

(d) COMPLEMENTARY AUTHORITY.—The authority to provide assistance under this section shall be in addition to any other authority to provide assistance to a foreign country.

(e) EXPIRATION.—The authority in this section shall expire on September 30, 2006.

PRIVILEGES OF THE FLOOR

Mr. WARNER. Mr. President, I ask unanimous consent that Major Ken Casey, an Army fellow on Senator CHAMBLISS' staff, be granted floor privileges for the duration of the consideration of S. 1052, the fiscal year 2005 national Defense authorization bill.

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

Mr. INHOFE. Mr. President, I ask unanimous consent that privilege of the floor be granted to Carlos Hill, an Air Force congressional fellow on my staff, during consideration of S. 1942.

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

APPOINTMENTS

The PRESIDING OFFICER. The Chair, on behalf of the Majority Leader, pursuant to Public Law 107-273, announces the appointment of the following individual to serve as a member of the Antitrust Modernization Commission: Makan Delrahim, of the District of Columbia.

The Chair, on behalf of the Vice President, in accordance with 22 U.S.C. 1928a-1928d, as amended, appoints the following Senators to the Senate Delegation to the NATO Parliamentary Assembly in Copenhagen, Denmark, November 11-14, 2005 during the 109th Congress: The Honorable TRENT LOTT of Mississippi; The Honorable WAYNE ALLARD of Colorado; The Honorable JEFF SESSIONS of Alabama; The Honorable JIM BUNNING of Kentucky, and The Honorable GEORGE VOINOVICH of Ohio.

MEASURE PLACED ON THE CALENDAR—S. 1960

Mr. WARNER. Mr. President, under rule XIV, I understand there is a bill at the desk that is due for a second reading.

The PRESIDING OFFICER. The clerk will read the title of the bill for a second time.

The assistant legislative clerk read as follows:

A bill (S. 1960) to protect the health and safety of all athletes, to promote the integrity of professional sports by establishing minimum standards for the testing of steroids and other performance-enhancing substances and methods by professional sports leagues, and for other purposes.

Mr. WARNER. In order to place the bill on the calendar under provisions of rule XIV, I object to further proceeding.

The PRESIDING OFFICER. The objection having been heard, the bill will be placed on the calendar pursuant to Rule XIV.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. WARNER. Mr. President, I ask unanimous consent the Senate immediately proceed to executive session to consider the following nominations on today's Executive Calendar: Nominations 422, 423, 427, 429, 430, 431 and 434 and all nominations on the secretary's desk.

I further ask unanimous consent the nominations be considered en bloc, the motions to reconsider be laid on the table, 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 considered and confirmed en bloc are as follows:

DEPARTMENT OF STATE

Jeffrey Thomas Bergner, of Virginia, to be an Assistant Secretary of State (Legislative Affairs).

James Caldwell Cason, of Florida, 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 Paraguay.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

Shana L. Dale, of Georgia, to be Deputy Administrator of the National Aeronautics and Space Administration.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Orlando J. Cabrera, of Florida, to be an Assistant Secretary of Housing and Urban Development.

EXECUTIVE OFFICE OF THE PRESIDENT

Katherine Baicker, of New Hampshire, to be a Member of the Council of Economic Advisers.

Matthew Slaughter, of New Hampshire, to be a Member of the Council of Economic Advisers.

DEPARTMENT OF JUSTICE

Wan J. Kim, of Maryland, to be an Assistant Attorney General.

IN THE COAST GUARD

PN844 COAST GUARD nominations (9) beginning David K. Almond, and ending JEFFREY SAINÉ, which nominations were received by the Senate and appeared in the Congressional Record of September 8, 2005.

PN879 COAST GUARD nominations (56) beginning Steven J. Andersen, and ending Vann J. Young, which nominations were received by the Senate and appeared in the Congressional Record of September 15, 2005.

PN957-1 COAST GUARD nomination of Louvenia A. McMillan, which was received by the Senate and appeared in the Congressional Record of October 6, 2005.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

PN797 NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION nominations (7) beginning John W. Humphrey Jr., and ending Mark H. Pickett, which nominations were received by the Senate and appeared in the Congressional Record of July 29, 2005.

PN935 NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION nominations (14) beginning Melissa M. Ford, and ending Jamie S. Wasser, which nominations were received by the Senate and appeared in the Congressional Record of September 28, 2005.

NOMINATION OF WAN J. KIM

Mr. DURBIN. Mr. President, the Assistant Attorney General for Civil Rights is the face of civil rights law enforcement in America. I will support Wan Kim's nomination for this important post.

For nearly 50 years, the Justice Department's Civil Rights Division has enforced Nation's civil rights laws and combated racism, discrimination, and other civil rights abuses. And during the past 50 years, our Nation has made important strides in the fight for civil rights. The recent death of Rosa Parks is a reminder of how far we have come, and of the courageous acts it took to get here.

I am concerned, however, about the Bush Administration's commitment to civil rights law enforcement and especially voting rights. As Chief Justice Roberts testified at his confirmation hearing, the right to vote is the "preservative" right of all other rights. Without that fundamental right, citizens are voiceless and powerless.

At his nomination hearing, I asked Wan Kim about the Civil Rights Division's August 26 preclearance of a voter identification law in the state of Georgia that is discriminatory and "a national disgrace," in the words of the New York Times. The law requires people without a driver's license—a group disproportionately consisting of the poor, the elderly, and minorities to pay \$20 or more for a State ID card in order to vote. There isn't a single place in the entire city of Atlanta where the cards are sold. The Georgia law aims to be an anti-fraud measure, but the Secretary of State in Georgia maintains there has not been a proven case of voter fraud in that state in nearly a decade.

Although Mr. Kim has been the Deputy Assistant Attorney General in the Civil Rights Division for over 2 years, he said he has not supervised voting rights issues and does not have an opinion about whether the Georgia law should have been precleared. That's a fair answer.

But I hope Mr. Kim reads a decision handed down just a few days after his nomination hearing by a Federal judge in Georgia, who enjoined the law and ruled that it appeared to be unconstitutional. The judge wrote that the Georgia law "constitutes a poll tax." Just last week, this ruling was affirmed by a three-judge panel of the conservative U.S. Court of Appeals for the 11th Circuit. Two of the three judges on the panel were appointed by President George H.W. Bush.

I am also concerned that the Bush administration has not brought a single voting rights lawsuit alleging racial discrimination against African Americans. Perhaps even more troubling is the fact that earlier this year the Justice Department filed its first case ever under the Voting Rights Act alleging discrimination in voting

against white voters. This case was brought against a county in Mississippi, a State with a long and ugly history of discrimination against African Americans in voting.

As Congress begins to consider reauthorization of the important Voting Rights Act, I urge Mr. Kim to take a hard look at the work of the Civil Rights Division's Voting Section and those who supervise it. The Voting Section has done an effective job enforcing voting rights on behalf of language minorities, but not, in the opinion of many, on behalf of racial minorities.

Another area of concern is the productivity and management of the Civil Rights Division's Appellate Section. This section has been spending more time lately deporting illegal immigrants than enforcing civil rights. According to data provided by Mr. Kim, 62 percent of the briefs filed by the Civil Rights Division's Appellate Section in FY 2005 involved defending the government's decision to deport illegal immigrants. Nearly 40 percent of attorney hours in the Civil Rights Division's Appellate Section were devoted to this work, according to Mr. Kim. These numbers are troubling and unacceptable.

I am also concerned about the overall decline in civil rights appellate enforcement by the Civil Rights Division. According to Mr. Kim, during the first 5 years of the Bush administration, the Justice Department filed an annual average of 80 civil rights appellate briefs. By contrast, during the last 5 years of the Clinton administration, the Justice Department filed an annual average of 122 civil rights appellate briefs. In other words, there has been a 34 percent decline in civil rights appellate filings from the Clinton administration to the Bush administration. And there was a 73 percent drop in civil rights appellate amicus filings between 1999 and 2004. These are disturbing trends and I urge Mr. Kim to address them.

The Bush administration has also created a serious morale problem within the career ranks of the Civil Rights Division. Several media reports have elaborated on this problem, most recently a September 2005 Legal Affairs article entitled "An Uncivil Division" by a former high-ranking career official in the Civil Rights Division, William Yeomans. His article indicates that morale problems have largely been caused by heavy-handed tactics used by Civil Rights Division political appointees in making personnel decisions, communicating with career attorneys, and setting civil rights enforcement priorities.

During the nomination hearing of Alberto Gonzales to be Attorney General earlier this year, Senator DEWINE asked Mr. Gonzales what he would want to be remembered for as Attorney General. Mr. Gonzales said he wanted to be remembered first for fighting the war on terror, and second for protecting civil rights and voting rights.

I hope Attorney General Gonzales will do a better job of fulfilling his

pledge to protect the civil rights and voting rights of all Americans, and I urge Wan Kim to play a leading role in accomplishing this mission.

LEGISLATIVE SESSION

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

ORDERS FOR MONDAY, NOVEMBER 7, 2005

Mr. WARNER. Now, Mr. President, in order to bring to conclusion today's session, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 1 p.m. on Monday, November 7. I further ask consent that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved, and the Senate proceed to a period of morning business until 2 p.m., with the time equally divided between the majority and minority. I further ask consent that at 2 p.m. the Senate resume consideration of S. 1042, the Defense authorization bill, as under the previous order.

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

PROGRAM

Mr. WARNER. Mr. President, next week, the Senate will resume consideration of the Department of Defense authorization bill. The order provides for up to 12 relevant first-degree amendments on each side, with a limited amount of time for debate. The bill managers have made some progress today on the amendment process, and we will have at least one vote on an amendment on the Defense bill on Monday evening, at approximately 5:30 p.m. Senators should plan their schedules accordingly.

ADJOURNMENT UNTIL MONDAY, NOVEMBER 7, 2005, AT 1 P.M.

Mr. WARNER. 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 12:54 p.m., adjourned until Monday, November 7, 2005, at 1 p.m.

NOMINATIONS

Executive nominations received by the Senate November 4, 2005:

IN THE AIR FORCE

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADES INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be major general

BRIGADIER GENERAL LARITA A. ARAGON, 0000
BRIGADIER GENERAL TOD M. BUNTING, 0000
BRIGADIER GENERAL CRAIG E. CAMPBELL, 0000

BRIGADIER GENERAL WILLIAM R. COTNEY, 0000
BRIGADIER GENERAL R. ANTHONY HAYNES, 0000
BRIGADIER GENERAL CHARLES V. ICKES II, 0000
BRIGADIER GENERAL ROBERT A. KNAUFF, 0000
BRIGADIER GENERAL JAMES R. MARSHALL, 0000
BRIGADIER GENERAL TERRY L. SCHERLING, 0000
BRIGADIER GENERAL MICHAEL J. SHIRA, 0000
BRIGADIER GENERAL EMMETT R. TITSHAW, JR., 0000

To be brigadier general

COLONEL DAVID S. ANGLE, 0000
COLONEL THOMAS M. BOTCHIE, 0000
COLONEL RICHARD W. BURRIS, 0000
COLONEL GARRY C. DEAN, 0000
COLONEL MICHAEL J. DORNBUSH, 0000
COLONEL KATHLEEN E. FICK, 0000
COLONEL EDWARD R. FLORA, 0000
COLONEL JAMES H. GWIN, 0000
COLONEL SCOTT B. HARRISON, 0000
COLONEL DAVID M. HOPPER, 0000
COLONEL HOWARD P. HUNT III, 0000
COLONEL CYNTHIA N. KIRKLAND, 0000
COLONEL JOHN M. MOTLEY, JR., 0000
COLONEL GERALD C. OLESEN, 0000
COLONEL ALAN W. PALMER, 0000
COLONEL MICHAEL L. PEPLINSKI, 0000
COLONEL ESTHER A. RADA, 0000
COLONEL ALEX D. ROBERTS, 0000

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

To be brigadier general

COLONEL GREGORY A. BISCOME, 0000
COLONEL EDWARD L. BOLTON, JR., 0000
COLONEL JOSEPH D. BROWN IV, 0000
COLONEL GREGORY L. BRUNDIDGE, 0000
COLONEL TIMOTHY A. BYERS, 0000
COLONEL MICHAEL W. CALLAN, 0000
COLONEL DANIEL R. EAGLE, 0000
COLONEL DAVID S. FADOK, 0000
COLONEL CRAIG A. FRANKLIN, 0000
COLONEL DAVID L. GOLDSTEIN, 0000
COLONEL FRANCIS L. HENDRICKS, 0000
COLONEL JOHN W. HESTERMAN III, 0000
COLONEL JAMES W. HYATT, 0000
COLONEL JOHN E. HYTEN, 0000
COLONEL MICHELLE D. JOHNSON, 0000
COLONEL RICHARD C. JOHNSTON, 0000
COLONEL JOSEPH A. LANNI, 0000
COLONEL KENNETH D. MERCHANT, 0000
COLONEL MICHAEL R. MOELLER, 0000
COLONEL HARRY D. POLUMBO, 0000
COLONEL JOHN D. POSNER, 0000
COLONEL JAMES O. POSS, 0000
COLONEL MARIE F. RAMSAY, 0000
COLONEL MARE O. SCHISSLER, 0000
COLONEL CHARLES K. SHUGG, 0000
COLONEL MARVIN T. SMOOT, JR., 0000
COLONEL ALFRED J. STEWART, 0000
COLONEL EVERETT H. THOMAS, 0000
COLONEL WILLIAM W. UHLE, JR., 0000
COLONEL DARTANIAN WARR, 0000
COLONEL BRETT T. WILLIAMS, 0000
COLONEL TOD D. WOLTERS, 0000

IN THE ARMY

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADES INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be major general

BRIGADIER GENERAL ROBERT P. FRENCH, 0000
BRIGADIER GENERAL DONALD J. GOLDBORN, 0000
BRIGADIER GENERAL RICHARD B. MOORHEAD, 0000
BRIGADIER GENERAL MARVIN W. PIERSON, 0000
BRIGADIER GENERAL STEWART A. REEVE, 0000
BRIGADIER GENERAL RANDALL E. SAYRE, 0000
BRIGADIER GENERAL THEODORE G. SHUEY, JR., 0000
BRIGADIER GENERAL THOMAS L. SINCLAIR, 0000
BRIGADIER GENERAL DAVID A. SPRYNCZYNSATYK, 0000
BRIGADIER GENERAL STEPHEN F. VILLACORTA, 0000
BRIGADIER GENERAL GREGORY L. WAYT, 0000
BRIGADIER GENERAL JOHN J. WEEDEN, 0000
BRIGADIER GENERAL DEBORAH C. WHEELING, 0000

To be brigadier general

COLONEL RICKY G. ADAMS, 0000
COLONEL STEPHEN E. BOGLE, 0000
COLONEL BRENT M. BOYLES, 0000
COLONEL STEPHEN C. BURRITT, 0000
COLONEL ANDREW C. BURTON, 0000
COLONEL CAMERON A. CRAWFORD, 0000
COLONEL JOSEPH G. DEPAUL, 0000
COLONEL MARK C. DOW, 0000
COLONEL DOUGLAS B. EARHART, 0000
COLONEL WILLIAM L. ENYART, JR., 0000
COLONEL GLENN C. HAMMOND III, 0000
COLONEL DAVID L. HARRIS, 0000
COLONEL ROBERT A. HARRIS, 0000
COLONEL GRANT L. HAYDEN, 0000
COLONEL JOHN W. HELTZEL, 0000
COLONEL LEODIS T. JENNINGS, 0000
COLONEL LARRY D. KAY, 0000
COLONEL JEFF W. MATHIS III, 0000
COLONEL WENDELL B. MCCLAIN, 0000
COLONEL TIMOTHY S. PHILLIPS, 0000
COLONEL JANET E. PHIPPS, 0000
COLONEL STANLEY R. PUTNAM, 0000
COLONEL RONALD J. RANDAZZO, 0000
COLONEL JOSEPH M. RICHIE, 0000
COLONEL KING E. SIDWELL, 0000
COLONEL EUGENE A. STOCKTON, 0000