

push to stop the wasteful spending that destroys the public's trust in elected officials. In this way, former Senator Metzenbaum laid the ground work for those of us who continue the fight to rein in wasteful government spending. His later service as the chairman of the Consumer Federation of America was a testament to his strong commitment to consumer advocacy.

Howard Metzenbaum was such a distinguished Member of this body, both because he served the people of Ohio so well, and because he set such an outstanding example of courage and commitment to those of us who had the privilege to serve with him. I join my colleagues, the State of Ohio, and the entire Nation in paying tribute to this great American.

Mr. REID. I ask unanimous consent that the resolution and preamble be agreed to en bloc, and the motions to reconsider be laid on the table.

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

The resolution (S. Res. 485) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

#### S. RES. 485

Whereas Howard Metzenbaum served the people of Ohio with distinction for 8 years in the Ohio State Legislature;

Whereas Howard Metzenbaum served the people of Ohio with distinction for 18 years in the United States Senate;

*Resolved*, That the Senate has heard with profound sorrow and deep regret the announcement of the death of the Honorable Howard Metzenbaum, former member of the United States Senate.

*Resolved*, That the Secretary of the Senate communicate these resolutions to the House of Representatives and transmit an enrolled copy thereof to the family of the deceased.

*Resolved*, That when the Senate recesses today, it stand in recess as a further mark of respect to the memory of the Honorable Howard Metzenbaum.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

#### APPOINTMENTS AUTHORITY

Mr. REID. Mr. President, I ask unanimous consent that notwithstanding the upcoming recess or adjournment of the Senate, the President of the Senate, the President pro tempore, and the majority and minority leaders be authorized to make appointments to commissions, committees, boards, conferences or interparliamentary conferences authorized by law, by concurrent action of the two Houses or by order of the Senate.

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

#### NOMINATIONS

Mr. REID. Mr. President, I have spent a lot of time today with the President's Chief of Staff, Josh Bolten. I have said before, he is a very pleasant man. We worked for a long time today trying to work ourselves through the nominations. I think we made great progress. I think we have teed things up to do even more when we come back after 2 weeks.

To show my good faith, when Mr. Bolten said he wanted to work with us, I approved Mr. Filip, who the Attorney General said was very important to him. Judge Filip left a Federal judgeship and is now acting as the Attorney General's Chief of Staff, for lack of a better word.

So we have made progress. And even through this that we have done today, I, in good faith, threw in some people I thought were important, even though we did not have them done—and that was not part of the original deal—and that was to confirm the head of the Internal Revenue Service. But we have done that.

#### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

Mr. REID. So, Mr. President, I now ask unanimous consent that the Senate proceed to executive session to consider the following nominations: 401, 402, 404, 428, 429, 430, 431, 440, 441, 450, 452, 460, 461, 463, 464, 465, 467, 468, 469, 470, 475, 480, 481 through 489, 490 through 507, 509, 511 through 515, and all nominations on the Secretary's desk; that the nominations be confirmed en bloc, the President be immediately notified of the Senate's action, and the Senate return to legislative session.

The PRESIDING OFFICER. Is there objection?

The Chair hears none, and it is so ordered.

The nominations considered and confirmed en bloc are as follows:

#### CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD

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

#### TENNESSEE VALLEY AUTHORITY

Thomas C. Gilliland, of Georgia, to be a Member of the Board of Directors of the Tennessee Valley Authority for the remainder of the term expiring May 18, 2011.

#### NUCLEAR REGULATORY COMMISSION

Kristine L. Svinicki, of Virginia, to be a Member of the Nuclear Regulatory Commission for a term of five years expiring June 30, 2012.

Gregory B. Jaczko, of the District of Columbia, to be a Member of the Nuclear Regulatory Commission for a term of five years expiring June 30, 2013.

#### REFORM BOARD (AMTRAK)

Thomas C. Carper, of Illinois, to be a Member of the Reform Board (Amtrak) for a term of five years.

Nancy A. Naples, of New York, to be a Member of the Reform Board (Amtrak) for a term of 5 years.

#### DEPARTMENT OF JUSTICE

Ondray T. Harris, of Virginia, to be Director, Community Relations Service, for a term of four years.

David W. Hagy, of Texas, to be Director of the National Institute of Justice.

#### IN THE NAVY

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

#### To be vice admiral

Vice Adm. John C. Harvey, Jr.

#### UNITED STATES ADVISORY COMMISSION ON PUBLIC DIPLOMACY

John E. Osborn, of Delaware, to be a Member of the United States Advisory Commission on Public Diplomacy for a term expiring July 1, 2009.

#### UNITED STATES ADVISORY COMMISSION ON PUBLIC DIPLOMACY

William J. Hybl, of Colorado, to be a Member of the United States Advisory Commission on Public Diplomacy for a term expiring July 1, 2009.

Elizabeth F. Bagley, of the District of Columbia, to be a Member of the United States Advisory Commission on Public Diplomacy for a term expiring July 1, 2008.

#### INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT

Ana M. Guevara, of Florida, to be United States Alternate Executive Director of the International Bank for Reconstruction and Development for a term of two years.

#### DEPARTMENT OF STATE

Goli Ameri, of Oregon, to be an Assistant Secretary of State (Educational and Cultural Affairs).

#### UNITED STATES TRADE AND DEVELOPMENT AGENCY

Larry Woodrow Walther, of Arkansas, to be Director of the Trade and Development Agency.

#### DEPARTMENT OF STATE

David J. Kramer, of Massachusetts, to be Assistant Secretary of State for Democracy, Human Rights, and Labor.

#### UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

Jeffrey J. Grieco, of Virginia, to be an Assistant Administrator of the United States Agency for International Development.

#### DEPARTMENT OF STATE

James Francis Moriarty, of Massachusetts, 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 People's Republic of Bangladesh.

Margaret Scobey, of Tennessee, 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 Arab Republic of Egypt.

William Joseph Hawe, of Washington, to be United States Marshal for the Western District of Washington for the term of four year.

#### DEPARTMENT OF THE TREASURY

Douglas H. Shulman, of the District of Columbia, to be Commissioner of Internal Revenue for the term prescribed by law.

#### 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*

Maj. Gen. Vern M. Findley, II

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 general*

Lt. Gen. Stephen R. Lorenz

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. Allen G. Peck

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. John T. Sheridan

IN THE ARMY

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

*To be general*

Lt. Gen. Martin E. Dempsey

The following named officer for appointment in the United States Army 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. Kathleen M. Gainey

IN THE MARINE CORPS

The following named officer for appointment as the Assistant Commandant of the Marine Corps and appointment to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., sections 601 and 5044:

*To be general*

Lt. Gen. James F. Amos

IN THE NAVY

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

*To be vice admiral*

Rear Adm. Derwood C. Curtis

The following named officers for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

*To be rear admiral*

Rear Adm. (lh) William R. Burke

Rear Adm. (lh) Mark H. Buzby

Rear Adm. (lh) Philip H. Cullom

Rear Adm. (lh) Mark I. Fox

Rear Adm. (lh) Timothy M. Giardina

Rear Adm. (lh) Robert S. Harward, Jr.

Rear Adm. (lh) William H. Hilarides

Rear Adm. (lh) Daniel Holloway

Rear Adm. (lh) Douglas J. McAneny

Rear Adm. (lh) John W. Miller

Rear Adm. (lh) Michael S. O'Bryan

Rear Adm. (lh) Frank C. Pandolfi

Rear Adm. (lh) David L. Philman

Rear Adm. (lh) Brian C. Prindle

Rear Adm. (lh) Donald P. Quinn

Rear Adm. (lh) Walter M. Skinner

Rear Adm. (lh) James P. Wisecup

DEPARTMENT OF LABOR

Neil Romano, of Maryland to be an Assistant Secretary of Labor.

FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

Michael F. Duffy, of the District of Columbia, to be a Member of the Federal Mine Safety and Health Review Commission for a term of six years expiring August 30, 2012.

Robert F. Cohen, Jr., of West Virginia, to be a Member of the Federal Mine Safety and Health Review Commission for a term of six years expiring August 30, 2012.

HARRY S TRUMAN SCHOLARSHIP FOUNDATION

Javaid Anwar, of Nevada, to be a Member of the Board of Trustees of the Harry S Truman Scholarship Foundation for a term expiring December 10, 2007.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

Jamsheed K. Choksy, of Indiana, to be a Member of the National Council on the Humanities for a term expiring January 26, 2014.

Dawn Ho Delbanco, of New York, to be a Member of the National Council on the Humanities for a term expiring January 26, 2014.

Gary D. Glenn, of Illinois, to be a Member of the National Council on the Humanities for a term expiring January 26, 2014.

David Hertz, of Indiana, to be a Member of the National Council on the Humanities for a term expiring January 26, 2014.

Marvin Bailey Scott, of Indiana, to be a Member of the National Council on the Humanities for the remainder of the term expiring January 26, 2010.

Carol M. Swain, of Tennessee, to be a Member of the National Council on the Humanities for a term expiring January 26, 2014.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Joxel Garcia, of Connecticut, to be Medical Director in the Regular Corps of the Public Health Service, subject to the qualifications therefor as provided by law and regulations, and to be an assistant Secretary of Health and Human Services.

INSTITUTE OF MUSEUM AND LIBRARY SERVICES

Jan Cellucci, of Massachusetts, to be a Member of the National Museum and Library Services Board for a term expiring December 6, 2012.

William J. Hagenah, of Illinois, to be a Member of the National Museum and Library Services Board for a term expiring December 6, 2012.

Mark Y. Herring, of South Carolina, to be a Member of the National Museum and Library Services Board for a term expiring December 6, 2012.

Julia W. Bland, of Louisiana, to be a Member of the National Museum and Library Services Board for a term expiring December 6, 2012.

NATIONAL BOARD FOR EDUCATION SCIENCES

Sally Epstein Shaywitz, of Connecticut, to be a Member of the Board of Directors of the National Board for Education Sciences for a term expiring November 28, 2011.

Frank Philip Handy, of Florida, to be a Member of the Board of Directors of the National Board for Education Sciences for a term expiring November 28, 2011.

Jonathan Baron, of Maryland, to be a Member of the Board of Directors of the National Board for Education Sciences for a term expiring November 28, 2011.

DEPARTMENT OF COMMERCE

John J. Sullivan, of Maryland, to be Deputy Secretary of Commerce.

IN THE COAST GUARD

The following named officer for appointment as Chief of Staff of the Coast Guard and to the grade indicated under title 14, U.S.C., section 50a:

*To be vice admiral*

Rear Adm. Clifford I. Pearson

The following named officer for appointment as Commander, Atlantic Area of the United States Coast Guard in the grade indicated under title 14, U.S.C., section 50:

*To be vice admiral*

Vice Adm. Robert J. Papp

The following named officer for appointment as Commander, Pacific Area of the United States Coast Guard and to the grade indicated under section 50:

*To be vice admiral*

Rear Adm. David P. Pekoske

The following named officer for appointment to serve as the Director of the Coast Guard Reserve pursuant to title 14, U.S.C., section 53 in the grade indicated:

*To be rear admiral (lower half)*

RDML (select) Daniel R. May

HARRY S TRUMAN SCHOLARSHIP FOUNDATION

Javaid Anwar, of Nevada, to be a Member of the Board of Trustees of the Harry S Truman Scholarship Foundation for a term expiring December 10, 2013.

NOMINATIONS PLACED ON THE SECRETARY'S DESK

IN THE AIR FORCE

PN1389 AIR FORCE nomination of Andre G. Sarmiento, which was received by the Senate and appeared in the Congressional Record of February 27, 2008.

PN1390 AIR FORCE nomination of Rickey J. Reynolds, which was received by the Senate and appeared in the Congressional Record of February 27, 2008.

PN1391 AIR FORCE nomination of Daniel E. Bates, which was received by the Senate and appeared in the Congressional Record of February 27, 2008.

PN1392 AIR FORCE nominations (2) beginning JEFFREY D. LEWIS, and ending ROBERT J. LOVE, which nominations were received by the Senate and appeared in the Congressional Record of February 27, 2008.

PN1393 AIR FORCE nominations (3) beginning Austin B. Dosh, and ending JOSHUA M. SILL, which nominations were received by the Senate and appeared in the Congressional Record of February 27, 2008.

PN1394 AIR FORCE nominations (3) beginning GERALD B. WHISLER III, and ending SAMUEL R. WETHERILL, which nominations were received by the Senate and appeared in the Congressional Record of February 27, 2008.

PN1435 AIR FORCE nominations (34) beginning FRANK W. ALLARA JR., and ending JOHN M. YACCINO, which nominations were received by the Senate and appeared in the Congressional Record of March 3, 2008.

PN1436 AIR FORCE nominations (60) beginning JOHN R. ANDRUS, and ending RANDALL C. ZERNZACH, which nominations were received by the Senate and appeared in the Congressional Record of March 3, 2008.

PN1437 AIR FORCE nominations (22) beginning KATHRYN L. AASEN, and ending RICHARD D. TOWNSEND, which nominations were received by the Senate and appeared in the Congressional Record of March 3, 2008.

PN1438 AIR FORCE nominations (132) beginning ZENEN T. ALPUERTO, and ending DUSTIN ZIEROLD, which nominations were received by the Senate and appeared in the Congressional Record of March 3, 2008.

PN1439 AIR FORCE nominations (56) beginning LENNY W. ARIAS, and ending MICHAEL K. TOWNSEND, which nominations were received by the Senate and appeared in the Congressional Record of March 3, 2008.

PN1440 AIR FORCE nominations (296) beginning WESLEY M. ABADIE, and ending SCOTT A. ZAKALUZY, which nominations were received by the Senate and appeared in the Congressional Record of March 3, 2008.

## IN THE ARMY

PN1289 ARMY nomination of Samuel H. Williams, which was received by the Senate and appeared in the Congressional Record of February 5, 2008.

PN1290 ARMY nomination of Michael R. Brooks, which was received by the Senate and appeared in the Congressional Record of February 5, 2008.

PN1291 ARMY nomination of James E. Davis, which was received by the Senate and appeared in the Congressional Record of February 5, 2008.

PN1292 ARMY nomination of Michael G. Ryder, which was received by the Senate and appeared in the Congressional Record of February 5, 2008.

PN1295 ARMY nominations (51) beginning NICOLAS AGUILAR, and ending D060541, which nominations were received by the Senate and appeared in the Congressional Record of February 5, 2008.

PN1296 ARMY nominations (144) beginning DOREENE R. AGUAYO, and ending GEORGE J. ZECKLER, which nominations were received by the Senate and appeared in the Congressional Record of February 5, 2008.

PN1297 ARMY nominations (84) beginning ROY W. ALABRAN, and ending JOHN T. WILSON, which nominations were received by the Senate and appeared in the Congressional Record of February 5, 2008.

PN1298 ARMY nominations (21) beginning KRISTIN E. AGRESTA, and ending MICHELLE THOMPSON, which nominations were received by the Senate and appeared in the Congressional Record of February 5, 2008.

PN1368 ARMY nomination of Richard E. Michael, which was received by the Senate and appeared in the Congressional Record of February 26, 2008.

PN1369 ARMY nomination of Michael E. McCowan, which was received by the Senate and appeared in the Congressional Record of February 26, 2008.

PN1370 ARMY nomination of Michael F. Szymaniak, which was received by the Senate and appeared in the Congressional Record of February 26, 2008.

PN1371 ARMY nomination of Barbara T. Embry, which was received by the Senate and appeared in the Congressional Record of February 26, 2008.

PN1372 ARMY nominations (2) beginning JOSE A. ACOSTAHERNANDEZ, and ending MARY E. CAPOCCIONI, which nominations were received by the Senate and appeared in the Congressional Record of February 26, 2008.

PN1395 ARMY nomination of Llena C. Caldwell, which was received by the Senate and appeared in the Congressional Record of February 27, 2008.

PN1396 ARMY nomination of Deanna L. Reiber, which was received by the Senate and appeared in the Congressional Record of February 27, 2008.

PN1397 ARMY nomination of Christopher D. Yao, which was received by the Senate and appeared in the Congressional Record of February 27, 2008.

PN1398 ARMY nomination of Michael L. Mansi, which was received by the Senate and appeared in the Congressional Record of February 27, 2008.

PN1399 ARMY nomination of Marc Ferraro, which was received by the Senate and appeared in the Congressional Record of February 27, 2008.

PN1400 ARMY nomination of Wendell L. King, which was received by the Senate and appeared in the Congressional Record of February 27, 2008.

PN1401 ARMY nominations (2) beginning PAUL C. PERLIK, and ending KEITH MOORE, which nominations were received by the Senate and appeared in the Congressional Record of February 27, 2008.

PN1402 ARMY nominations (4) beginning MARC C. HENDLER, and ending JAMES D. TOWNSEND, which nominations were received by the Senate and appeared in the Congressional Record of February 27, 2008.

PN1403 ARMY nominations (4) beginning JAMES H. KELLY, and ending KRISTINE R. SAUNDERS, which nominations were received by the Senate and appeared in the Congressional Record of February 27, 2008.

PN1404 ARMY nominations (3) beginning ALLYSON A. PETERSON, and ending BRIAN E. PREHN, which nominations were received by the Senate and appeared in the Congressional Record of February 27, 2008.

PN1405 ARMY nominations (2) beginning LARRY W. AKE, and ending PATRICK S. CARSON, which nominations were received by the Senate and appeared in the Congressional Record of February 27, 2008.

PN1406 ARMY nominations (3) beginning GARY L. GROSS, and ending PETER M. TAN, which nominations were received by the Senate and appeared in the Congressional Record of February 27, 2008.

PN1407 ARMY nominations (11) beginning HAROLD L. CAMPBELL JR., and ending KENNETH P. STORZ, which nominations were received by the Senate and appeared in the Congressional Record of February 27, 2008.

PN1408 ARMY nominations (73) beginning MAGDALENA A. ACEVEDO, and ending CORY J. YOUNG, which nominations were received by the Senate and appeared in the Congressional Record of February 27, 2008.

## IN THE COAST GUARD

PN1387 COAST GUARD nomination of Kimberly J. Avsec, which was received by the Senate and appeared in the Congressional Record of February 27, 2008.

PN1388 COAST GUARD nominations (2) beginning ANTHONY K. PALMER, and ending PATRICK J. ST. JOHN, which nominations were received by the Senate and appeared in the Congressional Record of February 27, 2008.

## IN THE FOREIGN SERVICE

PN1305 FOREIGN SERVICE nominations (18) beginning Allan P. Mustard, and ending Kevin N. Smith, which nominations were received by the Senate and appeared in the Congressional Record of February 6, 2008.

## IN THE MARINE CORPS

PN1249 MARINE CORPS nominations (123) beginning JULIAN D. ALFORD, and ending PHILIP J. ZIMMERMAN, which nominations were received by the Senate and appeared in the Congressional Record of January 23, 2008.

PN1299 MARINE CORPS nominations (344) beginning BAMIDELE J. ABOGUNRIN, and ending JAY K. ZOLLMANN, which nominations were received by the Senate and appeared in the Congressional Record of February 5, 2008.

PN1300 MARINE CORPS nominations (856) beginning BERT H. ABBOTT, and ending MARK D. ZIMMER, which nominations were received by the Senate and appeared in the Congressional Record of February 5, 2008.

PN1373 MARINE CORPS nomination of Phillip J. Woodward, which was received by the Senate and appeared in the Congressional Record of February 26, 2008.

PN1374 MARINE CORPS nominations (3) beginning JEFFREY S. CLEMONS, and ending ANTHONY J. GIOVENCO JR., which nominations were received by the Senate and appeared in the Congressional Record of February 26, 2008.

PN1375 MARINE CORPS nominations (3) beginning BRIAN J. CORRIS, and ending LARRY MIYAMOTO, which nominations were received by the Senate and appeared in the Congressional Record of February 26, 2008.

PN1376 MARINE CORPS nominations (4) beginning DONALD F. CARTER JR., and ending JAMES R. TOWNEY, which nominations were received by the Senate and appeared in the Congressional Record of February 26, 2008.

PN1377 MARINE CORPS nominations (2) beginning CHRISTOPHER J. COX, and ending DOUGLAS M. TAYLOR, which nominations were received by the Senate and appeared in the Congressional Record of February 26, 2008.

PN1378 MARINE CORPS nominations (5) beginning ROBERT A. DILL, and ending EDWARD T. SEIFERT, which nominations were received by the Senate and appeared in the Congressional Record of February 26, 2008.

PN1379 MARINE CORPS nominations (5) beginning BILLY A. DUBOSE, and ending MARK A. MITCHELL, which nominations were received by the Senate and appeared in the Congressional Record of February 26, 2008.

PN1380 MARINE CORPS nominations (10) beginning STEPHEN M. BREEN, and ending RAYMOND J. WHITE, which nominations were received by the Senate and appeared in the Congressional Record of February 26, 2008.

PN1381 MARINE CORPS nominations (108) beginning ROBERT S. ADAMS, and ending JOHN G. ZUPPAN, which nominations were received by the Senate and appeared in the Congressional Record of February 26, 2008.

PN1409 MARINE CORPS nomination of Patrick T. Grosso, which was received by the Senate and appeared in the Congressional Record of February 27, 2008.

PN1410 MARINE CORPS nomination of James D. McCoy, which was received by the Senate and appeared in the Congressional Record of February 27, 2008.

PN1411 MARINE CORPS nomination of Walter C. Murphy Jr., which was received by the Senate and appeared in the Congressional Record of February 27, 2008.

PN1412 MARINE CORPS nomination of Donald L. Bohannon, which was received by the Senate and appeared in the Congressional Record of February 27, 2008.

PN1413 MARINE CORPS nomination of Charles B. Spencer, which was received by the Senate and appeared in the Congressional Record of February 27, 2008.

PN1414 MARINE CORPS nominations (2) beginning JOHN G. OLIVER, and ending ROGER W. SCAMBLER, which nominations were received by the Senate and appeared in the Congressional Record of February 27, 2008.

PN1415 MARINE CORPS nominations (2) beginning MARK F. BIRK, and ending KENNETH L. KELSAY, which nominations were received by the Senate and appeared in the Congressional Record of February 27, 2008.

PN1416 MARINE CORPS nominations (2) beginning CHRISTOPHER J. AMBS, and ending TODD E. KUNST, which nominations were received by the Senate and appeared in the Congressional Record of February 27, 2008.

PN1417 MARINE CORPS nominations (2) beginning TIM J. SCHROEDER, and ending JOSEPH G. SINESE, which nominations were received by the Senate and appeared in the Congressional Record of February 27, 2008.

PN1418 MARINE CORPS nominations (2) beginning RICHARD D. HARDIN, and ending GEORGE M. SEXTON, which nominations were received by the Senate and appeared in the Congressional Record of February 27, 2008.

PN1419 MARINE CORPS nominations (2) beginning ROY E. LAWRENCE, and ending DANIEL R. WESTPHAL, which nominations were received by the Senate and appeared in the Congressional Record of February 27, 2008.

PN1420 MARINE CORPS nominations (2) beginning PETER D. CHARBONEAU, and ending STEVEN R. FREDDEEN, which nominations were received by the Senate and appeared in the Congressional Record of February 27, 2008.

PN1421 MARINE CORPS nominations (3) beginning SAL L. LEBLANC, and ending KEVIN R. WILLIAMS, which nominations were received by the Senate and appeared in the Congressional Record of February 27, 2008.

PN1422 MARINE CORPS nominations (3) beginning ROBERT F. EMMINGER, and ending MICHAEL G. MARCHAND, which nominations were received by the Senate and appeared in the Congressional Record of February 27, 2008.

PN1423 MARINE CORPS nominations (8) beginning CHRISTOPHER F. BERGERON, and ending MARK B. WINDHAM, which nominations were received by the Senate and appeared in the Congressional Record of February 27, 2008.

#### NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

PN1453 NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION nominations (16) beginning Bennie N. Johnson, and ending Faith C. Opatrny, which nominations were received by the Senate and appeared in the Congressional Record of March 5, 2008.

#### IN THE NAVY

PN1301 NAVY nomination of Roderick A. Bache, which was received by the Senate and appeared in the Congressional Record of February 5, 2008.

PN1424 NAVY nominations (5) beginning JEFFREY H. NARD, and ending DANIEL J. TRUEBA JR., which nominations were received by the Senate and appeared in the Congressional Record of February 27, 2008.

PN1425 NAVY nominations (4) beginning ANDREW S. LOMAX, and ending RUPERT L. HUSSEY, which nominations were received by the Senate and appeared in the Congressional Record of February 27, 2008.

PN1426 NAVY nominations (7) beginning DAVID R. COUGHLIN, and ending TIMOTHY S. STYLES, which nominations were received by the Senate and appeared in the Congressional Record of February 27, 2008.

PN1427 NAVY nominations (45) beginning MICHAEL D. T. EDWARDS, and ending CHAD D. WEST, which nominations were received by the Senate and appeared in the Congressional Record of February 27, 2008.

PN1441 NAVY nomination of Keith L. Ferguson, which was received by the Senate and appeared in the Congressional Record of March 3, 2008.

Mr. LEAHY. Mr. President, in the time before the 2-week Easter recess, we continue to make progress in filling high level vacancies at the Department of Justice. Today, the Senate will confirm three nominations to important positions at the Department, including nominations of David Hagy to be Director of the National Institute of Justice; Ondray Harris to be Director of the Community Relations Service; and William Joseph Hawe to be U.S. Marshal for the Western District of Washington.

I thank Senator CARDIN for chairing the hearing on these nominations. We continued our work in connection with high-ranking Department of Justice nominees earlier this week when Senator KENNEDY chaired our hearing on the nomination of Grace Chung Becker to be Assistant Attorney General in charge of the Civil Rights Division.

The Civil Rights Division is entrusted with protecting precious rights of Americans, including our fundamental right to vote and our rights against discrimination. That hearing was the seventh the committee has held since last September on executive nominations, as we continue to work to restock and restore the leadership of the Department of Justice in the wake of the scandals of the Gonzales era.

A little more than a year ago, the Judiciary Committee began its oversight efforts for the 110th Congress. Over the next 9 months, our efforts revealed a Department of Justice gone awry. The leadership crisis came more and more into view as Senator SPECTER and I led a bipartisan group of concerned Senators to consider the U.S. attorney firing scandal, a confrontation over the legality of the administration's warrantless wiretapping program, the untoward political influence of the White House at the Department of Justice, and the secret legal memos excusing all manner of excess.

This crisis of leadership has taken a heavy toll on the tradition of independence that has long guided the Justice Department and provided it with safe harbor from political interference. It shook the confidence of the American people. Through bipartisan efforts among those from both sides of the aisle who care about federal law enforcement and the Department of Justice, we joined together to press for accountability. That resulted in a change in leadership at the Department, with the resignations of the Attorney General and many high-ranking Department officials.

The partisan accusations of "slow walking" nominations that the President engaged in at the White House recently, in which he used Republican Senators and nominees as political props, are belied by the facts. They are about as accurate as when President Bush ascribed Attorney General Gonzales' resignation to supposed "unfair treatment" and having "his good name . . . dragged through the mud for political reasons." The U.S. Attorney firing scandal was of the administration's own making. It decimated morale at the Department of Justice. A good way to help restore the Justice Department would be for this administration to acknowledge its wrongdoing.

What those who say we are "slow-walking" nominations do not say is that as a result of the mass resignations at the Justice Department in the wake of the scandals of the Gonzales era, the committee was holding eight hearings on high-ranking replacements to restock and restore the leadership of the Department of Justice between September of last year and this month, including confirmation hearings for the new Attorney General, the new Deputy Attorney General, the new Associate Attorney General, and so many others. Of course those 5 months also include the December and January holiday period and break between sessions.

What is being ignored by the President and Senate Republicans as they play to a vocal segment of their Republican base is that we have worked hard to make progress and restore the leadership of the Department of Justice. In the last few months, we have confirmed a new Attorney General, a new Deputy Attorney General, held hearings for several other high-ranking Justice Department spots, and voted them out of the Judiciary Committee. Today we continue that progress with three more executive nominations confirmed.

We could have made progress even sooner, had the Republican members of the Judiciary Committee not effectively boycotted our business meetings in February and obstructed our ability to report the O'Connor nominations and other high-ranking Justice Department nominations as well as judicial nominations. I adjourned both our February 14 and February 28 meetings for lack of a quorum.

It is vital that we ensure that we have a functioning, independent Justice Department. In January, the Judiciary Committee held our first oversight hearing of the new session and the first with new Attorney General Michael Mukasey. We held another oversight hearing this month with FBI Director Mueller. These are more steps forward in our efforts to lift the veil of White House secrecy, restore checks and balances to our government, and begin to repair the damage this administration inflicted on the Department, our Constitution, and fundamental American values.

We continue to press for accountability even as we learn startling new revelations about the extent to which some will go to avoid accountability, undermine oversight, and stonewall the American people's right to the truth. We find shifting answers on issues including the admission that the CIA used waterboarding on detainees in reliance on the advice of the Department of Justice; the destruction of White House emails required by law to be preserved; and the CIA's destruction of videotapes of detainee interrogations not shared with the 9/11 Commission, Congress or the courts. The only constant is the demand for immunity and unaccountability among those in the administration. This White House continues to stonewall the legitimate needs for information articulated by the Judiciary Committee and others in the Congress, and contemptuously to refuse to appear when summoned by congressional subpoena.

In spite of the administration's lack of cooperation, the Senate is moving forward with the confirmation of these executive nominations. With the confirmations today, we will have confirmed 26 executive nominations, including the confirmations of 9 U.S. attorneys, 5 U.S. marshals, and the top 2 positions at the Justice Department so far this Congress.

Of course, we could have made even more progress had the White House

sent us timely nominations to fill the remaining executive branch vacancies with nominees who will restore the independence of Federal law enforcement. There are now 19 districts across the country with acting or interim U.S. attorneys instead of Senate-confirmed, presidentially appointed U.S. attorneys. For more than a year I have been talking publicly about the need to name U.S. Attorneys to fill these vacancies to no avail.

I was disappointed but not surprised to see the administration return to tired political attacks. What better time than right now, when the economy is slipping farther off the tracks, when the President's budget shows record annual deficits, with Osama bin Laden still at large, when gas prices rise well beyond \$3 a gallon, when we lost 63,000 jobs last month, and when a mortgage crisis grips many parts of the country. I wish the President would put aside his partisan playbook and work with us to address the priorities of ordinary Americans.

We have seen what happens when the rule of law plays second fiddle to a President's agenda and the partisan desires of political operatives and it is a disaster for the American people. Both the President and the Nation are best served by a Justice Department that provides sound advice and takes responsible action, without regard to political considerations—not one that develops legalistic loopholes to serve the ends of a particular administration.

I congratulate the nominees and their families on their confirmations today.

#### NOMINATION OF KRISTINE SVINICKI

Mr. WARNER. Mr. President, I rise today to express my great pleasure with the Senate confirmation of Kristine Svinicki to serve as a Commissioner of the Nuclear Regulatory Commission.

As you may know, Ms. Svinicki is both a longtime resident of my State, and a staff member on the Senate Armed Services Committee, which I have had the privilege to serve on for over 28 years.

During her time with the Senate Armed Services Committee, Ms. Svinicki served with distinction, immersing herself in nuclear energy matters. Her tireless efforts proved invaluable in our committee's work, and her service has been appreciated by not only me but by the other members of the Armed Services Committee—on both sides of the aisle.

It is not well known in some quarters, but the Armed Services Committee has jurisdiction over approximately two-thirds of the Department of Energy—including the very sizable nuclear weapons production sites and laboratory complex, as well as the extensive environmental program to clean up the legacy of nuclear contamination created during the Cold War. These are the programs which I hired Kristine to staff.

With her extensive background and experience in nuclear matters both at

the Department of Energy, where she worked prior to joining the Armed Services Committee, and subsequently in her work here in the Senate, Ms. Svinicki is uniquely poised to take on this next challenge.

It is my sincere belief that Kristine Svinicki will be a favorable addition to the Nuclear Regulatory Commission, and I am pleased the full Senate agrees. I appreciate the overwhelming support given to her by this body, and I know she will do all in her power to honor the trust placed in her by the President, the Senate, and the American people.

Mr. REID. Mr. President, these have been approved; is that right?

Mr. BROWN. They have been.

Mr. REID. I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. REID. Mr. President, just to show that we are trying to work with the President's Chief of Staff, as I indicated earlier, we put this in. Even though it wasn't part of the original agreement I had with Mr. Bolten, we added Doug Shuma, Commissioner of the Internal Revenue Service—I am looking for Mr. Sullivan—and John J. Sullivan, Deputy Secretary of Commerce. So we have worked hard to live up to our end of the bargain. I hope when we come back after the break, we can do more. I have indicated to the distinguished Republican leader and to Mr. Bolton, if things work out right and we are able to work together, there should be some judges we can approve when we come back.

#### LEGISLATIVE SESSION

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

#### AUTHORITY FOR COMMITTEES TO REPORT

Mr. REID. Mr. President, everyone has worked long and hard tonight. I appreciate everyone's patience and cooperation.

I ask unanimous consent that notwithstanding the Senate's recess, committees be authorized to report legislative and executive matters on March 27 from 10 a.m. to 12 noon.

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

#### THANKS TO STAFF

Mr. REID. Mr. President, everyone has expressed appreciation to a lot of people, but the people in front of the Presiding Officer have been here all day, all night, and now it is morning time. They get very little recognition or attention, but on behalf of the whole Senate, we really appreciate all of your work. We have pages who have been here since early this morning. I would

like to express my appreciation to the wonderful floor staff we have, especially someone whom I couldn't do the work without, Lula Davis, who does such great work for the majority, and Dave Schiappa, who is really—even though he looks out, sometimes, a little too much for the minority, he is a pleasant person to work with and is always very fair and understanding of our issues. So I appreciate the work he and Lula do, the work they do together.

#### ORDER OF PROCEDURE

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in recess until 12 p.m. on Tuesday, March 18, for a pro forma session only, with no business conducted; that the Senate recess until 11 a.m. Friday, March 21, for a pro forma session only, with no business conducted; that the Senate recess until 10 a.m. Monday, March 24, for a pro forma session only, with no business conducted; that the Senate recess until 9 a.m. Thursday, March 27, for a pro forma session only, with no business conducted; that the Senate recess until 2 p.m. Monday, March 31; that following the prayer and the pledge, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and that the Senate proceed to a period for the transaction of morning business, with Senators permitted to speak for up to 10 minutes each.

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

#### RECESS UNTIL TUESDAY, MARCH 18, 2008

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in recess under the previous order as a mark of further respect to the memory of Howard Metzenbaum, late a former Senator from the State of Ohio.

There being no objection, the Senate, at 2:36 a.m., recessed until Tuesday, March 18, 2008, at 12 noon.

#### NOMINATIONS

Executive nominations received by the Senate:

##### ENVIRONMENTAL PROTECTION AGENCY

DAVID R. HILL, OF MISSOURI, TO BE AN ASSISTANT ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY, VICE ROGER ROMULUS MARTELLA, JR.

##### DEPARTMENT OF STATE

BARBARA MCCONNELL BARRETT, OF ARIZONA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF FINLAND.

T. VANCE MCMAHAN, OF TEXAS, TO BE REPRESENTATIVE OF THE UNITED STATES OF AMERICA ON THE ECONOMIC AND SOCIAL COUNCIL OF THE UNITED NATIONS, WITH THE RANK OF AMBASSADOR.

##### THE JUDICIARY

G. STEVEN AGEE, OF VIRGINIA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE FOURTH CIRCUIT, VICE J. MICHAEL LUTTIG, RESIGNED.