (March 6, 2002) and Chicago (April 4, 2002) and held the first-ever Investor Summit. (May 10, 2002)

Investor Assistance—Provided individual responses to over 82,000 complaints and questions from investors. Additionally, the interactive "Fast Answers" database on the SEC's Web site provided instant answers to nearly 206,000 questions from the public.

**U.S. SECURITIES AND EXCHANGE COMMISSION RECORD OF ENFORCEMENT**

|   | FY 2000 | FY 2001 | FY 2002 |
|---|---------|---------|---------|
| Total Enforcement actions filed .....                                 | 503     | 484     | 598     |
| Financial fraud and issuer reporting actions filed .....              | 103     | 112     | 163     |
| Officer and director bars sought (in all categories of cases) .....   | 38      | 51      | 126     |
| Temporary restraining orders filed (in all categories of cases) ..... | 33      | 31      | 48      |
| Asset freezes (in all categories of cases) .....                      | 56      | 43      | 63      |
| Trading suspensions .....   | 11      | 2       | 11      |
| Subpoena enforcement proceedings .....                                | 8       | 15      | 19      |
| Disgorgement ordered (in millions) <sup>1</sup> .....                 | \$463   | \$530   | \$1,328 |
| Penalties ordered (in millions) <sup>1</sup> .....                    | \$43.7  | \$56.1  | \$116.4 |

<sup>1</sup> Includes amounts disbursed to the NASD as part of the Credit Suisse First Boston settlement.

**COST ESTIMATE FOR H.R. 4966**

**HON. JAMES V. HANSEN**

OF UTAH  
IN THE HOUSE OF REPRESENTATIVES

Monday, December 16, 2002

Mr. HANSEN. Mr. Speaker, I request that the attached cost estimate for H.R. 4966 be submitted for the RECORD under General Leave.

U.S. CONGRESS,  
CONGRESSIONAL BUDGET OFFICE,  
Washington, DC, October 15, 2002.

Hon. JAMES V. HANSEN,  
Chairman, Committee on Resources, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 4966, the National Oceanic and Atmospheric Administration Act.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Deborah Reis.

Sincerely,

BARRY B. ANDERSON  
(For Dan L. Crippen, Director).

Enclosure.

H.R. 4966—National Oceanic and Atmospheric Administration Act

Summary: H.R. 4966 would update the organization plan for the National Oceanic and Atmospheric Administration (NOAA) and would authorize appropriations for several NOAA coastal and ocean research programs and support functions. Assuming appropriation of the amounts authorized for these activities, CBO estimates that the agency would spend \$235 million in 2003 and about \$1.6 billion over the 2003–2007 period. Enacting the bill would not affect direct spending or revenues.

The bill contains no intergovernmental mandates as defined in the Unfunded Mandates Reform Act (UMRA). Certain programs reauthorized by the legislation could provide grants and technical assistance to state and local governments. Any costs incurred by those entities as a result of participating in the NOAA programs would be voluntary.

Estimated cost to the Federal Government: The estimated budgetary impact of H.R. 4966 is shown in the following table. The costs of this legislation fall within budget function 300 (natural resources and environment). For this estimate, CBO assumes that the amounts authorized by the bill will be appropriated for each of fiscal years 2003 through 2007 and that outlays will follow historical spending patterns for the authorized NOAA programs.

|   | By fiscal year, in millions of dollars— |      |      |      |      |
|---|---|------|------|------|------|
|   | 2003                                    | 2004 | 2005 | 2006 | 2007 |
| CHANGES IN SPENDING SUBJECT TO APPROPRIATION <sup>1</sup> |   |      |      |      |      |
| Authorized level .....                                    | 335                                     | 339  | 342  | 346  | 349  |
| Estimated outlays .....                                   | 235                                     | 321  | 334  | 344  | 348  |

<sup>1</sup> About \$280 million was appropriated in fiscal year 2002 for the NOAA programs and activities that would be authorized by H.R. 4966. A full-year appropriation for 2003 has not yet been enacted for these programs.

Intergovernmental and private-sector impact: H.R. 4966 contains no intergovernmental or private-sector mandates as defined in UMRA. Certain programs reauthorized by the bill could provide grants and technical assistance to state and local governments. Any costs incurred by those entities as a result of participating in the NOAA programs would be voluntary.

Estimate prepared by: Federal costs: Deborah Reis; impact on state, local, and tribal governments: Susan Sieg Tompkins; impact on the private sector: Cecil McPherson.

Estimate approved by: Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.

**COST ESTIMATE FOR H.R. 4840**

**HON. JAMES V. HANSEN**

OF UTAH  
IN THE HOUSE OF REPRESENTATIVES

Monday, December 16, 2002

Mr. HANSEN. Mr. Speaker, I request that the attached cost estimate for H.S. 4840 be submitted for the RECORD under General Leave.

U.S. CONGRESS,  
CONGRESSIONAL BUDGET OFFICE,  
Washington, DC, November 15, 2002.

Hon. JAMES V. HANSEN,  
Chairman, Committee on Resources, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 4840, the Sound Science for Endangered Species Act Planning Act of 2002.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Megan Carroll.

Sincerely,

STEVEN LIEBERMAN  
(For Dan L. Crippen, Director).

Enclosure.

H.R. 4840—Sound Science for Endangered Species Act Planning Act of 2002

Summary: Under the Endangered Species Act (ESA), certain species of plants and animals are listed as threatened or endangered based on assessments of the risk of their extinction. H.R. 4840 would amend the ESA to clarify the role of science as the basis for making certain decisions under that act.

CBO estimates that implementing H.R. 4840 would cost \$94 million over the 2003–2007 period, assuming appropriation of the necessary amounts. The bill would not affect direct spending or revenues. H.R. 4840 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would impose no costs on state, local, or tribal governments.

Estimated cost to the Federal Government: The estimated budgetary impact of H.R. 4840 is shown in the following table. The costs of this legislation fall within budget function 300 (natural resources and environment).

|   | By fiscal year, in millions of dollars— |      |      |      |      |
|---|---|------|------|------|------|
|   | 2003                                    | 2004 | 2005 | 2006 | 2007 |
| CHANGES IN SPENDING SUBJECT TO APPROPRIATION <sup>1</sup> |   |      |      |      |      |
| Estimated authorization level .....                       | 18                                      | 18   | 19   | 19   | 20   |
| Estimated outlays .....                                   | 18                                      | 18   | 19   | 19   | 20   |

<sup>1</sup> In fiscal year 2002, federal agencies received about \$65 million for consultation and administrative expenses under the ESA. The Congress has not yet provided a full-year appropriation for such activities for the current year.

Basis of estimate: Under the ESA, the Secretary of the Interior and the Secretary of Commerce maintain a list of species that are threatened or endangered. The ESA outlines a multistage process of review and public participation that the two secretaries must follow in making decisions to list or unlist a species and develop plans for its recovery.

H.R. 4840 would amend the ESA to clarify the role of science as the basis for certain decisions under that act. Specifically, the bill would:

Authorize the Secretaries of the Interior and Commerce to appoint independent scientific review boards to review particularly controversial ESA decisions before they become final;