

the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 3253) to amend title 38, United States Code, to provide for the establishment within the Department of Veterans Affairs of improved emergency medical preparedness, research, and education programs to combat terrorism, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. ROCKEFELLER. Mr. President, as Chairman of the Committee on Veterans Affairs, I urge the Senate to pass this legislation that would help VA—and our entire Nation—prepare for the potential medical consequences of another terrorist attack.

As Congress seeks ways to avert the threats posed by biological, chemical, radiological, and other potential terrorist weapons, we must make certain that we use our existing national resources as efficiently as possible. I thank Ranking Member SPECTER and his staff for their efforts in helping to ensure that VA—the Nation's largest integrated healthcare system—is prepared for the role that it can and must play during emergencies.

The pending measure is an omnibus bill that would improve VA's ability to fulfill its responsibilities to veterans, its staff, and communities during disasters, and would also address VA nonprofit research corporation activities.

"The Department of Veterans Affairs Emergency Preparedness Act," as reported, which I will refer to as the "Committee bill," acknowledges VA's role in offering health care and support to individuals affected by disasters, and would give VA staff the tools that they need to continue serving veterans during emergencies.

The committee bill would establish four medical emergency preparedness research centers within the Department of Veterans Affairs health care system. VA researchers possess expertise in the long-term health consequences of biological, chemical, and radiological exposures, and sustain an unparalleled clinical management research program. The centers authorized by this legislation would make the most of these resources to learn how best to manage—or prevent—the mass casualties that might arise from the use of terrorist weapons.

The committee bill also includes provisions requested by the Administration that would create an office, directed by an Assistant Secretary, to coordinate preparedness strategies within VA and with other Federal, State, and local agencies. I strongly believe that this new office represents an essential step in helping VA improve emergency preparedness while maintaining its primary mission of caring for the Nation's veterans.

Another emergency preparedness provision within the committee bill would create no new responsibilities or missions for VA, but would authorize VA's

enormous contribution to public safety and emergency preparedness. In 1982, Congress charged VA to care for active duty military casualties during a conflict or disaster. Since then, VA has taken a much larger share of the Federal responsibility for public health during emergencies, supporting mass care as part of the Federal Response Plan for disasters and serving as a cornerstone of the National Disaster Medical System.

VA has responded to every major domestic disaster of the last two decades with personnel, supplies and medications, facilities, and—when necessary—direct patient care for overwhelmed communities. VA health care providers who care for disaster victims serve not only as part of the Federal response to emergencies, but as part of the communities in which they live. The committee bill would acknowledge VA's emergency response missions by authorizing VA to provide medical treatment for individuals affected by or responding to disasters.

The committee bill also makes changes in law affecting VA's nonprofit research corporations. The first allows employees of nonprofit VA research and education corporations assigned to approved VA research, education, or training projects to be considered VA employees for purposes of the Federal Tort Claims Act. The other provision clarifies that VA Medical Centers may enter into contracts or other forms of agreements with nonprofit research corporations to provide services to facilitate VA-approved research and education projects. These changes would further VA's research and education missions.

In conclusion, I urge my colleagues to support these research and emergency preparedness enhancements for VA. This bipartisan commitment to our Nation's veterans and VA represents a small investment with potentially enormous rewards.

I ask unanimous consent that a summary of the bill be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

SUMMARY OF S. 2132: THE DEPARTMENT OF VETERANS AFFAIRS EMERGENCY PREPAREDNESS ACT OF 2002

MEDICAL EMERGENCY PREPAREDNESS CENTERS IN THE VETERANS HEALTH ADMINISTRATION

Authorizes VA to establish four centers for medical emergency preparedness within existing VA medical centers.

Directs centers to carry out research on the medical management of injuries or illnesses arising from the use of chemical, biological, radiological, or incendiary or other explosive weapons or devices in coordination with national strategies for homeland security.

Allows centers to provide medical consequence management education and training to VA health care professionals, and to non-VA providers at the Secretary's discretion.

Authorizes VA to provide laboratory, epidemiological, medical, or other assistance to Federal, State, and local health care entities by request during a national emergency.

REORGANIZATION OF VA PREPAREDNESS FUNCTIONS

Increases the number of authorized assistant secretaries from six to seven, and adds "operations, preparedness, security, and law enforcement" to their authorized functions.

Increases the number of authorized deputy assistant secretaries from 18 to 20.

AUTHORIZING VA TO PROVIDE MEDICAL CARE DURING DISASTERS

Authorizes VA to furnish medical care to individuals—regardless of enrollment status—affected by a major disaster or presidentially declared emergency, or following activation of the National Disaster Medical System.

Allows VA to provide care to individuals affected by disasters before any other group except service-connected veterans and active-duty military casualties, and would allow VA to be reimbursed for care provided to employees of other Federal agencies.

VA NONPROFIT RESEARCH CORPORATION ACTIVITIES

Authorizes VA to contract with VA nonprofit research corporations in order to conduct VA-approved research, training, or education.

Allows employees of nonprofit VA research and education corporations assigned to approved VA research, education, or training projects to be considered VA employees for purposes of Federal Tort Claims Act.

Removes the sunset date of December 31, 2003, currently established in 38 USC §7638, for authority to establish nonprofit VA research and education corporations.

Mr. REID. Mr. President, I understand Senator ROCKEFELLER has a substitute amendment at the desk which is the text of S. 2132 and has been reported by the Veterans Subcommittee. I ask unanimous consent that the substitute amendment be agreed to, the bill, as amended, be read three times, passed, the motion to reconsider be laid on the table; that the title amendment be agreed to; and that any statements relating thereto be printed in the RECORD, with no intervening action or debate.

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

The amendment (No. 4469) was agreed to.

(The text of the amendment is printed in today's RECORD under "Text of Amendments.")

The bill (H.R. 3253), as amended, was read the third time and passed.

(The bill will be printed in a future edition of the RECORD.)

The title amendment (No. 4470) was agreed to, as follows:

"A Bill to amend title 38, United States Code, to enhance the emergency preparedness of the Department of Veterans Affairs, and for other purposes."

EXECUTIVE SESSION

DELIMITATION OF A MARITIME BOUNDARY BETWEEN THE GOVERNMENT OF THE UNITED STATES AND THE GOVERNMENT OF NIUE—TREATY DOCUMENT NO. 105-53

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider Executive Calendar No. 5, treaty with Niue;

that the protocol be considered as having advanced through its parliamentary stages up to and including the presentation of the resolution of ratification; and that the Senate now vote on the resolution of ratification.

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

The treaty will be considered to have passed through its various parliamentary stages up to and including the presentation of the resolution of ratification.

Mr. REID. I ask for a division vote.

The PRESIDING OFFICER. A division has been requested.

Senators in favor of the resolution of ratification will rise and stand until counted.

(After a pause.) Those opposed will rise and stand until counted.

On a division, two-thirds of the Senators present having voted in the affirmative, the resolution of ratification, with its reservation, was agreed to, as follows:

Resolved (two-thirds of the Senators present concurring therein),

That the Senate advise and consent to the ratification of the Treaty Between the Government of the United States of America and the Government of Niue on the Delimitation of a Maritime Boundary, signed in Wellington on May 13, 1997 (Treaty Doc. 105-53).

Mr. NICKLES. Mr. President, if the Senator will yield, I say to my good friend that it is a unanimous vote in the Senate on this treaty.

Mr. REID. One of the few we have had lately.

I ask unanimous consent that any statements be printed in the RECORD.

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

Mr. REID. Mr. President, as I indicated earlier, when we read off all the bills that have passed, we have a large number of nominations. These have been cleared, and everyone is grateful. I am sure the people who are being approved are even more so. This is something I wish we could have done earlier, but things did not work out that way.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. REID. I ask unanimous consent that the Senate proceed to executive session to consider the following nominations: Executive Calendar Nos. 846, 847, 848, 849, 850, 876, 906, 907, 908, 909, 923, 924, 925, 927, 928, 929, 930, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 957, 964, 965, 966, 967, 968, 970, 971, 972, 973, 974, 999, 1002, 1003. I ask unanimous consent that the nominations be confirmed, the motions to reconsider be laid on the table, the President be immediately notified of the Senate's action, any statements be printed in the RECORD, and that the Senate now return to legislative session, with the preceding all occurring without any intervening action or debate.

Before the Chair rules, I reply to my friend, the assistant Republican leader, we read off a bunch of names, but these are people who have been waiting, some for a long time. Even though we did not read off all the names, this is very important, and these names refer to people who will play an important part in running our country.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The nominations considered confirmed en bloc are as follows:

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.

Jack C. Chow, of Pennsylvania, for the rank of Ambassador during his tenure of service as Special Representative of the Secretary of State for HIV/AIDS.

Paula A. DeSutter, of Virginia, to be an Assistant Secretary of State (Verification and Compliance).

Stephen Geoffrey Rademaker, of Delaware, to be an Assistant Secretary of State (Arms Control).

Michael Alan Guhin, of Maryland, a Career Member of the Senior Executive Service, for the Rank of Ambassador during tenure of service as U.S. Fissile Material Negotiator.

Tony P. Hall, of Ohio, for the rank of Ambassador during his tenure of service as United States Representative to the United Nations Agencies for Food and Agriculture.

COMMODITY FUTURES TRADING COMMISSION

Sharon Brown-Hruska, of Virginia, to be a Commissioner of the Commodity Futures Trading Commission for the remainder of the term expiring April 13, 2004.

Walter Lukken, of Indiana, to be a Commissioner of the Commodity Futures Trading Commission for a term expiring April 13, 2005.

FARM CREDIT ADMINISTRATION

Douglas L. Flory, of Virginia, to be a Member of the Farm Credit Administration Board, Farm Credit Administration, for a term expiring October 13, 2006.

NUCLEAR REGULATORY COMMISSION

Jeffrey S. Merrifield, of New Hampshire, to be a Member of the Nuclear Regulatory Commission for the term of five years expiring June 30, 2007. (Reappointment)

EXECUTIVE OFFICE OF THE PRESIDENT

Kathie L. Olsen, of Oregon, to be an Associate Director of the Office of Science and Technology Policy.

Richard M. Russell, of Virginia, to be an Associate Director of the Office of Science and Technology Policy.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

Frederick D. Gregory, of Maryland, to be Deputy Administrator of the National Aeronautics and Space Administration.

FEDERAL MARITIME COMMISSION

Steven Robert Blust, of Florida, to be a Federal Maritime Commissioner for a term expiring June 30, 2006.

THE JUDICIARY

James E. Boasberg, 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.

EXECUTIVE OFFICE OF THE PRESIDENT

Mark W. Everson, of Texas, to be Deputy Director for Management, Office of Management and Budget.

FEDERAL EMERGENCY MANAGEMENT AGENCY

Michael D. Brown, of Colorado, to be Deputy Director of the Federal Emergency Management Agency.

DEPARTMENT OF STATE

Michael Klosson, of Maryland, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Cyprus.

Randolph Bell, of Virginia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, for the rank of Ambassador during his tenure of service as Special Envoy for Holocaust Issues.

EUROPEAN BANK FOR RECONSTRUCTION AND DEVELOPMENT

Mark Sullivan, of Maryland, to the United States Director of the European Bank for Reconstruction and Development.

ASIAN DEVELOPMENT BANK

Paul William Speltz, of Texas, to be United States Director of the Asian Development Bank, with the rank of Ambassador.

BROADCASTING BOARD OF GOVERNORS

Kenneth Y. Tomlinson, of Virginia, to be a Member of the Broadcasting Board of Governors for a term expiring August 13, 2004.

Kenneth Y. Tomlinson, of Virginia, to be Chairman of the Broadcasting Board of Governors.

Norman J. Pattiz, of California, to be a Member of the Broadcasting Board of Governors for a term expiring August 13, 2004. (Reappointment)

ENVIRONMENTAL PROTECTION AGENCY

John Peter Suarez, of New Jersey, to be an Assistant Administrator of the Environmental Protection Agency.

CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD

Carolyn W. Merritt, of Illinois, to be a Member of the Chemical Safety and Hazard Investigation Board for a term of five years.

John S. Bresland, of New Jersey, to be a Member of the Chemical Safety and Hazard Investigation Board for a term of five years.

DEPARTMENT OF STATE

James Howard Yellin, of Pennsylvania, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Burundi.

Kristie Anne Kenney, of Maryland, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Ecuador.

Barbara Calandra Moore, of Maryland, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Nicaragua.

John William Blaney, of Virginia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Liberia.

Larry Leon Palmer, of Georgia, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Honduras.

DEPARTMENT OF JUSTICE

J. B. Van Hollen, of Wisconsin, to be United States Attorney for the Western District of Wisconsin for the term of four years.