

knew that was a likely target. We were not telling the terrorists anything they didn't know. We knew it was a problem.

I hope to God I am never in a position where, by even implication, I have to say, I told you so. There is no way out of the tunnels. There is no lighting. There is no ventilation. There is no way out.

I apologize, I am getting angry about it. Again, I can understand my friend from Arizona and others objecting to Amtrak. They do not think Amtrak is efficacious. I got it. I understand. They are wrong. I am willing to debate that. I would love a chance to debate it. However, this is drop dead common sense. I close to resent not being able to have a chance for the Senator from Pennsylvania, the Senator from Delaware, the Senators from New York, in addition to the Senators where Amtrak goes—these are gigantic targets.

They once asked Willie Sutton: Why rob banks? And his answer was: That is where the money is.

What do terrorists do? Why do they pick the two largest buildings in the United States, instead of coming to Delaware and hitting a 12-story building in Delaware? Why? Because that is where the most people are. That is where the biggest targets remain.

I thank my friend from Nevada. He has been a staunch supporter and tried like the devil to help.

The concluding point I make: My hold is not secret. I would like to know who is holding up the ability of the Senate to pass a bill that we were promised on October 15 would get action; that we passed out of the Commerce Committee unanimously, without amendment; that, in fact, nobody has made a substantive argument why any of this is not needed. I want to know why. I want to know why and who. Who is saying we cannot vote on it? And why do they think we should not have this?

I am a big boy. We have a vote. I win; I lose. But I want a vote.

I yield the floor.

Mr. SPECTER. If the Senator from Delaware would respond to a question, the holds which are placed anonymously on legislation preclude a Senator such as the Senator from Delaware from finding out who has taken that action, and therefore there is no opportunity to talk to that colleague, reason with that colleague, perhaps find a way to resolve the issue.

The simple question: Is it time the rules of the Senate were modified to stop secret holds which preclude sensible action on a matter such as rail safety?

Mr. BIDEN. The Senator is preaching to the choir. I fully agree with the Senator.

As the Senator knows, that is above my pay grade. There are only six Senators who have been here longer than I, but a lot have more institutional power than I do. I think it is a reasonable proposal, and I have shared that view of the Senator for a long time.

Mr. SPECTER. I don't disagree with the Senator from Delaware very often, but I disagree when he says it is above his pay grade.

I compliment the Senator from Delaware for his impassioned presentation. I concur with him. I thank the Senator from Nevada for articulating the view of the leadership.

It is true the Northeast has special considerations: When you pass through the tunnels in Baltimore, you pass through the Philadelphia train stations, the tunnels going into New York City. It is time we considered the matter.

I hope the passion the Senator from Delaware has articulated will move some Senator who has a secret hold on the legislation.

I yield the floor.

Mr. BIDEN. Madam President, I will just take 10 seconds. I conclude by saying, I say to my friend, Senator MCCAIN, I will lift the hold on these two nominees the moment we get a vote on the security bill.

I yield the floor.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. REID. Madam President, I ask unanimous consent the Senate proceed to executive session to consider Calendar No. 724 and Calendar No. 725.

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

Mr. REID. I ask unanimous consent that the nominations be confirmed, the motions to reconsider be laid upon the table, the President be immediately notified of the Senate's action, any statements thereon appear at the appropriate place in the RECORD as though read, and the Senate return to legislative session.

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

The nominations were considered and confirmed, as follows:

THE JUDICIARY

Jeanette J. Clark, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years.

DEPARTMENT OF COMMERCE

Louis Kincannon, of Virginia, to be Director of the Census.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will return to legislative session.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned.

Thereupon, the Senate, at 5:48 p.m., adjourned until Thursday, March 14, 2002, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate March 13, 2002:

CONSUMER PRODUCT SAFETY COMMISSION

HAROLD D. STRATTON, OF NEW MEXICO, TO BE CHAIRMAN OF THE CONSUMER PRODUCT SAFETY COMMISSION, VICE ANN BROWN.

HAROLD D. STRATTON, OF NEW MEXICO, TO BE A COMMISSIONER OF THE CONSUMER PRODUCT SAFETY COMMISSION FOR THE REMAINDER OF THE TERM EXPIRING OCTOBER 26, 2006, VICE ANN BROWN.

DEPARTMENT OF STATE

DAVID A. GROSS, OF MARYLAND, FOR THE RANK OF AMBASSADOR DURING HIS TENURE OF SERVICE AS DEPUTY ASSISTANT SECRETARY OF STATE FOR INTERNATIONAL COMMUNICATIONS AND INFORMATION POLICY IN THE BUREAU OF ECONOMIC AND BUSINESS AFFAIRS AND U.S. COORDINATOR FOR INTERNATIONAL COMMUNICATIONS AND INFORMATION POLICY.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

MICHAEL PACK, OF MARYLAND, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE HUMANITIES FOR A TERM EXPIRING JANUARY 26, 2004, VICE DARRYL J. GLESS, TERM EXPIRED.

DEPARTMENT OF JUSTICE

DAVID PHILLIP GONZALES, OF ARIZONA, TO BE UNITED STATES MARSHAL FOR THE DISTRICT OF ARIZONA FOR THE TERM OF FOUR YEARS, VICE ALFRED E. MADRID, TERM EXPIRED.

EDWARD ZAHREN, OF COLORADO, TO BE UNITED STATES MARSHAL FOR THE DISTRICT OF COLORADO FOR THE TERM OF FOUR YEARS, VICE ERNESTINE ROWE, TERM EXPIRED.

CHARLES M. SHEER, OF MISSOURI, TO BE UNITED STATES MARSHAL FOR THE WESTERN DISTRICT OF MISSOURI FOR THE TERM OF FOUR YEARS, VICE ROBERT BRADFORD ENGLISH, TERM EXPIRED.

GORDEN EDWARD EDEN, JR., OF NEW MEXICO, TO BE UNITED STATES MARSHAL FOR THE DISTRICT OF NEW MEXICO FOR THE TERM OF FOUR YEARS, VICE JOHN STEVEN SANCHEZ, TERM EXPIRED.

JOHN LEE MOORE, OF TEXAS, TO BE UNITED STATES MARSHAL FOR THE EASTERN DISTRICT OF TEXAS FOR THE TERM OF FOUR YEARS, VICE NORRIS BATISTE, JR., TERM EXPIRED.

WILLIAM P. KRUIZIKI, OF WISCONSIN, TO BE UNITED STATES MARSHAL FOR THE EASTERN DISTRICT OF WISCONSIN FOR THE TERM OF FOUR YEARS, VICE NANNETTE HOLLY HEGERTY, TERM EXPIRED.

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

L.T. GEN. LESLIE F. KENNE, 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. WILLIAM R. LOONEY III, 0000

IN THE MARINE CORPS

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

To be brigadier general

COL. DOUGLAS M. STONE, 0000

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

JOSEPH WYSOCKI, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE AND AS PERMANENT PROFESSORS, UNITED STATES AIR FORCE ACADEMY, UNDER TITLE 10, U.S.C., SECTIONS 9333 (B) AND 9336 (A).

To be colonel

RICHARD L. FULLERTON, 0000

DAVID S. GIBSON, 0000

WILLIAM P. WALKER, 0000

THE FOLLOWING NAMED AIR NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be colonel

WILLIAM P. ALBRO, 0000

THOMAS E. ALLEN, 0000

THORNE S. AMBROSE, 0000

RANDALL R. BALL, 0000

DAVID H. BARNHART, 0000

EARL S. BELL, 0000

KATHLEEN F. BERG, 0000

JAMES T. BOLING, 0000

PETER A. BONANNI, 0000

JEANETTE B. BOOTH, 0000

JOHN H. BRAMHALL, 0000
 DAVID T. BUCKALEW, 0000
 JOHN R. BUCKINGHAM, 0000
 GREGG A. BURDEN, 0000
 BREWSTER S. BUTTERS, 0000
 MICHAEL F. CANDERS, 0000
 FRANKLIN E. CHALK SR., 0000
 GREGORY S. CHAMPAGNE, 0000
 JOHN R. CHATBURN, 0000
 ROBERT A. CHIN, 0000
 MARK E. CLEM, 0000
 ROGER F. CLEMENTS, 0000
 JOHN D. COMPTON, 0000
 JAMES E. DANIEL JR., 0000
 JAMES T. DAUGHERTY, 0000
 JAMES F. DAWSON JR., 0000
 JAMES D. DEMERITT, 0000
 ROBERT R. DOLAN, 0000
 MATTHEW J. DZIALO, 0000
 BARBARA A. EAGER, 0000
 KATHLEEN L. EASTBURN, 0000
 ROBERT C. EDWARDS JR., 0000
 JAMES A. FIRTH, 0000
 KEVIN J. FISCHER, 0000
 GARY A. FITZGERALD, 0000
 TONY O. FLORES JR., 0000
 TIMOTHY L. FRYE, 0000
 LAWRENCE P. GALLOGLY, 0000
 ROBERT GERMANI JR., 0000
 ROBERT S. GISSENDANNER, 0000
 BRIAN D. GOMULA, 0000
 JEROME M. GOUIN, 0000
 JOHN O. GRIFFIN, 0000
 DENNIS D. GRUNSTAD II, 0000
 PAUL D. GRUVER, 0000
 JAMES H. GWIN, 0000
 STEVEN B. HANSON, 0000
 CURTIS T. HARRIS, 0000
 SCOTT B. HARRISON, 0000
 MARTIN K. HOLLAND, 0000
 SHEILA F. HOOTEN, 0000
 RODNEY K. HUNTER, 0000
 JEFFREY R. JOHNSON, 0000
 THOMAS M. JOHNSON, 0000
 RANDALL K. JONES, 0000
 THOMAS C. JORDAN, 0000
 JON K. KELK, 0000
 THOMAS J. KEOUGH, 0000
 WILLIAM L. KITTLIE, 0000
 ROBERT S. LANDSIEDEL, 0000
 MARK R. LANGLEY, 0000
 ROBERT K. LEWIS, 0000
 ROBERT W. LOVELL, 0000
 DAVID J. MACMILLAN, 0000
 BRUCE R. MACOMBER, 0000
 JAMES L. MALENKE, 0000
 RUSSELL W. MALESKY, 0000
 RONALD E. MALOUSEK, 0000
 THOMAS J. MARKS JR., 0000
 LANNY B. MCNEELY, 0000
 THOMAS R. MOORE, 0000
 THOMAS G. MURGATROYD, 0000
 GUNTHER H. NEUMANN, 0000
 GARY J. NOLAN, 0000
 RICHARD J. NYALKA, 0000
 ROGER L. NYE, 0000
 STANLEY J. OSSERMAN JR., 0000
 ALAN W. PALMER, 0000
 JAMES A. PATTERSON, 0000
 JAY M. PEARSALE, 0000
 LEON RAY, 0000
 ROBERT F. REINHARDT JR., 0000
 MARILYN A. RIOS, 0000
 DEBORAH S. ROSE, 0000
 ALAN K. RUTHERFORD, 0000
 REED D. SCHOTANUS, 0000
 ROBERT J. SLUSSER, 0000
 DAVID M. SMITH, 0000
 KENNETH L. SMITH, 0000
 MARK W. STEPHENS, 0000
 ROBERT M. STONESTREET, 0000
 TERRENCE L. THILMONY, 0000
 RUSSELL K. THOMAS, 0000
 BRUCE THOMPSON, 0000
 JOHN R. TUTTLE, 0000
 WILLIS L. WALDRON JR., 0000
 STEPHEN J. WALKER, 0000
 SANDRA WARDE, 0000
 KEVIN L. WEAR, 0000

LARRY W. WEIGLER, 0000
 JAMES R. WHITE, 0000
 ALBERT M. WOOLLEY JR., 0000
 PAUL G. WORCESTER, 0000
 DELILAH R. WORKS, 0000

IN THE ARMY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY CHAPLAIN CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be colonel

MICHAEL T. BRADFIELD, 0000
 WILLIAM B. BROOME III, 0000
 JOEL W. COCKLIN, 0000
 RICHARD B. GARRISON, 0000
 FREDERICK L. HUDSON, 0000
 RONALD R. HUGGLER, 0000
 LAWRENCE C. KRAUSE, 0000
 RICHARD A. KUHLBARS, 0000
 JAMES E. MAY, 0000
 ALVIN M. MOORE III, 0000
 SHERILL F. MUNN, 0000
 JACK J. VANDYKEN, 0000
 RICHARD R. YOUNG, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY NURSE CORPS AND FOR REGULAR APPOINTMENT (IDENTIFIED BY AN ASTERISK(*)) UNDER TITLE 10, U.S.C., SECTIONS 624, 531, AND 3064:

To be major

SHARON M. *AARON, 0000
 LILA M. *AGUTO, 0000
 WILLIAM A. *AIKEN II, 0000
 SUSAN J. *ARGUETA, 0000
 CHRISTOPHER D. BAYSA, 0000
 SANDRA J. BEGLEY, 0000
 RICHARD A. BEHR, 0000
 DONALD E. *BENNETT JR., 0000
 ARNESHUIA P. *BILAL, 0000
 LYNN *BLANKE, 0000
 TAMMIE S. *BOEGER, 0000
 VINCENT B. BOGAN, 0000
 LISA M. *BOWER, 0000
 MICHAEL T. *BOZZO, 0000
 CARLTON G. BROWN, 0000
 CARLA R. *BUCKLES, 0000
 TERRIE D. *BURGAN, 0000
 MIRTA B. *BURGOS, 0000
 JOSEPH M. *CANDELARIO, 0000
 CHERYL Y. *CAPERS, 0000
 LILLIAN *CARDONA, 0000
 AMBROSE M. CARROLL, 0000
 JESUS M. *CASTRO, 0000
 COLEEN P. *CHANG, 0000
 MARY T. *CHRISTAL, 0000
 RICHARD W. *CICHY, 0000
 MARGARET A. *COLLIER, 0000
 ALBERT S. *COSTA, 0000
 TAMARA L. *CRAWFORD, 0000
 LISA E. CROSBY, 0000
 CARLA J. *CROUCH, 0000
 DANETTE F. *CRUTHIRDS, 0000
 KATRYNA B. *DEARY, 0000
 FRANCISCO A. *DELAHOZ, 0000
 RONALD D. DESALLES, 0000
 DIANA J. DESCHAMPS, 0000
 SUSAN M. *DIAZ, 0000
 SPENCER D. DICKENS JR., 0000
 TONYA F. *DICKERSON, 0000
 DARRELL C. *DODGE, 0000
 STEPHANIA L. DOVER, 0000
 TERESA A. *DUQUETTE, 0000
 JEAN *ERICKSON, 0000
 RICHARD R. ESSICK, 0000
 MARK S. *EVANS, 0000
 GLENN R. *FERNANDES, 0000
 SHELIA F. *FRANCIS, 0000
 SHERRI D. FRANKLIN, 0000
 STEPHEN D. *FREDERICK, 0000
 LORI A. *FRITZ, 0000
 PABLO R. *GAHOL, 0000
 ANITA R. *GANZ, 0000
 DAVID W. *GARCIA, 0000
 MICHAEL A. GLADU, 0000
 BLONDELL S. GLENN, 0000

TINA M. *GOSLING, 0000
 MICHAEL W. GREENLY, 0000
 DOLA D. *HANDLEY, 0000
 PATRICIA S. *HARM, 0000
 SHAROYN L. *HARRIS, 0000
 MICHAEL A. *HAWKINS, 0000
 CARLOTTA S. *HEAD, 0000
 TRACI M. HESE, 0000
 CHARLES D. *HENKEL, 0000
 PAUL D. *HESS, 0000
 MELISSA J. *HOFFMAN, 0000
 CHARLOTTE M. *HOOD, 0000
 ESTERLITTA L. *JACKSON, 0000
 TRINI L. *JEANICE, 0000
 EDGAR JIMENEZ, 0000
 LINDA E. *JONES, 0000
 JOHNNIE M. *KOCH, 0000
 CHRISTINE M. *KRAMER, 0000
 WILLIAM L. KUHN, 0000
 FRANK LEE, 0000
 VIKI J. *LEEFEERS, 0000
 DENISE M. *LYONS, 0000
 JAMES A. *MADSON, 0000
 PAUL J. *MAHOLTZ III, 0000
 DAVID P. *MARANA, 0000
 SANDRA I. *MARTIN, 0000
 ANA L. *MASON, 0000
 SUE A. *MCCANN, 0000
 DEBORAH *MCMULLAN, 0000
 LINDA K. *MOORE, 0000
 BEVERLY J. MORGAN, 0000
 SHERRY D. *MOSLEY, 0000
 PETER J. MOTT, 0000
 MICHELLE L. *MUNROE, 0000
 KATHY M. *NEAL, 0000
 JOHN E. *NEUMANN, 0000
 THERESA A. PECHATTY, 0000
 WESLEY H. *PIERCE, 0000
 BRIAN M. *PITCHER, 0000
 LINDA A. *POIRIER, 0000
 MELONIE G. QUANDER, 0000
 KATHERINE T. *RALPH, 0000
 JOY E. *REXFORD, 0000
 PHYLLIS A. *RHODES, 0000
 CAROLYN M. RICHARDSON, 0000
 JOHN D. *RODGERS, 0000
 LETICIA *SANDROCK, 0000
 REBEKAH J. *SARFIELD, 0000
 DEBORAH M. *SAUNDERS, 0000
 SHARON U. *SCOTT, 0000
 MARY J. *SHAW, 0000
 DEIDRE M. SINGLETON, 0000
 ALLEN D. *SMITH, 0000
 JUDY A. *SMITH, 0000
 STEPHANIE C. *STELTER, 0000
 JAMES E. *STEVENS, 0000
 EVELYN TOWNSEND, 0000
 BARBARA F. *WALL, 0000
 BRADLEY C. *WEST, 0000
 MARY A. *WEST, 0000
 DAVID O. *WHITE, 0000
 WILLIAM G. *WHITE, 0000
 MICHELLE M. *WILLIAMS, 0000
 SELINA G. *WILLIAMS, 0000
 GAYLA W. *WILSON, 0000
 JOELLEN E. WINDSOR, 0000

CONFIRMATIONS

Executive nominations confirmed by the Senate March 13, 2002:

DEPARTMENT OF COMMERCE

LOUIS KINCANNON, OF VIRGINIA, TO BE DIRECTOR OF THE CENSUS.

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.

THE JUDICIARY

JEANETTE J. CLARK, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSOCIATE JUDGE OF THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA FOR THE TERM OF FIFTEEN YEARS.