

incorporated in "tax haven" countries to contract with the Department of Homeland Security, was agreed to by a record vote of 318 yeas and 110 nays. The House passed the bill by a record vote of 295 yeas and 132 nays.

H.R. 5005 was received in the Senate on July 30, 2002 and placed on the Senate legislative calendar. On July 31, 2002, a motion to proceed to the consideration of the bill was made and a cloture motion on the motion to proceed was presented. The cloture motion was withdrawn on August 1, 2002. On September 3, the motion to proceed was considered by unanimous consent and agreed to by a vote of 94 yeas and no nays.

The Senate considered H.R. 5005 from September 5, 2002 through October 1, 2002.

On November 12, 2002, H.R. 5710, the Homeland Security Act of 2002, was introduced by Mr. Armer and 9 original cosponsors. The text of the measure was drafted as an effort to reconcile the House-passed version of H.R. 5005, and the Gramm amendment to H.R. 5005 in the Senate. The bill was referred solely to the Select Committee on Homeland Security. The Select Committee did not act on this bill.

On November 13, 2002 (the legislative day of November 12, 2002), the Committee on Rules reported a rule providing for the consideration of H.R. 5710 (H. Res. 600; H. Rept. 107-773). A closed rule, the resolution provided for one hour of general debate, equally divided, and a motion to recommit, with or without instructions. The House considered the Rule on November 13, 2002, and agreed to the resolution by a vote of 237 yeas and 177 nays.

On November 13, 2002, the House proceeded to the consideration of H.R. 5710. Mr. Roemer offered a motion to recommit the bill with instructions to add provisions creating a commission to investigate the events of September 11, 2001. The motion to recommit was not agreed by a vote of 203 yeas and 215 nays, and the bill was passed by a vote of 299 yeas and 121 nays. The bill was received in the Senate on November 14, 2002.

On November 13, 2002, the Senate resumed consideration of H.R. 5005. The text of H.R. 5710 was offered as the Thompson amendment to H.R. 5005 (S. Amdt. 4901). Cloture on the amendment was invoked on November 15, 2002 by a vote of 65 yeas and 29 nays and the amendment was agreed to on November 19, 2002 by a vote of 73 yeas and 26 nays.

Cloture on the bill was also invoked on November 19, 2002 by a vote of 83 yeas and 16 nays and the bill passed the Senate, as amended, by a vote of 90 yeas and 9 nays.

On November 22, 2002, the House concurred in the Senate amendment to H.R. 5005 by unanimous consent, clearing the bill for the President. The bill was presented to the President on November 22, 2002 and was signed on November 25, 2002, becoming public law number 107-296.

OVERSIGHT ACTIVITIES

TRANSFORMING THE FEDERAL GOVERNMENT TO PROTECT AMERICA FROM TERRORISM

On July 11, 2002, the Select Committee held a hearing on transforming the Federal government to protect American from terrorism. The hearing focused on the changes domestically and abroad which led to the homeland security situation found in the wake of the events of September 11, 2001. Testifying at the hearing were the Honorable Collin Powell, Secretary of State, the Honorable Paul H. O'Neill, Secretary of the Treasury, the Honorable Donald Rumsfeld, Secretary of Defense, and the Honorable John Ashcroft, Attorney General.

HEARINGS HELD

Transforming the Federal Government to Protect America from Terrorism.—Oversight hear-

ing on transforming the Federal government to protect America from terrorism. Hearing held on July 11, 2002. Serial No. 107-1.

Homeland Security Act of 2002.—Legislative hearing held on H.R. 5005, the Homeland Security Act of 2002. Hearing held on July 15, 16, and 17, 2002. Serial nos. 107-2 and 107-3.

DR. GEORGE V. IRONS, SR.'S INDUCTION TO THE ALABAMA MEN'S HALL OF FAME

HON. ROBERT B. ADERHOLT

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 16, 2002

Mr. ADERHOLT. Mr. Speaker, I rise today to recognize one of Alabama's greatest native sons—Dr. George Vernon Irons, Sr.

Dr. Irons recently received Alabama's highest posthumous honor—induction into the Alabama Men's Hall of Fame in Birmingham. The Alabama Men's Hall of Fame was created by the Alabama legislature in 1987. Its selection board is comprised of members from all seven congressional districts, the Governor, director of archives and history and the President of Samford University.

Past inductees include America's most distinguished leaders: Wernher Von Braun, famed scientist who developed the rocketry to blast American astronauts to the Moon and return safely—a first in human history; George Washington Carver, botanist who mutated plants to give the south vital food sources; and James A. "Brother" Bryan, humanitarian, who gave sacrificially to fellow Alabamians during its severest economic times.

Its most recent inductee, Dr. Irons, was distinguished professor of history and political science, Samford University for a near half century and one of the Nation's greatest athletes. Born in the "Shadows of Gaineswood" in Demopolis, Alabama in 1902, a century later, he is still breaking records. Dr. Irons is the only athlete inducted by the Alabama Men's Hall of Fame—the only Samford University Professor—and the only individual inducted by both the Alabama Men's Hall of Fame and the prestigious Alabama Sports Hall of Fame.

While at the University of Alabama, he was first spotted by Coach Hank Crisp running across the campus—late to class. He promptly put him on the track team, where he broke a collegiate record the first time he ever pulled on a Crimson Tide uniform. Here's how a southern Governor described Bama's "Chariot of Fire:"

"Long before Bama had been to its first bowl game, before legendary Coach Paul Bear Bryant had won a game, Captain George Irons blazed a crimson streak across southern skies establishing an athletic tradition, smashing records in distance events as 'Ironsides' and the 'Knight of the Cinder Path.'"

As road racing champion (distance events begun at halftime of major football games and finishing as the halftime show—after a hill and dale course of about 4 miles), Bama's superstar was the "best there ever was." Legendary Crimson Tide coach Wallace Wade (three time Rose Bowl winner) said Irons was: "The greatest distance runner of his era."

He is the only Crimson Tide track man—the only distance man ever inducted by the Alabama Sports Hall of Fame—rare honors he

may hold forever. Remarkably, some of his records still stand—nearly a century later.

Pretty swift in the classroom too, Irons was Phi Beta Kappa honor graduate, Rhodes scholar nominee, earning his doctorate at Duke University. Dr. George Denny, president of the University of Alabama, appointed him assistant to the faculty beginning his "longest run" in higher education. He later joined Howard College (now Samford University) in 1933. He also distinguished himself in World War II, rising to the rank of colonel, serving 33 years active and reserve duty—a Samford record.

Dr. Irons received Freedom Foundation's (Valley Forge, Pennsylvania), George Washington Medal of Honor for his speech in 1962 entitled: "Freedom, America's Weapon of Might." It was broadcast worldwide on the U.S. Armed Forces Network. Irons was the first southerner to win this prestigious national award.

Mr. Speaker, Dr. Irons was the only man elected by the Alabama Men's Hall of Fame from the 20th century. J. Lamar Monroe Curry, former Member of the United States Congress and Ambassador to Spain, was elected for the 19th century. To be considered, nominees must have strong connections to our State and have made a national or international impact in his profession.

Dr. Irons taught seventeen students who became university presidents—a record in American education. His innovations in curriculum became a model for higher education across the South and Nation. A former student wrote: "Dr. Irons was more than a teacher, he was an architect of the human mind. When he looked out to teach a class, he did not see simply students—he saw the mirror image of God."

His influence continues through the many students who were inspired by his life. It's no surprise his student roster included those who became captains of industry, Supreme Court Justices, Governors, law school deans and America's leaders.

The induction ceremony was held at the club in Birmingham by the Committee of 100 Women (leaders of Alabama's civic and social communities) and the Alabama Men's Hall of Fame. Dr. Irons' son, Mountain Brook attorney, William L. Irons, gave a moving speech highlighting his father's contributions to Alabama and the American Nation. His bust was unveiled by Dr. Irons' great grandson, Dylan Alexander Irons of Charlotte, North Carolina.

Inductees' busts are housed in the Alabama Men's Hall of Fame located in the Harwell G. Davis Library of Samford University. As inductee of both of Alabama's most prestigious halls of fame, Dr. Irons has placed a footprint where no man or woman has trod and should inspire future Alabamians.

Mr. Speaker, I ask that the article in the University of Alabama Alumni Magazine, entitled: "Knight of the Cinder Path," be included in the CONGRESSIONAL RECORD for America to share the achievements of this great American who served his university as distinguished educator a near half century, his country in war and peace for a third of the 20th century and his alma mater, the University of Alabama, as record breaking champion athlete and honor graduate.

SEC

HON. JOHN J. LaFALCE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, December 16, 2002

Mr. LaFALCE. Mr. Speaker, it is my pleasure to submit to the CONGRESSIONAL RECORD the important work that has been done at the Securities and Exchange Commission (SEC) in the last year under Chairman Harvey Pitt. While there has been much turmoil and controversy over the last year, we should recognize and honor the many very real and important accomplishments of the Commission and its staff during this period. From the incredible efforts of Chairman Pitt and Commission staff to help the securities markets recover from the devastation of September 11, 2001, to the unprecedented number of enforcement cases and complex financial fraud investigations undertaken in the last year, Chairman Pitt and the Commission have much of which to be proud.

SEC ACCOMPLISHMENTS

FISCAL YEAR 2002

The 2002 Fiscal Year has been challenging for the markets and investors alike. This past year included not only the continued effects of the tragedies of September 11, 2001, but also the significant corporate scandals that began with Enron. Fiscal Year 2002 represented a continuation of the SEC's work on important issues such as market structure, regulatory reform for mutual funds, and improved regulation of research analyst conflicts. In the past year, the SEC has taken unprecedented, aggressive steps to investigate possible wrongdoing, propose tough new regulations, and fully implement the Sarbanes-Oxley Act.

Overall agency highlights

Implementation of the Sarbanes-Oxley Act—The Commission has moved aggressively to implement provisions of the landmark legislation signed into law on July 30, 2002, to reform the accounting industry and restore the integrity of the financial reporting system. Since the bill was signed into law, the Commission has undertaken ten major rulemakings, while making significant progress on the seven studies required by the legislation.

Response to the September 11, 2001 terrorist attacks—The Commission actively responded to the events of September 11. During the attacks, the New York offices of the SEC were destroyed, and the Commission worked quickly to reestablish operations. The Commission continues to work with other U.S. financial regulators—the Federal Reserve Board, the Office of the Comptroller of the Currency and the New York State Banking Department—on a project to strengthen the operational resilience of the financial sector. The Commission has also taken numerous steps to implement the Patriot Act to deter international money laundering and combat terrorist financing.

SEC, NY Attorney General, NYSF, NASD, NASAA Agreement on Reforming Wall Street Practices—The Commission, the New York State Attorney General's Office, the NYSE, the NASD and the North American Securities Administrators Association announced a joint effort to bring to a speedy and coordinated conclusion the various investigations concerning analyst research and IPO allocations. (October 3, 2002)

Review of Initial Public Offering Process—The SEC asked the National Association of Securities Dealers and the New York Stock

Exchange to review the initial public offering (IPO) process, including IPO allocation practices and the roles of issuers and underwriters in the price setting and offering process. (August 22, 2002)

Enforcement initiatives

In the past year the Enforcement Division of the SEC has taken a record 598 actions, a 24% increase over 2001, and a 19% increase over 2000. (See "Record of Enforcement" below.)

This year's actions include the following significant cases:

Charged former Enron CFO, Andrew Fastow with fraud. (October 2, 2002)

Settled fraud charges against Michael Kopper, a former high-ranking Enron official. (August 21, 2002)

Charged three former senior executives of Homestore Inc. with perpetrating an extensive scheme to fraudulently inflate Homestore's advertising revenues by arranging fraudulent "round-trip" transactions. The defendants agreed to return ill-gotten gains of approximately \$4.6 million to be paid to the benefit of shareholders, under the Fair Funds provision of the recently enacted Sarbanes-Oxley Act of 2002. (September 25, 2002)

Settled with Dynegy for securities fraud charges involving Special Purpose Entities (SPEs) and round-trip energy trades. (September 24, 2002)

Charged three former top Tyco International executives, including CEO L. Dennis Kozlowski, with failing to disclose multi-million dollar low interest and interest-free loans from the company, and in some cases, never repaid. They were also charged with selling shares of Tyco stock valued at millions of dollars while their self-dealing remained undisclosed. (September 12, 2002)

Charged Adelphia and Rigas family with massive financial fraud. (July 24, 2002)

Filed fraud charges against WorldCom within 24 hours of the company's revelation of its massive accounting problems. (June 26, 2002)

Charged former Rite Aid senior management with fraud in connection with its financial disclosures. (June 21, 2002)

Settled SEC enforcement action for financial fraud with Xerox, assessing a \$10 million penalty, the largest ever penalty against a public company for financial fraud. (April 11, 2002)

Filed a settled action against Credit Suisse First Boston for IPO allocation practices that violated NASD rules. CSFB agreed to pay \$100 million in penalties and disgorgement. (January 22, 2002)

Brought a settled administrative action charging Trump Hotels with fraud in the first enforcement action based on misleading "pro forma financials." (January 16, 2002)

Brought a series of significant settled enforcement actions alleging violations of the auditor independence rules against Price WaterhouseCoopers, Moret Ernst & Young Accountants and KPMG. (July 17, 2002; June 27, 2002; January 14, 2002)

Corporate disclosure and accounting initiatives

Pro Forma Financial Statements—The Commission issued cautionary advice related to "pro forma" financial information, or information that is not prepared using Generally Accepted Accounting Principles required for financial statements filed with the SEC, and that may be confusing or misleading. The Commission issued an "Investor Alert" that describes how "pro forma financials" should be analyzed, including a reminder that they should be viewed with appropriate and healthy skepticism." (December 4, 2001)

Monitoring Annual Reports of Fortune 500 Companies—The Commission monitored the

annual reports of all Fortune 500 Companies to identify information that may be unclear or conflict with Generally Accepted Accounting Principles or SEC rules. (December 21, 2001)

Disclosure of Equity Compensation Plan Information—Adopted rule amendments designed to enhance disclosure about equity compensation plans, including stock options. (December 21, 2001)

Disclosure Requirements for Public Companies—Called for corporate disclosure of the impact of off-balance sheet arrangements and other obligations regarding liquidity and capital resources. (January 22, 2002)

Disclosure of Certain Management Transactions—Proposed amendments responding to investors' need for timely disclosure of transactions and other arrangements between companies and their executive officers and directors. (April 12, 2002—later included in the Sarbanes-Oxley Act)

Acceleration of Periodic Report Filing Dates—Proposed (April 12, 2002) and adopted (August 17, 2002) acceleration of the filing of quarterly and annual reports to be phased in over three years. These rules require that annual reports be filed within 60 days of the close of the fiscal year and quarterly reports be filed within 35 days of each quarter's end.

Mandated EDGAR Filing for Foreign Issuers—Adopted rule amendments to require foreign private issuers and foreign governments to file their securities documents electronically through the EDGAR system. (May 8, 2002)

Critical Accounting Policies—Proposed amendments to enhance investors' understanding of the application of companies' critical accounting policies. (May 10, 2002)

Additional Current Disclosure Requirements and acceleration of Filing Date—To provide investors with up-to-date information, proposed additional items and events that must be reported on Form 8-K within two business days of the action. (June 17, 2002)

Certification of Disclosure in Companies' Quarterly and Annual Reports—To increase the accountability of senior company officers, proposed rules to require certification of a company's reports by the CEO and CFO. (June 17, 2002—later included in the Sarbanes-Oxley Act)

SEC Order to Largest Publicly Traded Companies—Ordered the 947 largest publicly traded companies to certify the accuracy and completeness of their filings. (June 27, 2002)

SRO Listing Standards on Corporate Governance—In response to the SEC's request in February, the NYSE and Nasdaq have come forward with proposals that will produce the most substantial corporate governance and listing standards reform in decades.

Market regulation initiatives

Commodities Futures Modernization Act (CFMA) Rulemakings—Conducted extensive rulemaking, much of it jointly with the Commodities Futures Trading Commission, to permit for the first time trading in security futures products, including single stock futures.

Analyst Conflicts of Interest—Approved NASD and NYSE rules that address potential conflicts of interest by research analysts. Launched a thorough examination of analyst conflicts of interest. Proposed Regulation AC, requiring research analysts to certify the truthfulness of their views in research reports and public appearances and disclose whether they have received any compensation related to the specific recommendation provided in those reports and appearances.

Rating Agencies—Launched a thorough examination of the role of rating agencies in the U.S. securities markets.

Significant Progress on Options Market Linkage—Approved an amendment to the

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) ¹	\$463	\$530	\$1,328
Penalties ordered (in millions) ¹	\$43.7	\$56.1	\$116.4

¹ 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 ¹					
Authorized level	335	339	342	346	349
Estimated outlays	235	321	334	344	348

¹ 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 ¹					
Estimated authorization level	18	18	19	19	20
Estimated outlays	18	18	19	19	20

¹ 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;