

this juncture during the 1996 session, another presidential election year.

The fact that Senate Democrats have moved more of President Bush's nominees more quickly when we have been in the majority than the Republicans did working with a President of their own party have is nothing new, just unacknowledged. We confirmed 100 nominations in only 17 months in 2001 and 2002, while working with a most uncooperative White House, reducing the judicial vacancies I confronted when I became Judiciary Committee chairman in the summer of 2001 by 45 percent by the end of 2002. The 40 additional judicial nominations we confirmed when I became chairman, again, last year was more than in any of the previous 3 years with a Republican majority and Republican chairman.

It is ironic that the Senate's Republican minority is so focused on the number of judges, because the reduction in judicial vacancies is the one number that has improved during the Bush administration in an era of skyrocketing gas prices, unemployment, health care costs and deficits and plummeting consumer confidence and home values.

On July 1, 2000, when a Republican Senate majority was considering the judicial nominees of a Democratic President in a presidential election year, there were 60 judicial vacancies. Twenty-one were circuit court vacancies. Those vacancies were the result of years of Republican pocket filibusters of judicial nominations. In stark contrast, after the 2 nominations we confirmed yesterday and the circuit court judges we confirmed on Tuesday, there are just 40 total judicial vacancies throughout the country, with only 9 circuit court vacancies. By confirming Judge Helene White and Ray Kethledge to the last two vacancies on the Sixth Circuit Court of Appeals, we reduced circuit court vacancies to single digits for the first time in decades—nine vacancies on our Nation's 13 circuit courts.

The Judiciary Committee and the Senate have continued to make progress filling judicial vacancies even while having to devote extensive time and attention to rebuilding the Department of Justice. At the beginning of this Congress, the Judiciary Committee began its oversight efforts. 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 and subverting the rule of law.

What our efforts exposed was a crisis of leadership that took 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.

This week's troubling report from the Department's inspector general confirms what our oversight efforts in this Congress have uncovered about the politicization of hiring practices at the Department. It confirms our findings and our fears that the same senior Department officials involved with the firing of U.S. attorneys were injecting improper political motives into the process of hiring young attorneys. I suspect further reports from the inspector general will continue to shed light on the extent to which the Bush administration has allowed politics to affect—and infect—the Department's priorities, from law enforcement to the operation of the crucial Civil Rights Division to the Department's hiring practices.

This report and those to follow will serve as a reminder to future Presidents that never again should blatant partisanship be made the crux of the Justice Department's hiring practices. The Department of Justice is not the President's legal defense team. It houses our Nation's top law enforcement officers, and it has been crippled in the last 7 years. By beginning the first real oversight efforts of this administration, we have uncovered troubling truths about this administration's efforts to infuse partisan politics into our Nation's top law enforcement agency.

The oversight efforts did not complete our work. Any result of the mass resignations at the Justice Department in the wake of the scandals, the committee held seven hearings on high-ranking replacements to restock and restore the leadership of the Department of Justice between September of last year up through the spring, including confirmation hearings for the new Attorney General, the new Deputy Attorney General, the new Associate Attorney General, and so many others. I thank Senator WHITEHOUSE for chairing the hearings on the Katsas nomination. Today we continue that progress by confirming another nominee for an important leadership position at the Department.

It is vital that we ensure that we have a functioning, independent Justice Department, and that we ensure that this sad era in the history of the Department is not repeated. 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 and ideological litmus tests to serve the ends of a particular administration.

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

LEGISLATIVE SESSION

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

ORDERS FOR MONDAY, JUNE 30, AND MONDAY, JULY 7, 2008

Mr. LEVIN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 10 a.m. on Monday, June 30 for a pro forma session only; that following the pro forma session, the Senate stand adjourned under the provisions of H. Con. Res. 379, the adjournment resolution, until 2 p.m. on Monday, July 7; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and the Senate proceed to a period of morning business until 3 p.m., with Senators permitted to speak for up to 10 minutes each; that following morning business, the Senate resume consideration of the House message to accompany H.R. 3221, the housing reform legislation, as under the previous order; I further ask that the RECORD remain open until 2 p.m. for the introduction of statements, cosponsorships, introduction of bills, and committee reporting.

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

PROGRAM

Mr. LEVIN. Mr. President, under a previous order, at 5:30 p.m. on Monday, the Senate will proceed to a cloture vote on the motion to concur with respect to the housing reform legislation. As Senator REID stated earlier today, last night we were able to reach an agreement with respect to the FISA legislation. When we return from the Fourth of July recess, we will take up the FISA legislation and consider three amendments with limited debate time. Senators should be prepared to debate and vote on FISA on Tuesday, July 8.

ADJOURNMENT UNTIL 10 A.M., MONDAY, JUNE 30, 2008

Mr. LEVIN. If there is no further business to come before the Senate, I ask unanimous consent it stand adjourned under the previous order.

There being no objection, the Senate, at 1:38 p.m., adjourned until Monday, June 30, 2008, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF STATE

THOMAS A. BETRO, OF VIRGINIA, TO BE INSPECTOR GENERAL, DEPARTMENT OF STATE, VICE HOWARD J. KRONGARD, RESIGNED.

BRIAN H. HOOK, OF IOWA, TO BE AN ASSISTANT SECRETARY OF STATE (INTERNATIONAL ORGANIZATION AFFAIRS), VICE KRISTEN SILVERBERG.

DISCHARGED NOMINATIONS

The Senate Committee on Foreign Relations was discharged from further consideration of the following nomination and the nomination was confirmed:

LYNDON L. OLSON, JR., OF TEXAS, TO BE A MEMBER OF THE UNITED STATES ADVISORY COMMISSION ON PUBLIC DIPLOMACY FOR A TERM EXPIRING JULY 1, 2011.

The Senate Committee on Banking, Housing, and Urban Affairs was discharged from further consideration of the following nomination and the nomination was confirmed:

ELIZABETH A. DUKE, OF VIRGINIA, TO BE A MEMBER OF THE BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM FOR THE UNEXPIRED TERM OF FOURTEEN YEARS FROM FEBRUARY 1, 1998.

The Senate Committee on Health, Education, Labor, and Pensions was discharged from further consideration of the following nomination and the nomination was confirmed:

CONSTANCE S. BARKER, OF ALABAMA, TO BE A MEMBER OF THE EQUAL EMPLOYMENT OPPORTUNITY COMMISSION FOR A TERM EXPIRING JULY 1, 2011.

CONFIRMATIONS

Executive nominations confirmed by the Senate Friday, June 27, 2008:

DEPARTMENT OF TRANSPORTATION

SIMON CHARLES GROS, OF NEW JERSEY, TO BE AN ASSISTANT SECRETARY OF TRANSPORTATION.

DEPARTMENT OF HOMELAND SECURITY

HARVEY E. JOHNSON, JR., OF VIRGINIA, TO BE DEPUTY ADMINISTRATOR, FEDERAL EMERGENCY MANAGEMENT AGENCY, DEPARTMENT OF HOMELAND SECURITY.

DEPARTMENT OF STATE

MARK KIMMITT, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF STATE (POLITICAL-MILITARY AFFAIRS).

JAMES B. CUNNINGHAM, OF NEW YORK, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF CAREER MINISTER, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO ISRAEL.

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.

T. VANCE MCMAHAN, OF TEXAS, TO BE AN ALTERNATE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE SESSIONS OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS, DURING HIS TENURE OF SERVICE AS REPRESENTATIVE OF THE UNITED STATES OF AMERICA ON THE ECONOMIC AND SOCIAL COUNCIL OF THE UNITED NATIONS.

IN THE NAVY

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 (lower half)

CAPT. DONALD E. GADDIS

DEPARTMENT OF STATE

LILIANA AYALDE, 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 PARAGUAY.

JOHN R. BEYLLIE, OF MICHIGAN, 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 RUSSIAN FEDERATION.

ASIF J. CHAUDHRY, OF WASHINGTON, 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 MOLDOVA.

JAMES CULBERTSON, OF NORTH CAROLINA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE KINGDOM OF THE NETHERLANDS.

ROSEMARY ANNE DICARLO, OF THE DISTRICT OF COLUMBIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE ALTERNATE REPRESENTATIVE OF THE UNITED STATES OF AMERICA FOR SPECIAL POLITICAL AFFAIRS IN THE UNITED NATIONS, WITH THE RANK OF AMBASSADOR.

DAVID F. GIRARD-DICARLO, OF PENNSYLVANIA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF AUSTRIA.

JOHN MELVIN JONES, OF VIRGINIA, 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 CO-OPERATIVE REPUBLIC OF GUYANA.

TINA S. KAIDANOW, OF THE DISTRICT OF COLUMBIA, 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 KOSOVO.

KRISTEN SILVERBERG, OF TEXAS, TO BE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE EUROPEAN UNION, WITH THE RANK AND STATUS OF AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY.

ROSEMARY ANNE DICARLO, OF THE DISTRICT OF COLUMBIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AN ALTERNATE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE SESSIONS OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS DURING HER TENURE OF SERVICE AS ALTERNATE REPRESENTATIVE OF THE UNITED STATES OF AMERICA FOR SPECIAL POLITICAL AFFAIRS IN THE UNITED NATIONS.

UNITED STATES ADVISORY COMMISSION ON PUBLIC DIPLOMACY

LEZLEE J. WESTINE, OF VIRGINIA, TO BE A MEMBER OF THE UNITED STATES ADVISORY COMMISSION ON PUBLIC DIPLOMACY FOR A TERM EXPIRING JULY 1, 2009.

LYNDON L. OLSON, JR., OF TEXAS, TO BE A MEMBER OF THE UNITED STATES ADVISORY COMMISSION ON PUBLIC DIPLOMACY FOR A TERM EXPIRING JULY 1, 2008.

DEPARTMENT OF STATE

ERIC J. BOSWELL, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSISTANT SECRETARY OF STATE (DIPLOMATIC SECURITY).

ERIC J. BOSWELL, OF THE DISTRICT OF COLUMBIA, TO BE DIRECTOR OF THE OFFICE OF FOREIGN MISSIONS, AND TO HAVE THE RANK OF AMBASSADOR DURING HIS TENURE OF SERVICE.

DEPARTMENT OF HOMELAND SECURITY

ELAINE C. DUKE, OF VIRGINIA, TO BE UNDER SECRETARY FOR MANAGEMENT, DEPARTMENT OF HOMELAND SECURITY.

SECURITIES AND EXCHANGE COMMISSION

ELISSE WALTER, OF MARYLAND, TO BE A MEMBER OF THE SECURITIES AND EXCHANGE COMMISSION FOR A TERM EXPIRING JUNE 5, 2012.

TROY A. PAREDES, OF MISSOURI, TO BE A MEMBER OF THE SECURITIES AND EXCHANGE COMMISSION FOR A TERM EXPIRING JUNE 5, 2013.

LUIS AGUILAR, OF GEORGIA, TO BE A MEMBER OF THE SECURITIES AND EXCHANGE COMMISSION FOR THE REMAINDER OF THE TERM EXPIRING JUNE 5, 2010.

NATIONAL CREDIT UNION ADMINISTRATION

MICHAEL E. FRYZEL, OF ILLINOIS, TO BE A MEMBER OF THE NATIONAL CREDIT UNION ADMINISTRATION BOARD FOR A TERM EXPIRING AUGUST 2, 2013.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

SUSAN D. PEPPLER, OF CALIFORNIA, TO BE AN ASSISTANT SECRETARY OF HOUSING AND URBAN DEVELOPMENT.

SHEILA MCNAMARA GREENWOOD, OF LOUISIANA, TO BE AN ASSISTANT SECRETARY OF HOUSING AND URBAN DEVELOPMENT.

DEPARTMENT OF THE TREASURY

NEEL T. KASHKARI, OF CALIFORNIA, TO BE AN ASSISTANT SECRETARY OF THE TREASURY.

EXECUTIVE OFFICE OF THE PRESIDENT

DONALD B. MARRON, OF MARYLAND, TO BE A MEMBER OF THE COUNCIL OF ECONOMIC ADVISERS.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

JOSEPH J. MURIN, OF PENNSYLVANIA, TO BE PRESIDENT, GOVERNMENT NATIONAL MORTGAGE ASSOCIATION.

DEPARTMENT OF COMMERCE

CHRISTOPHER R. WALL, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF COMMERCE.

THE ABOVE NOMINATIONS WERE APPROVED SUBJECT TO THE NOMINEES' COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

CONSTANCE S. BARKER, OF ALABAMA, TO BE A MEMBER OF THE EQUAL EMPLOYMENT OPPORTUNITY COMMISSION FOR A TERM EXPIRING JULY 1, 2011.

FEDERAL RESERVE SYSTEM

ELIZABETH A. DUKE, OF VIRGINIA, TO BE A MEMBER OF THE BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM FOR THE UNEXPIRED TERM OF FOURTEEN YEARS FROM FEBRUARY 1, 1998.

UNITED STATES ADVISORY COMMISSION ON PUBLIC DIPLOMACY

LYNDON L. OLSON, JR., OF TEXAS, TO BE A MEMBER OF THE UNITED STATES ADVISORY COMMISSION ON PUBLIC DIPLOMACY FOR A TERM EXPIRING JULY 1, 2011.

DEPARTMENT OF JUSTICE

GREGORY G. KATSAS, OF MASSACHUSETTS, TO BE AN ASSISTANT ATTORNEY GENERAL.

KELLY HARRISON RANKIN, OF WYOMING, TO BE UNITED STATES ATTORNEY FOR THE DISTRICT OF WYOMING FOR THE TERM OF FOUR YEARS.

CLYDE R. COOK, JR., OF NORTH CAROLINA, TO BE UNITED STATES MARSHAL FOR THE EASTERN DISTRICT OF NORTH CAROLINA FOR THE TERM OF FOUR YEARS.

IN THE AIR FORCE

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 WILLIAM J. BENDER
COLONEL BRYAN J. BENSON
COLONEL CHRISTOPHER C. BOGDAN
COLONEL DARRYL W. BURKE
COLONEL JOSEPH T. CALLAHAN III
COLONEL MICHAEL J. CAREY
COLONEL JOHN B. COOPER
COLONEL SAMUEL D. COX
COLONEL TERESA A. H. JURIC
COLONEL CARLTON D. EVERHART II
COLONEL TERRENCE A. FREHAN
COLONEL SAMUEL A. R. GREAVES
COLONEL RUSSELL J. HANDY
COLONEL SCOTT M. HANSON
COLONEL VERALIN JAMIESON
COLONEL JEFFREY G. LOFGREN
COLONEL EARL D. MATTHEWS
COLONEL KURT F. NEUBAUER
COLONEL ROBERT C. NOLAN II
COLONEL CRAIG S. OLSON
COLONEL JOHN R. RANCK, JR.
COLONEL DARRYL L. ROBERSON
COLONEL JEFFRY F. SMITH
COLONEL JOHN F. THOMPSON
COLONEL GREGORY J. TOUHILL
COLONEL THOMAS J. TRASK
COLONEL JOSEPH S. WARD, JR.
COLONEL SCOTT D. WEST
COLONEL TIMOTHY M. ZADALIS

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. PAUL J. SELVA

IN THE ARMY

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

To be brigadier general

COL. KENNY C. MONTOYA

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR PROMOTION IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be major general

BRIG. GEN. ERROL R. SCHWARTZ

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. RICKY LYNCH

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 3064 AND 3069(B):

To be major general

COL. PATRICIA D. HOROHO

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., SECTIONS 12203 AND 12211:

To be major general

BRIGADIER GENERAL TIMOTHY E. ALBERTSON
BRIGADIER GENERAL NORMAN E. ARFLACK
BRIGADIER GENERAL TOD J. CARMONY
BRIGADIER GENERAL WILLIAM L. ENYART, JR.
BRIGADIER GENERAL DENNIS E. JACOBSON
BRIGADIER GENERAL KEVIN R. MCBRIDE
BRIGADIER GENERAL OLIN O. ODEKOVEN

To be brigadier general

COLONEL DEAN W. BROWN