

PRIVILEGE OF THE FLOOR

Mr. WELLSTONE. Mr. President, I ask unanimous consent that during consideration of H.R. 3167, privileges of the floor be granted to Lauren Marcott, a State Department fellow on the staff of the Senate Committee on Foreign Relations.

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

APPOINTMENT

The PRESIDING OFFICER. The Chair, on behalf of the Vice President, pursuant to 22 U.S.C. 276h-276k, as amended, appoints the Senator from New Mexico, Mr. BINGAMAN, as a member of the Senate Delegation to the Mexico-U.S. Interparliamentary Group conference during the 107th Congress.

SEQUENTIAL REFERRAL OF S. 934

Mr. REID. I ask unanimous consent that S. 934, the Rocky Boy's/North Central Montana Regional Water System Act of 2001 be discharged from the Committee on Indian Affairs and then referred to the Committee on Energy and Natural Resources; further, that if and when the Committee on Natural Resources reports S. 934, then the measure be referred to the Committee on Indian Affairs.

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

REFERRAL OF S. 848

Mr. REID. I ask unanimous consent that S. 848, the Social Security Number Misuse Prevention Act of 2002, reported today by the Judiciary Committee, be referred to the Committee on Finance.

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

Mr. BAUCUS. Mr. President, the social security number was originally devised to administer the Social Security program. Despite the limited purpose for which it was intended, the social security number is now widely used by Federal, State and local governments, businesses, health care providers, educational institutions, and others for identification and recordkeeping.

The unintended consequence of this widespread use is that social security numbers have been used to facilitate a growing range of illegal activities, including fraud, identity theft, and, in some cases, stalking and other violent crimes.

Because the Federal Government requires virtually every individual in the United States to have a social security number to seek employment, to pay taxes, to qualify for social security benefits, it is necessary and appropriate for the Federal Government to

take steps to prevent the abuse of social security numbers.

Last year, Senator FEINSTEIN and Senator GREGG introduced a bill, S. 848, designed to protect social security numbers. Based on the fact that one section of the bill amends Title 18, the so called "criminal code," and another section of the bill gives the Attorney General certain rulemaking authority, the bill was referred to the Judiciary Committee.

However, the purpose of this bill is to protect social security numbers, which as a matter of law falls within the scope of Social Security Act, which as a matter of jurisdiction falls within the purview of the Financial Committee.

The Social Security Act, which led to the creation of the social security number, has been amended numerous times to protect Social Security numbers and the Social Security Office of Inspector General has been given authority to enforce these protections. A careful review of S. 848 clearly shows that the preponderance of its provisions fall within the scope of the Finance Committee's jurisdiction.

Therefore, it is my view that this bill, S. 848, should have been referred to the Finance Committee.

Unfortunately, there is no provision in Senate rules to correct this mistake and refer S. 848 to the Finance Committee once it has already been referred to the Judiciary Committee.

When the Judiciary Committee scheduled a markup of this bill on May 2, Senator GRASSLEY and I sent a letter to the chairman and ranking member of the Judiciary Committee urging them to postpone markup until these questions of jurisdiction could be resolved. Following our discussions with Senator FEINSTEIN, Senator GRASSLEY and I have agreed to withdraw our objections to the Judiciary Committee proceeding to markup S. 848, based on the following three conditions:

First, in the event that S. 848 is reported out of the Judiciary Committee, it will be referred to the Finance Committee.

Second, it should be understood that this agreement to a sequential referral does not cede our claim of jurisdiction to this legislation and should not prejudice the referral of future legislation on this matter.

Third, it is my intention to have the Finance Committee consider S. 848 as soon as the committee schedule permits.

ORDERS FOR FRIDAY, MAY 17, 2002

Mr. REID. I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. tomorrow morning, Friday, May

17; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and the Senate be in a period of morning business until 10 a.m. with Senators permitted to speak for up to 5 minutes each, with the first half of the time under the control of the Republican leader or his designee and the second half of the time under the control of the majority leader or his designee; that at 10 a.m. the Senate resume consideration of H.R. 3167, the Gerald B.H. Solomon Freedom Consolidation Act, under the previous order.

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

PROGRAM

Mr. REID. We appreciate the patience of the Presiding Officer. The Senate will vote on this matter tomorrow morning at approximately 10:30. Following disposition of the bill, the Senate will resume consideration of the trade act.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. REID. If there is no further business to come before the Senate, I now ask unanimous consent the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 8:43 p.m., adjourned until Friday, May 17, 2002, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate May 16, 2002:

DEPARTMENT OF TRANSPORTATION

EMIL H. FRANKEL, OF CONNECTICUT, TO BE AN ASSISTANT SECRETARY OF TRANSPORTATION, VICE EUGENE A. CONTI, JR., RESIGNED, TO WHICH POSITION HE WAS APPOINTED DURING THE LAST RECESS OF THE SENATE.

JEFFREY SHANE, OF THE DISTRICT OF COLUMBIA, TO BE ASSOCIATE DEPUTY SECRETARY OF TRANSPORTATION, VICE STEPHEN D. VAN BEEK, RESIGNED, TO WHICH POSITION HE WAS APPOINTED DURING THE LAST RECESS OF THE SENATE.

INTERNATIONAL JOINT COMMISSION, UNITED STATES AND CANADA

DENNIS L. SCHORNACK, OF MICHIGAN, TO BE COMMISSIONER ON THE PART OF THE UNITED STATES ON THE INTERNATIONAL JOINT COMMISSION, UNITED STATES AND CANADA, VICE THOMAS L. BALDINI, TO WHICH POSITION HE WAS APPOINTED DURING THE LAST RECESS OF THE SENATE.

DEPARTMENT OF EDUCATION

GERALD REYNOLDS, OF MISSOURI, TO BE ASSISTANT SECRETARY FOR CIVIL RIGHTS, DEPARTMENT OF EDUCATION, VICE NORMA V. CANTU, RESIGNED, TO WHICH POSITION HE WAS APPOINTED DURING THE LAST RECESS OF THE SENATE.

FEDERAL ELECTION COMMISSION

MICHAEL E. TONER, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE FEDERAL ELECTION COMMISSION FOR A TERM EXPIRING APRIL 30, 2007, VICE DARRYL R. WOLD, TERM EXPIRED, TO WHICH POSITION HE WAS APPOINTED DURING THE LAST RECESS OF THE SENATE.