

State is in compliance with such requirement, but in no case more than 12 months.

“(B) HIGHER INCOME ELIGIBILITY STATE.—A higher income eligibility State described in this clause is a State that—

“(i) applies under its State child health plan an eligibility income standard for targeted low-income children that exceeds 300 percent of the poverty line; or

“(ii) because of the application of a general exclusion of a block of income that is not determined by type of expense or type of income, applies an effective income standard under the State child health plan for such children that exceeds 300 percent of the poverty line.

“(C) REQUIREMENT FOR TARGET RATE OF COVERAGE OF LOW-INCOME CHILDREN.—The requirement of this subparagraph for a State is that the rate of health benefits coverage (both private and public) for low-income children in the State is not statistically significantly (at a $p=0.05$ level) less than 80 percent of the low-income children who reside in the State and are eligible for child health assistance under the State child health plan.

“(D) HIGHER-INCOME CHILD.—For purposes of this paragraph, the term ‘higher income child’ means, with respect to a State child health plan, a targeted low-income child whose family income—

“(i) exceeds 300 percent of the poverty line; or

“(ii) would exceed 300 percent of the poverty line if there were not taken into account any general exclusion described in subparagraph (B)(ii).”

(2) CONSTRUCTION.—Nothing in the amendment made by paragraph (1) or this section this shall be construed as authorizing the Secretary of Health and Human Services to limit payments under title XXI of the Social Security Act in the case of a State that is not a higher income eligibility State (as defined in section 2105(c)(12)(B) of such Act, as added by paragraph (1)).

SA 78. Mr. MARTINEZ submitted an amendment intended to be proposed by him to the bill H.R. 2, to amend title XXI of the Social Security Act to extend and improve the Children’s Health Insurance Program, and for other purposes; which was ordered to lie on the table; as follows:

On page 43, between lines 11 and 12, and insert the following:

“(3) EXCEPTION.—

“(A) IN GENERAL.—Notwithstanding paragraph (1)(B), if a State submits, by not later than 18 months after the date of enactment of this paragraph, a plan to the Secretary that the Secretary determines is likely to reduce the levels of improper payments for the State under the Medicaid program under title XIX and the program under this title, such paragraph shall be applied with respect to such State by substituting ‘second succeeding fiscal year’ for ‘succeeding fiscal year’.

“(B) DETERMINATION.—In making the determination under subparagraph (A), the Secretary shall take into account the results of the study conducted under paragraph (4).

“(4) GAO STUDY AND REPORT ON IMPROPER PAYMENTS UNDER THE MEDICAID AND CHIP PROGRAMS AND WAYS TO REDUCE SUCH IMPROPER PAYMENTS.—

“(A) STUDY.—The Comptroller General of the United States shall conduct a study on—

“(i) the mechanisms that States are currently using to reduce improper payments under the Medicaid program under title XIX the program under this title;

“(ii) the levels of such improper payments for each State; and

“(iii) the mechanisms that States should implement in order to reduce such improper payments.

“(B) REPORT.—Not later than 12 months after the date of enactment of this paragraph, the Comptroller General of the United States shall submit a report to Congress on the study conducted under subsection (a) together with such recommendations as the Comptroller General determines appropriate.”

SA 79. Mr. BROWN submitted an amendment intended to be proposed by him to the bill H.R. 2, to amend title XXI of the Social Security Act to extend and improve the Children’s Health Insurance Program, and for other purposes; which was ordered to lie on the table; as follows:

After section 622 insert the following:

SEC. 623. ONE-TIME PROCESS FOR HOSPITAL WAGE INDEX RECLASSIFICATION IN ECONOMICALLY-DISTRESSED AREAS.

(a) RECLASSIFICATIONS.—

(1) Notwithstanding any other provision of law, effective for discharges occurring on or after April 1, 2009, and before March 31, 2012, for purposes of making payments under section 1886(d) of the Social Security Act (42 U.S.C. 1395ww(d)) to St. Vincent Mercy Medical Center (provider number 36-0112), such hospital is deemed to be located in the Ann Arbor, MI metropolitan statistical area.

(2) Notwithstanding any other provision of law, effective for discharges occurring on or after April 1, 2009 and before March 31, 2012, for purposes of making payments under section 1886(d) of the Social Security Act (42 U.S.C. 1395ww(d)) to St. Elizabeth Health Center (provider number 36-0064), Northside Medical Center (provider number 36-3307), St. Joseph Health Center (provider number 36-0161), and St. Elizabeth Boardman Health Center (provider number 36-0276), such hospitals are deemed to be located in the Cleveland-Elyria-Mentor metropolitan statistical area.

(b) RULES.—

(1) Except as provided in paragraph (2), any reclassification made under subsection (a) shall be treated as a decision of the Medicare Geographic Classification Review Board under section 1886(d)(10) of the Social Security Act (42 U.S.C. 1395ww(d)(10)).

(2) Section 1886(d)(10)(D)(v) of the Social Security Act (42 U.S.C. 1395ww(d)(10)(D)(v)), as it relates to reclassification being effective for 3 fiscal years, shall not apply with respect to a reclassification made under subsection (a).

SEC. 624. TREATMENT OF CERTAIN CANCER HOSPITALS.

(a) IN GENERAL.—

(1) TREATMENT.—Section 1886(d)(1)(B)(v) of the Social Security Act (42 U.S.C. 1395ww(d)(1)(B)(v)) is amended—

(A) in subclause (II), by striking “or” at the end;

(B) in subclause (III), by striking the semicolon at the end and inserting “, or”; and

(C) by inserting after subclause (III) the following new subclause:

“(IV) a hospital—

“(aa) that the Secretary has determined to be, at any time on or before December 31, 2011, a hospital involved extensively in treatment for, or research on, cancer,

“(bb) that is a free standing hospital, the construction of which had commenced as of December 31, 2008; and

“(cc) whose current or predecessor provider entity is University Hospitals of Cleveland (provider number 36-0137).”

(2) INITIAL DETERMINATION.—

(A) A hospital described in subclause (IV) of section 1886(d)(1)(B)(v) of the Social Security Act, as inserted by subsection (a), shall not qualify as a hospital described in such subclause unless the hospital petitions the Secretary of Health and Human Services for a determination of such qualification on or before December 31, 2011.

(B) The Secretary of Health and Human Services shall, not later than 30 days after the date of a petition under subparagraph (A), determine that the petitioning hospital qualifies as a hospital described in such subclause (IV) if not less than 50 percent of the hospital’s total discharges since its commencement of operations have a principal finding of neoplastic disease (as defined in section 1886(d)(1)(E) of such Act (42 U.S.C. 1395ww(d)(1)(E))).

(b) APPLICATION.—

(1) INAPPLICABILITY OF CERTAIN REQUIREMENTS.—The provisions of section 412.22(e) of title 42, Code of Federal Regulations, shall not apply to a hospital described in subclause (IV) of section 1886(d)(1)(B)(v) of the Social Security Act, as inserted by subsection (a).

(2) APPLICATION TO COST REPORTING PERIODS.—If the Secretary makes a determination that a hospital is described in subclause (IV) of section 1886(d)(1)(B)(v) of the Social Security Act, as inserted by subsection (a), such determination shall apply as of the first full 12-month cost reporting period beginning on January 1 immediately following the date of such determination.

(3) BASE PERIOD.—Notwithstanding the provisions of section 1886(b)(3)(E) of the Social Security Act (42 U.S.C. 1395ww(b)(3)(E)) or any other provision of law, the base cost reporting period for purposes of determining the target amount for any hospital for which such a determination has been made shall be the first full 12-month cost reporting period beginning on or after the date of such determination.

(4) REQUIREMENT.—A hospital described in subclause (IV) of section 1886(d)(1)(B)(v) of the Social Security Act, as inserted by subsection (a), shall not qualify as a hospital described in such subclause for any cost reporting period in which less than 50 percent of its total discharges have a principal finding of neoplastic disease (as defined in section 1886(d)(1)(E) of such Act (42 U.S.C. 1395ww(d)(1)(E))).

SEC. 625. RECONCILIATION AND RECOVERY OF ALL SERVICE-CONCLUDED MEDICARE FEE-FOR-SERVICE DISEASE MANAGEMENT PROGRAM FUNDING.

Notwithstanding any other provision of law, the Secretary of Health and Human Services shall provide for the immediate reconciliation and recovery of all service-concluded Medicare fee-for-service disease management program funding.

SA 80. HATCH (for himself, Mr. VITTER, Mr. BROWNBACK, Mr. THUNE, Mr. BENNETT of Utah, Mr. JOHANNES, Mr. DEMINT, Mr. ROBERTS, Mr. RISCH, Mr. INHOFE, Mr. BARRASSO, Mr. GREGG, Mr. ENSIGN, Mr. GRASSLEY, Mr. MARTINEZ, Mr. MCCAIN, Mr. ENZI, Mr. CRAPO, Mr. CORKER, Mr. KYL, Mr. GRAHAM, Mr. COBURN, and Mr. CORNYN) submitted an amendment intended to be proposed by him to the bill H.R. 2, to amend title XXI of the Social Security Act to extend and improve the Children’s Health Insurance Program, and for other purposes; which was ordered to lie on the table; as follows:

On page 76, after line 23, add the following:

SEC. 116. TREATMENT OF UNBORN CHILDREN.

(a) CODIFICATION OF CURRENT REGULATIONS.—Section 2110(c)(1) (42 U.S.C. 1397jj(c)(1)) is amended by striking the period at the end and inserting the following: “, and includes, at the option of a State, an unborn child. For purposes of the previous sentence, the term ‘unborn child’ means a member of the species *Homo sapiens*, at any stage of development, who is carried in the womb.”.

(b) CLARIFICATIONS REGARDING COVERAGE OF MOTHERS.—Section 2103 (42 U.S.C. 1397cc) is amended by adding at the end the following new subsection:

“(g) CLARIFICATIONS REGARDING AUTHORITY TO PROVIDE POSTPARTUM SERVICES AND MATERNAL HEALTH CARE.—Any State that provides child health assistance to an unborn child under the option described in section 2110(c)(1) may—

“(1) continue to provide such assistance to the mother, as well as postpartum services, through the end of the month in which the 60-day period (beginning on the last day of pregnancy) ends; and

“(2) in the interest of the child to be born, have flexibility in defining and providing services to benefit either the mother or unborn child consistent with the health of both.”.

SA 81. Mr. BUNNING submitted an amendment intended to be proposed by him to the bill H.R. 2, to amend title XXI of the Social Security Act to extend and improve the Children's Health Insurance Program, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 273, line 8, strike “inserting “\$24.78”.” and all that follows through page 276, line 9, and insert “inserting “\$2.8311 cents”.”.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON FOREIGN RELATIONS

Mr. MENENDEZ. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Wednesday, January 28, 2009, at 10 a.m., to hold a hearing entitled “Addressing Global Climate Change: The Road to Copenhagen.”

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

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. MENENDEZ. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on Wednesday, January 28, 2009, at 10 a.m. to conduct a hearing entitled “Lessons from the Mumbai Terrorist Attacks, Part II.”

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

COMMITTEE ON THE JUDICIARY

Mr. MENENDEZ. Mr. President, I ask unanimous consent that the Senate Committee on the Judiciary be authorized to meet during the session of the Senate, to conduct an executive business meeting on Wednesday, January 28, 2009, at 10 a.m. in room SH-216 of the Hart Senate Office Building.

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

COMMITTEE ON VETERANS' AFFAIRS

Mr. MENENDEZ. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be authorized to meet during the session of the Senate on Wednesday, January 28, 2009.

The Committee will meet in room 418 of the Russell Senate Office Building beginning at 9:30 a.m.

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

SUBCOMMITTEE ON FEDERAL FINANCIAL MANAGEMENT, GOVERNMENT INFORMATION, FEDERAL SERVICE, AND INTERNATIONAL SECURITY

Mr. MENENDEZ. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs' Subcommittee on Federal Financial Management, Government Information, Federal Services, and International Security be authorized to meet during the session of the Senate on Wednesday, January 28, 2009, at 2:30 p.m. to conduct a hearing entitled, “The Impact of the Economic Crisis on the U.S. Postal Service”.

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. MENENDEZ. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on Wednesday, January 28, 2009 at 2:30 p.m.

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

PRIVILEGES OF THE FLOOR

Mr. GRASSLEY. Madam President, I ask unanimous consent that Terri Postma and Rachel Miller, members of my staff, be granted the privilege of the floor during the debate of H.R. 2, the Children's Health Insurance Program Reauthorization Act of 2009.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. TESTER. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider Calendar Nos. 6, 7, 8, 10, and all nominations on the Secretary's Desk in the Air Force, Army, Marine Corps, and Navy; that the nominations be confirmed, and the motions to reconsider be laid upon the table, en bloc; that no further motions be in order, and any statements relating to the nominations be printed in the RECORD; and that the President be immediately notified of the Senate's action.

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

The nominations considered and confirmed en bloc are as follows:

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., sections 12203 and 12212:

To be major general

Brigadier General Donald A. Haught
Brigadier General Thomas J. Haynes
Brigadier General Craig D. McCord
Brigadier General Robert M. Stonestreet
Brigadier General Edward W. Tonini
Brigadier General Francis A. Turley

To be brigadier general

Colonel Margaret H. Bair
Colonel James H. Bartlett
Colonel Jorge R. Cantres
Colonel Sandra L. Carlson
Colonel Stephen D. Cotter
Colonel James T. Daugherty
Colonel Gretchen S. Dunkelberger
Colonel Robert A. Hamrick
Colonel Chris R. Helstad
Colonel Cecil J. Hensel, Jr.
Colonel Frank D. Landes
Colonel Robert L. Leeker
Colonel Rickie B. Mattson
Colonel Maureen McCarthy
Colonel John E. McCoy
Colonel John W. Merritt
Colonel Thomas R. Schiess
Colonel Rodger F. Seidel
Colonel Glenn K. Thompson
Colonel Dean L. Winslow
Colonel William M. Ziegler

IN THE MARINE CORPS

The following named officers for appointment in the United States Marine Corps Reserve to the grade indicated under title 10, U.S.C., section 12203:

To be major general

Brig. Gen. John M. Croley
Brig. Gen. Tracy L. Garrett

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., sections 12203 and 12211:

To be major general

Brigadier General Peter M. Aylward
Brigadier General Grant L. Hayden
Brigadier General David L. Jennette, Jr.
Brigadier General Robert E. Livingston, Jr.
Brigadier General William M. Maloan
Brigadier General Randy E. Manner
Brigadier General Randall R. Marchi
Brigadier General Stuart C. Pike
Brigadier General Eddy M. Spurgin
Brigadier General Charles L. Yriarte

To be brigadier general

Colonel Dennis J. Adams
Colonel Robbie L. Asher
Colonel Christopher D. Bishop
Colonel Glenn A. Bramhall
Colonel Dominic A. Cariello
Colonel Robert C. Clouse, Jr.
Colonel Robert W. Enzenauer
Colonel Peter J. Fagan
Colonel Jack R. Fox
Colonel Wilton S. Gorske
Colonel Louis H. Guernsey, Jr.
Colonel Stephen L. Huxtable
Colonel Timothy J. Kadavy
Colonel James E. Keighley
Colonel Gerald W. Ketchum
Colonel Leonard H. Kiser
Colonel Timothy L. Lake
Colonel Gregory A. Lusk
Colonel David V. Matakas
Colonel Owen W. Monconduit
Colonel Timothy E. Orr
Colonel William R. Phillips, II
Colonel Renaldo Rivera
Colonel Kenneth C. Roberts
Colonel Stephen G. Sanders
Colonel William L. Smith

Colonel Michael A. Stone
Colonel Scott L. Thoele
Colonel Robert L. Tucker, Jr.
Colonel Charles R. Veit
Colonel Roy S. Webb
Colonel Michael T. White

OFFICE OF THE DIRECTOR OF NATIONAL
INTELLIGENCE

Dennis Cutler Blair, of Pennsylvania, to be
Director of National Intelligence.

NOMINATIONS PLACED ON THE SECRETARY'S
DESK

IN THE AIR FORCE

PN2 AIR FORCE nomination of Edmund P. Zynda II, which was received by the Senate and appeared in the Congressional Record of January 7, 2009.

PN3 AIR FORCE nomination of Daniel C. Gibson, which was received by the Senate and appeared in the Congressional Record of January 7, 2009.

PN4 AIR FORCE nominations (2) beginning DONALD L. MARSHALL, and ending CHARLES E. PETERSON, which nominations were received by the Senate and appeared in the Congressional Record of January 7, 2009.

PN5 AIR FORCE nominations (3) beginning PAUL J. CUSHMAN, and ending LUIS F. SAMBOLIN, which nominations were received by the Senate and appeared in the Congressional Record of January 7, 2009.

PN6 AIR FORCE nominations (4) beginning CHRISTOPHER S. ALLEN, and ending DEEPA HARIPRASAD, which nominations were received by the Senate and appeared in the Congressional Record of January 7, 2009.

PN7 AIR FORCE nomination of Ryan R. Pendleton, which was received by the Senate and appeared in the Congressional Record of January 7, 2009.

PN8 AIR FORCE nomination of Howard L. Duncan, which was received by the Senate and appeared in the Congressional Record of January 7, 2009.

PN9 AIR FORCE nominations (5) beginning JEFFREY R. GRUNOW, and ending PAMELA T. SCOTT, which nominations were received by the Senate and appeared in the Congressional Record of January 7, 2009.

PN10 AIR FORCE nomination of Eugene M. Gaspard, which was received by the Senate and appeared in the Congressional Record of January 7, 2009.

PN11 AIR FORCE nominations (2) beginning MICHAEL R. POWELL, and ending VALERIE R. TAYLOR, which nominations were received by the Senate and appeared in the Congressional Record of January 7, 2009.

PN12 AIR FORCE nominations (2) beginning MARY ELIZABETH BROWN, and ending GERALD J. LAURSEN, which nominations were received by the Senate and appeared in the Congressional Record of January 7, 2009.

PN13 AIR FORCE nominations (3) beginning GARY R. CALIFF, and ending C. MICHAEL PADAZINSKI, which nominations were received by the Senate and appeared in the Congressional Record of January 7, 2009.

PN14 AIR FORCE nominations (5) beginning STEPHEN SCOTT BAKER, and ending PHILLIP E. PARKER, which nominations were received by the Senate and appeared in the Congressional Record of January 7, 2009.

PN15 AIR FORCE nominations (9) beginning JOSEPH ALLEN BANNA, and ending JOSEPH TOCK, which nominations were received by the Senate and appeared in the Congressional Record of January 7, 2009.

PN16 AIR FORCE nominations (69) beginning KEITH A. ACREE, and ending STEVEN L. YOUSSE, which nominations were received by the Senate and appeared in the Congressional Record of January 7, 2009.

IN THE ARMY

PN17 ARMY nomination of Scott A. Gronewold, which was received by the Sen-

ate and appeared in the Congressional Record of January 7, 2009.

PN18 ARMY nominations (2) beginning ROBERT L. KASPAR JR., and ending DAVID K. SCALES, which nominations were received by the Senate and appeared in the Congressional Record of January 7, 2009.

PN19 ARMY nomination of Emmett W. Mosley, which was received by the Senate and appeared in the Congressional Record of January 7, 2009.

PN20 ARMY nominations (2) beginning ANDREW C. MEYERDEN, and ending APRIL M. SNYDER, which nominations were received by the Senate and appeared in the Congressional Record of January 7, 2009.

PN21 ARMY nominations (6) beginning DOUGLAS M. COLDWELL, and ending STEPHEN MONTALDI, which nominations were received by the Senate and appeared in the Congressional Record of January 7, 2009.

PN22 ARMY nomination of Thomas S. Carey, which was received by the Senate and appeared in the Congressional Record of January 7, 2009.

PN23 ARMY nomination of Scottie M. Eppler, which was received by the Senate and appeared in the Congressional Record of January 7, 2009.

PN24 ARMY nomination of Pierre R. Pierce, which was received by the Senate and appeared in the Congressional Record of January 7, 2009.

PN25 ARMY nominations (2) beginning CHERYL A. CREAMER, and ending AGA E. KIRBY, which nominations were received by the Senate and appeared in the Congressional Record of January 7, 2009.

PN26 ARMY nominations (24) beginning KATHRYN A. BELILL, and ending SUZANNE R. TODD, which nominations were received by the Senate and appeared in the Congressional Record of January 7, 2009.

PN27 ARMY nominations (73) beginning CHRISTOPHER ALLEN, and ending D060522, which nominations were received by the Senate and appeared in the Congressional Record of January 7, 2009.

PN28 ARMY nominations (137) beginning JOHN L. AMENT, and ending WENDY G. WOODALL, which nominations were received by the Senate and appeared in the Congressional Record of January 7, 2009.

PN29 ARMY nominations (143) beginning TERRY L. AITKEN, and ending SARAHTYAH T. WILSON, which nominations were received by the Senate and appeared in the Congressional Record of January 7, 2009.

IN THE MARINE CORPS

PN30 MARINE CORPS nomination of Matthew E. Sutton, which was received by the Senate and appeared in the Congressional Record of January 7, 2009.

PN31 MARINE CORPS nomination of Andrew N. Sullivan, which was received by the Senate and appeared in the Congressional Record of January 7, 2009.

PN32 MARINE CORPS nomination of Tracy G. Brooks, which was received by the Senate and appeared in the Congressional Record of January 7, 2009.

PN33 MARINE CORPS nominations (2) beginning PETER M. BARACK JR., and ending JACOB D. LEIGHTY III, which nominations were received by the Senate and appeared in the Congressional Record of January 7, 2009.

PN34 MARINE CORPS nominations (2) beginning DAVID G. BOONE, and ending JAMES A. JONES, which nominations were received by the Senate and appeared in the Congressional Record of January 7, 2009.

PN35 MARINE CORPS nominations (2) beginning WILLIAM A. BURWELL, and ending BALWINDAR K. RAWALAYVANDEVORT, which nominations were received by the Senate and appeared in the Congressional Record of January 7, 2009.

PN36 MARINE CORPS nominations (2) beginning KURT J. HASTINGS, and ending CALVIN W. SMITH, which nominations were received by the Senate and appeared in the Congressional Record of January 7, 2009.

PN37 MARINE CORPS nominations (3) beginning JAMES P. MILLER JR., and ending MARC TARTER, which nominations were received by the Senate and appeared in the Congressional Record of January 7, 2009.

PN38 MARINE CORPS nomination of David S. Pummell, which was received by the Senate and appeared in the Congressional Record of January 7, 2009.

PN39 MARINE CORPS nomination of Robert M. Manning, which was received by the Senate and appeared in the Congressional Record of January 7, 2009.

PN40 MARINE CORPS nomination of Michael A. Symes, which was received by the Senate and appeared in the Congressional Record of January 7, 2009.

PN41 MARINE CORPS nomination of Paul A. Shirley, which was received by the Senate and appeared in the Congressional Record of January 7, 2009.

PN42 MARINE CORPS nomination of Richard D. Kohler, which was received by the Senate and appeared in the Congressional Record of January 7, 2009.

PN43 MARINE CORPS nominations (2) beginning JULIE C. HENDRIX, and ending MAURO MORALES, which nominations were received by the Senate and appeared in the Congressional Record of January 7, 2009.

PN44 MARINE CORPS nominations (4) beginning CHRISTOPHER N. NORRIS, and ending SAMUEL W. SPENCER III, which nominations were received by the Senate and appeared in the Congressional Record of January 7, 2009.

PN45 MARINE CORPS nominations (3) beginning ANTHONY M. NESBIT, and ending PAUL ZACHARZUK, which nominations were received by the Senate and appeared in the Congressional Record of January 7, 2009.

PN46 MARINE CORPS nominations (3) beginning GREGORY R. BIEHL, and ending BRYAN S. TEET, which nominations were received by the Senate and appeared in the Congressional Record of January 7, 2009.

PN47 MARINE CORPS nominations (2) beginning TRAVIS R. AVENT, and ending GREGG R. EDWARDS, which nominations were received by the Senate and appeared in the Congressional Record of January 7, 2009.

PN48 MARINE CORPS nominations (4) beginning JOSE A. FALCHE, and ending CLENNON ROE III, which nominations were received by the Senate and appeared in the Congressional Record of January 7, 2009.

PN49 MARINE CORPS nominations (6) beginning KEITH D. BURGESS, and ending BRIAN J. SPOONER, which nominations were received by the Senate and appeared in the Congressional Record of January 7, 2009.

PN50 MARINE CORPS nominations (3) beginning MARK L. HOBIN, and ending TERRY G. NORRIS, which nominations were received by the Senate and appeared in the Congressional Record of January 7, 2009.

PN51 MARINE CORPS nominations (26) beginning KEVIN J. ANDERSON, and ending EDWARD P. WOJNAROSKI JR., which nominations were received by the Senate and appeared in the Congressional Record of January 7, 2009.

IN THE NAVY

PN53 NAVY nomination of Steven J. Shamburger, which was received by the Senate and appeared in the Congressional Record of January 7, 2009.

PN54 NAVY nomination of Karen M. Stokes, which was received by the Senate and appeared in the Congressional Record of January 7, 2009.

PN56 NAVY nominations (7) beginning CRAIG W. AIMONE, and ending MATTHEW

M. WILLIS, which nominations were received by the Senate and appeared in the Congressional Record of January 7, 2009.

NOMINATION OF DENNIS C. BLAIR

Mrs. FEINSTEIN. Mr. President, I rise today as chairman of the Select Committee on Intelligence to urge the Senate to confirm Admiral Dennis C. Blair to be the next Director of National Intelligence.

Admiral Blair is well known to many of us from his years of service as the Commander in Chief of the U.S. Pacific Command. He has served with distinction in the national security field all his adult life, entering the Naval Academy in 1964 and serving for 34 years.

During his naval career, Admiral Blair was involved in the intelligence field and in policymaking. He worked twice in the White House, first as a fellow and then on the National Security Council staff. He worked for 2 years at the CIA as the Associate Director for Military Support. And he was named to be the Director of the Joint Staff in 1996.

He has been a consumer and a manager of intelligence through his career, and he has a strong understanding of the importance of providing the President, the Congress, and other policymakers with accurate, actionable, and timely intelligence.

Admiral Blair will be the Nation's third Director of National Intelligence, a position that was left vacant by the resignation of ADM Mike McConnell earlier this week. It is critical that Admiral Blair be confirmed so that the intelligence community has the leadership it needs.

I hope that the Senate will confirm Admiral Blair on a strong bipartisan basis, sending the signal that we are united in our support for the nominee and in our interest in strong leadership of the intelligence community.

The position of the Director of National Intelligence was created so that there would be a single leader of the 16 intelligence agencies who could bring greater integration to the work of U.S. intelligence. The job of the Director is to break down the stovepipes and put intelligence agencies back on the right track when they go astray.

Progress has been made by the previous Directors, Ambassador Negroponte and Admiral McConnell, but they would agree much work is ahead. As Admiral Blair said to the committee, it will be his job as the DNI to see that "the whole of the national intelligence enterprise is always more than the sum of its parts."

Admiral Blair has pledged, however, to take forceful action when there are disagreements or when he believes an agency is not performing as it should.

He has a keen appreciation both for the many smart, dedicated and brave professionals in the intelligence community workforce and for the role of the DNI to give these professionals the right missions, and the right tools, to collect the intelligence we need and conduct professional and accurate analysis.

President-elect Obama announced his intention to nominate Admiral Blair on January 9, 2009, and then President Obama submitted the nomination to the Senate on his first afternoon in office. The Intelligence Committee carefully reviewed Admiral Blair's record and his views on the role of the Director of National Intelligence, the threats facing the United States, and the appropriate way for the intelligence community to handle its missions.

The committee held a public hearing with Admiral Blair on January 22, at which he was introduced and supported by our distinguished colleague and very first chairman of the Senate Intelligence Committee, Senator INOUE.

Before and after the hearing, Admiral Blair answered numerous questions for the record. His answers can be found on the committee's Web site, and I commend them to all Members and the public for a better understanding of his views about the important office to which he has been nominated, and the challenges he will face on behalf of the American people.

I have been especially pleased with the commitment of Admiral Blair to address the issue of congressional oversight. In our prehearing questions, we asked Admiral Blair about his views on keeping the intelligence committees fully and currently informed of intelligence activities.

We asked him to address in particular the failure to brief the entire membership of the intelligence committees on the CIA's interrogation, detention, and rendition program, and the NSA's electronic surveillance program. His direct answer recognized a fundamental truth: "These programs were less effective and did not have sufficient legal and constitutional foundations because the intelligence committees were prevented from carrying out their oversight responsibilities."

Admiral Blair has pledged that he will work closely with the committee and the Congress to build a relationship of trust and candor. He has said that the leadership of the intelligence community must earn the support and trust of the intelligence oversight committees if it is to earn the trust and support of the American people. I wholeheartedly agree.

I am confident that Admiral Blair will ensure that the membership of the select committee is given access to the information it needs to perform its oversight role, and U.S. intelligence programs will have a stronger foundation because of it.

He has also agreed to come before the committee on a monthly basis to have candid discussions with all members on the major issues he sees and the challenges he faces. These sessions are enormously important for the committee to truly understand the workings of the intelligence community and to carry out our oversight responsibilities.

In addition, Admiral Blair will have a pivotal role in the implementation of

the recent presidential Executive orders to close the detention center in Guantanamo and ensure there is a single standard for the humane and lawful treatment of detainees by U.S. military and intelligence services.

These executive orders represent an extraordinarily important turning point for our Nation. Admiral Blair has made strong statements to the committee that torture is not moral, legal, or effective, and that the U.S. Government must have a single clear standard for the treatment and interrogation of detainees. I am convinced he will help ensure we are once more true to our ideals and protecting our national security.

Having been an early advocate of the creation of the position, it is for me a distinct honor that my very first floor responsibility as the new chairman of the Intelligence Committee is to report this nomination.

I am pleased to relay to my colleagues that the Intelligence Committee met today, on January 28, and voted to report favorably the nomination of Admiral Blair to be the Director of National Intelligence.

The Senate has moved quickly to act on this recommendation. It is a testament to the importance of the position and the qualifications of the nominee. I thank the vice chairman for working with me to move the nomination quickly but with the due diligence appropriate for this position.

Admiral Blair has my strong support to lead the intelligence community and I look forward to working with him closely in the days to come.

Mr. ROCKEFELLER. Mr. President, I rise to congratulate Admiral Denny Blair on his unanimous confirmation as the Director of National Intelligence, one of the most important and demanding jobs in our government. This position requires a leader with tremendous management skills—someone capable of bringing the 16 disparate agencies of the intelligence community into a cohesive organization that provides timely, accurate intelligence to our government.

This intelligence is necessary to keep our Nation and our people safe, so Admiral Blair undertakes a sober, solemn responsibility today. He will take on this task at a time when we are fighting two wars as well as a global fight against terrorist networks, not to mention enormous long-term strategic challenges—including those that have arisen in recent months in the wake of the global financial and economic crisis.

These are perilous times, but I am confident he is up to the task. Admiral Blair brings a wealth of valuable experience to the job. As a senior military commander he was a high level consumer of intelligence and familiar with the systems used to collect and produce intelligence. He also knows the Central Intelligence Agency having spent time as the first Associate Director for Military Affairs.