

The Chair, on behalf of the Vice President, pursuant to 10 U.S.C. 6968(a), reappoints the following Senators to the Board of Visitors of the U.S. Naval Academy:

The Senator from Maryland (Mr. SARBANES) (At Large), and the Senator from Maryland (Ms. MIKULSKI) (from the Committee on Appropriations).

EXECUTIVE CALENDAR

EXECUTIVE SESSION

Mr. WARNER. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of following nominations:

Reported by the Finance Committee, No. 62, Mr. Faryar Shirzad; and No. 63, Scott Whitaker, reported by the Armed Services Committee, which I am privileged to chair.

Our committee met today in the course of a very thorough and very lengthy hearing on the issues regarding the B-22. I commend my committee and the Members who were in attendance, and indeed the witnesses who came before that committee.

I think we performed some very valuable oversight. We will do much more.

Within the course of that committee meeting, a quorum being present, we reported out favorably No. 45, Mr. Dov Zakheim to be Comptroller, and No. 48, Mr. Powell Moore to be Assistant Secretary of Defense for purposes of legislative affairs. I have known these gentleman for so many years. They are to be viewed as citizens who once again sign up to go into public office after extensive previous public office to serve our Nation. I commend them and their families. And, Nos. 51 through 57, 64, 65, and all nominations on the Secretary's desk.

I further ask unanimous consent that the nominations be confirmed, the motions to reconsider be laid upon the table, any statements relating to the nominations be printed in the RECORD, the President be immediately notified of the Senate's action, and the Senate then return to legislative session.

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

The nominations were considered and confirmed, as follows:

DEPARTMENT OF DEFENSE

Dov S. Zakheim, of Maryland, to be Under Secretary of Defense (Comptroller).

Powell A. Moore, of Georgia, to be an Assistant Secretary of Defense.

AIR FORCE

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Donald A. Lamontagne, 0000

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Lt. Gen. Lance W. Lord, 0000

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Brian A. Arnold, 0000

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Timothy A. Kinnan, 0000

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Richard V. Reynolds, 0000

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be general

Lt. Gen. William J. Begert, 0000

NAVY

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be vice admiral

Rear Adm. Malcolm I. Fages, 0000

DEPARTMENT OF COMMERCE

Faryar Shirzad, of Virginia, to be an Assistant Secretary of Commerce.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Scott Whitaker, of Virginia, to be an Assistant Secretary of Health and Human Services.

NAVY

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be vice admiral

Rear Adm. Keith W. Lippert, 0000

MARINE CORPS

The following named officer for appointment in the United States Marine Corps to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Garry L. Parks, 0000

AIR FORCE

PN207. Air Force nominations (55) beginning Gregory O. Allen, and ending Wayne Wisniewski, which nominations were received by the Senate and appeared in the Congressional Record of March 22, 2001.

PN224. Air Force nominations (4) beginning Steven D. Carey, and ending Richard R. Lemieux, which nominations were received by the Senate and appeared in the Congressional Record of April 3, 2001.

ARMY

PN225. Army nomination of Joe L. Smothers, which was received by the Senate and appeared in the Congressional Record of April 3, 2001.

PN160. Army nominations (482) beginning Donald M. Adkins, and ending X0268, which

nominations were received by the Senate and appeared in the Congressional Record of February 27, 2001.

PN208. Army nominations (3) beginning James R. Gusie, and ending Dennis J. Sandbothe, which nominations were received by the Senate and appeared in the Congressional Record of March 22, 2001.

PN209. Army nominations (2) beginning Michael Child, and ending Leland Gallup, which nominations were received by the Senate and appeared in the Congressional Record of March 22, 2001.

PN226. Army nominations (9) beginning Louis A. Abbenante, and ending James M. Williams, which nominations were received by the Senate and appeared in the Congressional Record of April 3, 2001.

PN244. Army nominations (121) beginning Margretta M. Diemer, and ending Mary A. Witt, which nominations were received by the Senate and appeared in the Congressional Record of April 4, 2001.

MARINE CORPS

PN228. Marine Corps nominations (33) beginning Charles E. Brown, and ending Daniel R. Westphal, which nominations were received by the Senate and appeared in the Congressional Record of April 3, 2001.

PN227. Marine Corps nominations (15) beginning Dennis G. Adams, and ending Lawrence R. Woolley, which nominations were received by the Senate and appeared in the Congressional Record of April 3, 2001.

PN210. Marine Corps nominations (5) beginning Walter T. Ellingson, and ending Michael J. Kantaris, which nominations were received by the Senate and appeared in the Congressional Record of March 22, 2001.

NAVY

PN229. Navy nomination of David C. Barton, which was received by the Senate and appeared in the Congressional Record of April 3, 2001.

PN230. Navy nomination of James W. Hudson, which was received by the Senate and appeared in the Congressional Record of April 3, 2001.

PN231. Navy nomination of Sheila C. Hecht, which was received by the Senate and appeared in the Congressional Record of April 3, 2001.

PN232. Navy nomination of Paul R. Faneuf, which was received by the Senate and appeared in the Congressional Record of April 3, 2001.

PN233. Navy nominations (2) beginning Daniel L. Bower, and ending Tedman V. Vance, which nominations were received by the Senate and appeared in the Congressional Record of April 3, 2001.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

ORDERS FOR WEDNESDAY, MAY 2, 2001

Mr. WARNER. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 9:30 a.m. on Wednesday, May 2, 2001. I further ask unanimous consent that on Wednesday, immediately following the prayer, 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 then resume the motion to proceed to S. 1 postcloture.

TIME CONSUMED UNDER RULE XXII

I further ask unanimous consent that the time of adjournment be considered as having been consumed from the time allotted under the provisions of rule XXII.

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

PROGRAM

Mr. WARNER. Mr. President, I announce to the Senate that on Wednesday it is expected the Senate will begin the amendment process with respect to the education bill. Therefore, votes may be expected to occur during the day and into the evening on the Elementary and Secondary Education Act. Senators interested in offering amendments should contact the managers on both sides of the aisle.

ADJOURNMENT UNTIL 9:30 A.M.
TOMORROW

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

There being no objection, the Senate, at 6:42 p.m., adjourned until Wednesday, May 2, 2001, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate May 1, 2001:

FEDERAL COMMUNICATIONS COMMISSION

KATHLEEN Q. ABERNATHY, OF MARYLAND, TO BE A MEMBER OF THE FEDERAL COMMUNICATIONS COMMISSION FOR A TERM OF FIVE YEARS FROM JULY 1, 1999, VICE SUSAN NESS, TERM EXPIRED.

MICHAEL JOSEPH COPPS, OF VIRGINIA, TO BE A MEMBER OF THE FEDERAL COMMUNICATIONS COMMISSION FOR A TERM OF FIVE YEARS FROM JULY 1, 2000, VICE HAROLD W. FURCHTGOFF-ROTH.

DEPARTMENT OF DEFENSE

THOMAS E. WHITE, OF TEXAS, TO BE SECRETARY OF THE ARMY, VICE LOUIS CALDERA.

SMALL BUSINESS ADMINISTRATION

HECTOR V. BARRETO, JR., OF CALIFORNIA, TO BE ADMINISTRATOR OF THE SMALL BUSINESS ADMINISTRATION, VICE AIDA ALVAREZ, RESIGNED.

CONFIRMATIONS

Executive nominations confirmed by the Senate May 1, 2001:

DEPARTMENT OF DEFENSE

DOV S. ZAKHEIM, OF MARYLAND, TO BE UNDER SECRETARY OF DEFENSE (COMPTROLLER).

POWELL A. MOORE, OF GEORGIA, TO BE AN ASSISTANT SECRETARY OF DEFENSE.

DEPARTMENT OF COMMERCE

FARYAR SHIRZAD, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF COMMERCE.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

SCOTT WHITAKER, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF HEALTH AND HUMAN SERVICES.

THE ABOVE NOMINATIONS WERE APPROVED SUBJECT TO THE NOMINEES' COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. DONALD A. LAMONTAGNE, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. LANCE W. LORD, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. BRIAN A. ARNOLD, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. TIMOTHY A. KINNAN, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. RICHARD V. REYNOLDS, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be general

LT. GEN. WILLIAM J. BEGERT, 0000

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

REAR ADM. MALCOLM I. PAGES, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

REAR ADM. KEITH W. LIPPERT, 0000

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. GARRY L. PARKS, 0000

IN THE AIR FORCE

AIR FORCE NOMINATIONS BEGINNING GREGORY O ALLEN, AND ENDING WAYNE WISNIEWSKI, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 22, 2001.

AIR FORCE NOMINATIONS BEGINNING STEVEN D. CAREY, AND ENDING RICHARD R. LEMIEUX, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 3, 2001.

IN THE ARMY

ARMY NOMINATIONS BEGINNING DONALD M ADKINS, AND ENDING X0268, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 27, 2001.

ARMY NOMINATIONS BEGINNING JAMES R. GUSIE, AND ENDING DENNIS J. SANDBOTHE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 22, 2001.

ARMY NOMINATIONS BEGINNING MICHAEL CHILD, AND ENDING LELAND GALLUP, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 22, 2001.

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

JOE L. SMOTHERS, 0000

ARMY NOMINATIONS BEGINNING LOUIS A. ABBENANTE, AND ENDING JAMES M. WILLIAMS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 3, 2001.

ARMY NOMINATIONS BEGINNING MARGRETTA M DIEMER, AND ENDING MARY A WITT, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 4, 2001.

IN THE MARINE CORPS

MARINE CORPS NOMINATIONS BEGINNING WALTER T. ELLINGSON, AND ENDING MICHAEL J. KANTARIS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 22, 2001.

MARINE CORPS NOMINATIONS BEGINNING DENNIS G ADAMS, AND ENDING LAWRENCE R WOOLLEY, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 3, 2001.

MARINE CORPS NOMINATIONS BEGINNING CHARLES E BROWN, AND ENDING DANIEL R WESTPHAL, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 3, 2001.

IN THE NAVY

NAVY NOMINATIONS BEGINNING MANUEL E.R. ALSINA, AND ENDING VINCENT S SHEN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 22, 2001.

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVAL RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

DAVID C. BARTON, 0000

THE FOLLOWING NAMED OFFICER FOR TEMPORARY APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 5721:

To be lieutenant commander

JAMES W. HUDSON, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

SHEILA C. HECHT, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

PAUL R. FANEUF, 0000

NAVY NOMINATIONS BEGINNING DANIEL L. BOWER, AND ENDING TEDMAN L. VANCE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 3, 2001.

NAVY NOMINATIONS BEGINNING KYLE P. DURAND, AND ENDING JEFFREY J. TRUITT, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 3, 2001.

NAVY NOMINATIONS BEGINNING EDUARDO C CUISON, AND ENDING ROBERT K MCGAHA, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 3, 2001.

WITHDRAWALS

Executive messages transmitted by the President to the Senate on May 01, 2001, withdrawing from further Senate consideration the following nominations:

KATHLEEN Q. ABERNATHY, OF MARYLAND, TO BE A MEMBER OF THE FEDERAL COMMUNICATIONS COMMISSION FOR A TERM OF FIVE YEARS FROM JULY 1, 2000, WHICH WAS SENT TO THE SENATE ON APRIL 30, 2001.

MICHAEL JOSEPH COPPS, OF VIRGINIA, TO BE A MEMBER OF THE FEDERAL COMMUNICATIONS COMMISSION FOR A TERM OF FIVE YEARS FROM JULY 1, 1999, WHICH WAS SENT TO THE SENATE ON APRIL 30, 2001.