

(c) Sections 202, 214, and 302(a)(1)(C) of the Appalachian Regional Development Act of 1965 (40 U.S.C. App.) are amended by striking "grant-in-aid programs" each place it appears and inserting "grant programs".

(d) Section 202(a) of the Appalachian Regional Development Act of 1965 (40 U.S.C. App.) is amended in the second sentence by striking "title VI of the Public Health Service Act (42 U.S.C. 291–291o), the Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963 (77 Stat. 282)," and inserting "title VI of the Public Health Service Act (42 U.S.C. 291 et seq.), the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (42 U.S.C. 15001 et seq.)."

(e) Section 207(a) of the Appalachian Regional Development Act of 1965 (40 U.S.C. App.) is amended by striking "section 221 of the National Housing Act, section 8 of the United States Housing Act of 1937, section 515 of the Housing Act of 1949," and inserting "section 221 of the National Housing Act (12 U.S.C. 1715l), section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f), section 515 of the Housing Act of 1949 (42 U.S.C. 1485)."

(f) Section 214 of the Appalachian Regional Development Act of 1965 (40 U.S.C. App.) is amended—

(1) in the section heading, by striking "GRANT-IN-AID" and inserting "GRANT";

(2) in subsection (a)—

(A) by striking "grant-in-aid Act" each place it appears and inserting "Act";

(B) in the first sentence, by striking "grant-in-aid Acts" and inserting "Acts";

(C) by striking "grant-in-aid program" each place it appears and inserting "grant program"; and

(D) by striking the third sentence;

(3) by striking subsection (c) and inserting the following:

"(c) DEFINITION OF FEDERAL GRANT PROGRAM.—

"(1) IN GENERAL.—In this section, the term 'Federal grant program' means any Federal grant program authorized by this Act or any other Act that provides assistance for—

"(A) the acquisition or development of land;

"(B) the construction or equipment of facilities; or

"(C) any other community or economic development or economic adjustment activity.

"(2) INCLUSIONS.—In this section, the term 'Federal grant program' includes a Federal grant program such as a Federal grant program authorized by—

"(A) the Consolidated Farm and Rural Development Act (7 U.S.C. 1921 et seq.);

"(B) the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601–4 et seq.);

"(C) the Watershed Protection and Flood Prevention Act (16 U.S.C. 1001 et seq.);

"(D) the Carl D. Perkins Vocational and Technical Education Act of 1998 (20 U.S.C. 2301 et seq.);

"(E) the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.);

"(F) title VI of the Public Health Service Act (42 U.S.C. 291 et seq.);

"(G) sections 201 and 209 of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3141, 3149);

"(H) title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.); or

"(I) part IV of title III of the Communications Act of 1934 (47 U.S.C. 390 et seq.).

"(3) EXCLUSIONS.—In this section, the term 'Federal grant program' does not include—

"(A) the program for construction of the Appalachian development highway system authorized by section 201;

"(B) any program relating to highway or road construction authorized by title 23, United States Code; or

"(C) any other program under this Act or any other Act to the extent that a form of financial

assistance other than a grant is authorized."; and

(4) by striking subsection (d).

(g) Section 224(a)(2) of the Appalachian Regional Development Act of 1965 (40 U.S.C. App.) is amended by striking "relative per capita income" and inserting "per capita market income".

(h) Section 225 of the Appalachian Regional Development Act of 1965 (40 U.S.C. App.)—

(1) in subsection (a)(3), by striking "development program" and inserting "development strategies"; and

(2) in subsection (c)(2), by striking "development programs" and inserting "development strategies".

(i) Section 303 of the Appalachian Regional Development Act of 1965 (40 U.S.C. App.) is amended—

(1) in the section heading, by striking "INVESTMENT PROGRAMS" and inserting "STRATEGY STATEMENTS";

(2) in the first sentence, by striking "implementing investments programs" and inserting "strategy statements"; and

(3) by striking "implementing investment program" each place it appears and inserting "strategy statement".

(j) Section 403 of the Appalachian Regional Development Act of 1965 (40 U.S.C. App.) is amended in the next-to-last undesignated paragraph by striking "Committee on Public Works and Transportation" and inserting "Committee on Transportation and Infrastructure".

AMENDMENT NO. 2840

Mr. REID. Mr. President, I understand Senator JEFFORDS has a substitute amendment at the desk. I, therefore, ask unanimous consent that the amendment be agreed to, the committee substitute amendment be agreed to, the bill be read the third time and passed, the motion to reconsider be laid on the table with no intervening action or debate, and that any statements relating to these matters be printed in the RECORD.

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

The amendment (No. 2840) was agreed to.

(The amendment is printed in today's RECORD under "Amendments Submitted.")

The committee amendment in the nature of a substitute, as amended, was agreed to.

The bill (S. 1206), as amended, was passed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to Executive Session consider Executive Calendar Nos. 677 through 694; that the nominations be confirmed, the motions to reconsider be laid on the table, that any statements thereupon be printed in the RECORD, the President be immediately notified of the Senate's action, and the Senate return to legislative session.

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

The nominations were considered and confirmed as follows:

DEPARTMENT OF JUSTICE

Thomas P. Colantuono, of New Hampshire, to be United States Attorney for the District of New Hampshire for the term of four years.

James K. Vines, of Tennessee, to be United States Attorney for the Middle District of Tennessee for the term of four years.

James Duane Dawson, of West Virginia, to be United States Marshal for the Southern District of West Virginia for the term of four years.

William Carey Jenkins, of Louisiana, to be United States Marshal for the Middle District of Louisiana for the term of four years.

Ronald Richard McCubbin, Jr., of Kentucky, to be United States Marshal for the Western District of Kentucky for the term of four years.

David Reid Murtaugh, of Indiana, to be United States Marshal for the Northern District of Indiana for the term of four years.

Nehemiah Flowers, of Mississippi, to be United States Marshal for the Southern District of Mississippi for the term of four years.

Arthur Jeffrey Heddon, of Tennessee, to be United States Marshal for the Eastern District of Tennessee, for the term of four years.

David Glenn Jolley, of Tennessee, to be United States Marshal for the Western District of Tennessee for the term of four years.

Michael Wade Roach, of Oklahoma, to be United States Marshal for the Western District of Oklahoma for the term of four years.

Eric Eugene Robertson, of Washington, to be United States Marshal for the Western District of Washington for the term of four years.

Brian Michael Ennis, of Nebraska, to be United States Marshal for the District of Nebraska for the term of four years.

Chester Martin Keely, of Alabama, to be United States Marshal for the Northern District of Alabama for the term of four years.

John William Loyd, of Oklahoma, to be United States Marshal for the Eastern District of Oklahoma for the term of four years.

David Donald Viles, of Maine, to be United States Marshal for the District of Maine for the term of four years.

Johnny Lewis Hughes, of Maryland, to be United States Marshal for the District of Maryland for the term of four years.

Randy Merlin Johnson, of Alaska, to be United States Marshal for the District of Alaska for the term of four years.

Larry Wade Wagster, of Mississippi, to be United States Marshal for the Northern District of Mississippi for the term of four years.

LEGISLATIVE SESSION

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

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR NOS. 670 AND 676

Mr. REID. Mr. President, as in executive session, I ask unanimous consent that on Monday, February 11, the Senate proceed to executive session to consider the following nominations: Calendar No. 670, Michael Melloy, to be United States Circuit Judge; and Calendar No. 676, Jay Zainey, to be United States District Judge; that there be 15 minutes for debate on both nominations, equally divided between the chairman and ranking member of the Judiciary Committee or their designees; that at 6 p.m. the Senate vote on Calendar No. 670, and that upon the disposition of that nomination, the Senate vote immediately on Calendar

No. 676; that the motions to reconsider be laid upon the table, the President be immediately notified of the Senate's action, any statements thereon be printed in the RECORD, and the Senate return to legislative session.

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

Mr. REID. Mr. President, as in executive session, I ask unanimous consent that it be in order to order the yeas and nays on both these nominations with one show of seconds.

The PRESIDING OFFICER. Without objection, it is in order for the Senator to seek the yeas and nays on both nominations at this time with one show of seconds.

Mr. REID. Mr. President, I now ask for the yeas and nays on the nominations.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

Mr. REID. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

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

ORDERS FOR MONDAY, FEBRUARY 11, 2002

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until the hour of 2 p.m., Monday, February 11; that following the prayer and the 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 there be a period for morning business until 3

p.m., with Senators permitted to speak for up to 10 minutes each, with the time equally divided between the two leaders or their designees; and further, that at 3 p.m. the Senate resume consideration of S. 1731, the farm bill.

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

PROGRAM

Mr. REID. Mr. President, there are amendments that are still pending. We have a finite list of amendments. I hope there will be Senators on both sides to offer amendments in relation to this bill. All the amendments offered today will be put in the normal list of amendments that have been offered, and we will try to work something out. It may be there will be some that will be accepted by Senators HARKIN and LUGAR.

There are a number of other amendments that need to be offered. I would think if we expect to complete this bill that we need to have some of these offered Monday. It will not be possible to have everybody offer their amendments Tuesday and have votes on Tuesday and still get to the energy bill on Wednesday.

So I say to both the majority and minority Senators, we need to really move forward on this. I hope that staffs and others will indicate that they should have their Senators here at 3 o'clock on Monday to start offering amendments.

The next rollcall vote will begin at 6 p.m. on Monday on two Executive Calendar nominations. Rollcall votes will also occur Tuesday, February 12, as early as 10 a.m. in relation to amendments on the farm bill or on additional Executive Calendar nominations.

ADJOURNMENT UNTIL MONDAY, FEBRUARY 11, 2002, AT 2 P.M.

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 3:15 p.m., adjourned until Monday, February 11, 2002, at 2 p.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate February 8, 2002:

DEPARTMENT OF JUSTICE

THOMAS P. COLANTUONO, OF NEW HAMPSHIRE, TO BE THE UNITED STATES ATTORNEY FOR THE DISTRICT OF NEW HAMPSHIRE FOR THE TERM OF FOUR YEARS.

JAMES K. VINES, OF TENNESSEE, TO BE UNITED STATES ATTORNEY FOR THE MIDDLE DISTRICT OF TENNESSEE FOR THE TERM OF FOUR YEARS.

JAMES DUANE DAWSON, OF WEST VIRGINIA, TO BE UNITED STATES MARSHAL FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA FOR THE TERM OF FOUR YEARS.

WILLIAM CAREY JENKINS, OF LOUISIANA, TO BE UNITED STATES MARSHAL FOR THE MIDDLE DISTRICT OF LOUISIANA FOR THE TERM OF FOUR YEARS.

RONALD RICHARD MCCUBBIN, JR., OF KENTUCKY, TO BE UNITED STATES MARSHAL FOR THE WESTERN DISTRICT OF KENTUCKY FOR THE TERM OF FOUR YEARS.

DAVID REID MURTAUGH, OF INDIANA, TO BE UNITED STATES MARSHAL FOR THE NORTHERN DISTRICT OF INDIANA FOR THE TERM OF FOUR YEARS.

NEHEMIAH FLOWERS, OF MISSISSIPPI, TO BE UNITED STATES MARSHAL FOR THE SOUTHERN DISTRICT OF MISSISSIPPI FOR THE TERM OF FOUR YEARS.

ARTHUR JEFFREY HEDDEN, OF TENNESSEE, TO BE UNITED STATES MARSHAL FOR THE WESTERN DISTRICT OF TENNESSEE, FOR THE TERM OF FOUR YEARS.

DAVID GLENN JOLLEY, OF TENNESSEE, TO BE UNITED STATES MARSHAL FOR THE WESTERN DISTRICT OF TENNESSEE FOR THE TERM OF FOUR YEARS.

MICHAEL WADE ROACH, OF OKLAHOMA, TO BE UNITED STATES MARSHAL FOR THE WESTERN DISTRICT OF OKLAHOMA FOR THE TERM OF FOUR YEARS.

ERIC EUGENE ROBERTSON, OF WASHINGTON, TO BE UNITED STATES MARSHAL FOR THE WESTERN DISTRICT OF WASHINGTON FOR THE TERM OF FOUR YEARS.

BRIAN MICHAEL ENNIS, OF NEBRASKA, TO BE UNITED STATES MARSHAL FOR THE DISTRICT OF NEBRASKA FOR THE TERM OF FOUR YEARS.

CHESTER MARTIN KEELY, OF ALABAMA, TO BE UNITED STATES MARSHAL FOR THE NORTHERN DISTRICT OF ALABAMA FOR THE TERM OF FOUR YEARS.

JOHN WILLIAM LOYD, OF OKLAHOMA, TO BE UNITED STATES MARSHAL FOR THE EASTERN DISTRICT OF OKLAHOMA FOR THE TERM OF FOUR YEARS.

DAVID DONALD VILES, OF MAINE, TO BE UNITED STATES MARSHAL FOR THE DISTRICT OF MAINE FOR THE TERM OF FOUR YEARS.

JOHNNY LEWIS HUGHES, OF MARYLAND, TO BE UNITED STATES MARSHAL FOR THE DISTRICT OF MARYLAND FOR THE TERM OF FOUR YEARS.

RANDY MERLIN JOHNSON, OF ALASKA, TO BE UNITED STATES MARSHAL FOR THE DISTRICT OF ALASKA FOR THE TERM OF FOUR YEARS.

LARRY WADE WAGSTER, OF MISSISSIPPI, TO BE UNITED STATES MARSHAL FOR THE NORTHERN DISTRICT OF MISSISSIPPI FOR THE TERM OF FOUR YEARS.