

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.

Charles E. Beach, Sr., of Iowa, to be United States Marshal for the Southern District of Iowa for the term of four years.

Peter A. Lawrence, of New York, to be United States Marshal for the Western District of New York for the term of four years.

Richard Vaughn Mecum, of Georgia, to be United States Marshal for the Northern District of Georgia for the term of four years.

Burton Stallwood, of Rhode Island, to be United States Marshal for the District of Rhode Island for the term of four years.

#### DEPARTMENT OF DEFENSE

Vinicio E. Madrigal, of Louisiana, to be a Member of the Board of Regents of the Uniformed Services University of the Health Sciences for a term expiring June 20, 2003.

L. D. Britt, of Virginia, to be a Member of the Board of Regents of the Uniformed Services University of the Health Sciences for the remainder of the term expiring May 1, 2005.

Linda J. Stierle, of Maryland, to be a Member of the Board of Regents of the Uniformed Services University of the Health Sciences for a term expiring May 1, 2007.

William C. De La Pena, of California, to be a Member of the Board of Regents of the Uniformed Services University of the Health Sciences for a term expiring June 20, 2007.

#### DEFENSE NUCLEAR FACILITIES SAFETY BOARD

John Edward Mansfield, of Virginia, to be a Member of the Defense Nuclear Facilities Safety Board for a term expiring October 18, 2006. (Reappointment)

Nancy J. Powell, of Iowa, 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 Islamic Republic of Pakistan.

#### NATIONAL MEDIATION BOARD

Edward J. Fitzmaurice, Jr., of Texas, to be a Member of the National Mediation Board for a term expiring July 1, 2004.

Harry R. Hoglander, of Massachusetts, to be a Member of the National Mediation Board for a term expiring July 1, 2005.

#### LEGISLATIVE SESSION

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

Mr. NICKLES. Mr. President, first let me thank my friends and colleagues, Senator REID and Senator DASCHLE, for finally moving some of these nominees. Some are long overdue. Some are still yet to be confirmed.

I will make one mention: Kyle McSlarrow, to be Deputy Secretary of Energy. He worked for us in the Senate. He is more than qualified. I happen to know the Secretary of Energy because he used to be a Senator, Spence Abraham, and he has personally requested that he be confirmed. He needs a Deputy Secretary of Energy.

So while I am pleased we were able to confirm a large number of nominees, we have some nominees who are now going to have to wait the entire month of August and well into September to be confirmed. I find that to be unfair. I wanted to express my pleasure with the one we were able to confirm and my displeasure with the fact that there are about 30 people who will still be left on the calendar, including individuals such as Kyle McSlarrow to be Deputy Secretary of Energy, and other out-

standing nominees who will still be held in limbo in the confirmation process throughout August and maybe well into September. I find that regrettable. There is no reason in the world not to move more of these nominees. I am appreciative of the many we have confirmed. I have not totaled the number, but it is a significant number. Still, there will be several very well qualified individuals who, for no reason whatever, are not being confirmed to this date.

I wanted to express my displeasure and mention that nominee. I could go through the list. I will not do that at this late time. I want my colleague to know I am not happy we were not able to confirm Mr. McSlarrow, who was reported out by the Energy and Natural Resources Committee unanimously on June 5. He has been waiting almost 2 months. The Secretary of Energy has been waiting to get a deputy. Unfortunately, he still will not have a deputy for the next couple of months, at a time when we will mark up an energy bill. It is probably the most significant piece of energy legislation in decades, and the Secretary does not have his deputy confirmed.

Mr. REID. Mr. President, it would be good if we could approve all of these, but problems occur. As I indicated, on one of these nominees, I personally went to a lot of trouble to find a Senator so we could get that person approved.

This is not a perfect system, but it works pretty well and we do the very best we can. It is not just holds over here; we have holds over there on people we care about.

I worked on the Aging Subcommittee; I am still a member of the Aging Subcommittee. One of the highest people assigned to me was a man by the name of Jonathan Steven Adelstein. I hoped he would be approved to serve on the Federal Communications Commission. We could go tit for tat. But I would tell my friend, the Senator from Oklahoma, for whom, everyone knows, I have the greatest respect about a trip I had a couple of weeks ago to Nevada. I had the wonderful opportunity to have three of my grandchildren spend a weekend with us. My little grandchild just turned 4, Mitchell. I did not realize his parents had told him to be patient because I would want to find out how Tiger Woods was doing in the golf tournament, and he wanted to watch a video. This little boy came into the room and looked at me with sad eyes saying: "It is so hard to be patient."

I say to my friend Senator NICKLES, it is so hard being patient, but being a Member of the Senate, you have to be. Even a 4-year-old said that. It certainly applies to what goes on in the Senate. It is hard to be patient, but I think a lot of people are celebrating tonight because these people have already been approved.

I look forward to coming back in the fall and hoping we can confirm more of

these men and women who certainly, with rare exception, are qualified for the appointments they have been given.

Mr. NICKLES. Mr. President, I thank my friend and colleague. I understand that maybe he is not the source of some of the remaining holds. We are confirming a large number of people, well qualified people, at long last. That is good. There still remain some outstanding nominees; I think about 30.

I hope my colleague from Nevada will work with me and Senator DASCHLE and Senator LOTT and see if we can clean the rest of the calendar. Historically, we try to clean the calendar before we break, both in August and October. I hope we will not wait until the end, early October, to clean the calendar this time. I hope we will try to confirm as many of these nominees as early as we can in September, both for the agencies that need the help and the expertise and also for them individually. They should not be held indefinitely.

I will work with my colleague, and I would appreciate his assistance to see if we can get some of them through—there may be holds on both sides—and see if we can eliminate some of those and expedite the confirmation process.

Mr. REID. I look forward to that. One thing we need to do: It does not matter if you have a Republican President or a Democrat President, the problem is the slow process in approving nominees to serve in an administration. It is not right that we have to wait months for a Presidential nomination. Judicial appointments are a good example. They go step after step after step before we even get to look at them. We have to speed up this process for the good of the country. It is not right that this President is almost halfway through his term and still does not have people working for him. It is not all our fault, and it is not all the minority's fault. Much of it is the fault of the system. We have to do something to make it a system that moves more quickly.

If there were ever something we needed to work on in conjunction with the executive branch of Government, it would be to establish a blue ribbon panel to figure out a way we could speed up this process. It takes a long time for nominees to be sent to the Senate. We are running good people away from government, not because the process is too long, people are beleaguered before they even go through it.

I would be happy to work with my friend doing what we can to clear up the nominations. I look forward to that. I also hope the Senator will work with me, and maybe we can come up with an idea that will make all Presidencies a little more in tune with what is going on, because we have to wait for months and months to get people working in agencies.

Mr. NICKLES. If my colleague would yield, I would be happy to work with the Senator. Some legislation has been