

"(3) section 2(a)(6)(G) of the Commodity Exchange Act."

(4) Section 1206 of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (12 U.S.C. 1833b) is amended by inserting "the Commodity Futures Trading Commission," after "the Farm Credit Administration,".

SEC. 3. JURISDICTION OF THE FEDERAL ENERGY REGULATORY COMMISSION OVER ENERGY TRADING MARKETS.

Section 402 of the Department of Energy Organization Act (42 U.S.C. 7172) is amended by adding at the end the following:

"(i) JURISDICTION OVER DERIVATIVES TRANSACTIONS.—

"(1) IN GENERAL.—To the extent that the Commission determines that any contract that comes before the Commission is not under the jurisdiction of the Commission, the Commission shall refer the contract to the appropriate Federal agency.

"(2) MEETINGS.—A designee of the Commission shall meet quarterly with a designee of the Commodity Futures Trading Commission, the Securities Exchange Commission, the Federal Trade Commission, and the Federal Reserve Board to discuss—

"(A) conditions and events in energy trading markets; and

"(B) any changes in Federal law (including regulations) that may be appropriate to regulate energy trading markets.

"(3) LIAISON.—The Commission shall, in cooperation with the Commodity Futures Trading Commission, maintain a liaison between the Commission and the Commodity Futures Trading Commission."

NOTICES OF HEARINGS/MEETINGS

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 Resource.

The hearing will take place on Thursday, April 18, 2002, at 3 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. 1441, to establish the Oil Region National Heritage Area;

S. 1526, to establish the Arabia Mountain National Heritage Area in the State of Georgia, and for other purposes.

S. 1638, to authorize the Secretary of the Interior to study the suitability and feasibility of designating the French Colonial Heritage Area in the State of Missouri as a unit of the National Park System, and for other purposes;

S. 1809 and H.R. 1776, to authorize the Secretary of the Interior to study the suitability and feasibility of establishing the Buffalo Bayou National Heritage Area in west Houston, Texas;

S. 1939, to establish the Great Basin National Heritage Area, Nevada and Utah; and

S. 2033 and H.R. 4004, to authorize appropriations for the John H. Chafee Blackstone River Valley Heritage Corridor in Massachusetts and Rhode Island, 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).

REMOVAL OF INJUNCTION OF SECRECY—TREATY DOCUMENT NO. 107-3

Mr. REID. Mr. President, as in executive session, I ask unanimous consent that the injunction of secrecy be removed from the following treaty transmitted to the Senate on April 8, 2002, by the President of the United States:

Treaty with India on Mutual Legal Assistance in Criminal Matters (Treaty Document No. 107-3).

I further ask that the treaty be considered as having been read the first time; that it be referred, with accompanying papers, to the Committee on Foreign Relations, and ordered to be printed; and that the President's message be printed in the RECORD.

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

The President's message is as follows:

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith the Treaty between the Government of the United States of America and the Government of the Republic of India on Mutual Legal Assistance in Criminal Matters, signed at New Delhi on October 17, 2001. I transmit also, for the information of the Senate, the report of the Department of State with respect to the Treaty.

The Treaty is one of a series of modern mutual legal assistance treaties that the United States has concluded or is negotiating in order to counter criminal activities more effectively. The Treaty should be an effective tool to assist in the investigation and prosecution of a wide variety of modern crimes, including terrorism-related crimes, drug trafficking, and "white collar" crimes. The Treaty is self-executing.

The Treaty provides for a broad range of cooperation in criminal matters and related proceedings. Mutual assistance available under the Treaty includes: (1) taking the testimony or statements of persons; (2) providing documents, records, and items of evidence; (3) locating or identifying persons or items; (4) serving documents; (5) transferring persons in custody for testimony or other purposes; (6) executing requests for searches and seizures; (7) assisting in proceedings relating to seizure and forfeiture of assets,

restitution, and collection of fines; and (8) rendering any other form of assistance not prohibited by the laws of the Requested State.

I recommend that the Senate give early and favorable consideration to the Treaty and give its advice and consent to ratification.

GEORGE BUSH.

THE WHITE HOUSE, April 8, 2002.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider Calendar No. 726.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the nomination.

The legislative clerk read the nomination of Melanie Sabelhaus, of Maryland, to be Deputy Administrator of the Small Business Administration.

Mr. REID. Mr. President, I ask unanimous consent that the nomination be confirmed, the motion to reconsider be laid on the table, the President be immediately notified of the Senate's action, that any statements appear at the appropriate place in the RECORD as though read, and the Senate return to legislative session, without any intervening action or debate.

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

The nomination was considered and confirmed as follows:

SMALL BUSINESS ADMINISTRATION

Melanie Sabelhaus, of Maryland, to be Deputy Administrator of the Small Business Administration.

ORDERS FOR TUESDAY, APRIL 9, 2002

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until the hour of 10 a.m., Tuesday, April 9; that following the prayer and the pledge, the Journal of the proceedings be approved to date, the morning hour be deemed to have expired, the time for the two leaders be reserved for their use later in the day, and there be a period for morning business until 11 a.m., with Senators permitted to speak for up to 10 minutes each, with the time equally divided between the two leaders or their designees; that at 11 a.m., the Senate resume consideration of the energy reform bill; further, that the Senate recess from 12:30 to 2:15 tomorrow for the weekly party conferences.

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

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that

the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 5:50 p.m, adjourned until Tuesday, April 9, 2002, at 10 a.m.



NOMINATIONS

Executive nominations received by the Senate April 8, 2002:

IN THE COAST GUARD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS CHIEF OF STAFF OF THE UNITED STATES COAST GUARD UNDER TITLE 14, U.S.C., SECTION 50A:

To be chief of staff

VICE ADM. THAD W. ALLEN, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS VICE COMMANDANT OF THE UNITED STATES COAST GUARD AND TO THE GRADE INDICATED UNDER TITLE 14, U.S.C., SECTION 47:

To be vice admiral

REAR ADM. THOMAS J. BARRETT, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS COMMANDER, ATLANTIC AREA OF THE UNITED STATES COAST GUARD AND TO THE GRADE INDICATED UNDER TITLE 14, U.S.C., SECTION 50:

To be vice admiral

REAR ADM. JAMES D. HULL, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS COMMANDER, PACIFIC AREA OF THE UNITED STATES

COAST GUARD AND TO THE GRADE INDICATED UNDER TITLE 14, U.S.C., SECTION 50:

To be vice admiral

REAR ADM. TERRY M. CROSS, 0000

CONFIRMATION

Executive nomination confirmed by the Senate April 8, 2002:

SMALL BUSINESS ADMINISTRATION

MELANIE SABELHAUS, OF MARYLAND, TO BE DEPUTY ADMINISTRATOR OF THE SMALL BUSINESS ADMINISTRATION.

THE ABOVE NOMINATION WAS APPROVED SUBJECT TO THE NOMINEE'S COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.