

Whereas despite the reduction in violence in Iraq in recent years, serious threats to religious freedom remain, including religiously motivated violence directed at vulnerable religious minorities, their leaders, and their holy sites, including Chaldeans, Syrians, Assyrians, Armenians and other Christians, Sabeans, Mandeans, Yazidis, Baha'is, Kaka'is, Jews, and Shi'a Shabak;

Whereas the March 2010 Report on Human Rights issued by the Department of State identifies "insurgent and extremist violence, coupled with weak government performance in upholding the rule of law" resulting in "widespread and severe human rights abuses" as among the significant and continuing human rights problems in Iraq;

Whereas although violence has impacted all aspects of society in Iraq, there have been alarming levels of religiously motivated violence in Iraq in recent years;

Whereas the United States Commission on International Religious Freedom continues to recommend that the Secretary of State designate Iraq as a "country of particular concern" under the International Religious Freedom Act of 1998, because of the systematic, ongoing, egregious violations of religious freedom in Iraq;

Whereas scores of holy sites in Iraq have been bombed since 2004;

Whereas members of small religious minority communities in Iraq do not have militia or tribal structures to defend them, often receive inadequate official protection, and are legally, politically, and economically marginalized;

Whereas in the Nineveh and Kirkuk governorates, where control is disputed between the Government of Iraq and the Kurdistan regional government, religious minorities have been targeted for abuse, violence, and discrimination;

Whereas before 1951, non-Muslims comprised some 6 percent of the population of Iraq, with Jews as the oldest and largest of these communities, tracing back to the Babylonian captivity of the sixth century BCE, but today the Jewish community in Iraq numbers in the single digits and essentially lives in hiding;

Whereas religious minorities in Iraq, who made up about 3 percent of the population of Iraq in 2003, make up a disproportionately high percentage of registered Iraqi refugees;

Whereas the number of Christians in Iraq was approximately 1,400,000 according to the 1987 Iraqi census but, according to the 2009 Report on International Religious Freedom issued by the Department of State, may now number only 500,000 to 600,000;

Whereas the United States is gravely concerned about the viability of the indigenous Christian communities of Iraq and other religious minority communities, and the possible disappearance of their ancient languages, culture, and heritage;

Whereas the Sabeans, Mandeans community in Iraq reports that almost 90 percent of its members have fled Iraq, leaving only about 3,500 to 5,000 Mandeans in Iraq as of 2009;

Whereas the Baha'i faith, estimated to have fewer than 2,000 adherents in Iraq, remains prohibited in Iraq under a 1970 law;

Whereas although hundreds of thousands of Iraqi refugees and internally displaced persons have returned to their areas of origin, the numbers of religious minority returnees to Iraq are disproportionately low; and

Whereas members of religious minority communities of Iraq in diaspora have organized to support their communities in Iraq in ways that also benefit the whole of Iraq society by encouraging the rule of law, enhanced security, employment, education and health services: Now therefore be it

## NOTICE OF HEARING

IMPEACHMENT TRIAL COMMITTEE ON THE ARTICLES AGAINST JUDGE G. THOMAS PORTEOUS, JR.

Mrs. MCCASKILL. Mr. President, I wish to announce that the Impeachment Trial Committee on the Articles Against Judge G. Thomas Porteous, Jr. will meet each day from September 13-17, at 8 a.m., to conduct a hearing.

For further information regarding this meeting, please contact Erin Johnson at 202-228-4133.

## AUTHORITY FOR COMMITTEES TO MEET

### COMMITTEE ON ARMED SERVICES

Mr. BAUCUS. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on August 5, 2010, at 9:30 a.m.

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

### COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. BAUCUS. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on August 5, 2010, at 10:30 a.m., to conduct a hearing entitled "The Obama Administration Manufacturing Agenda."

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

### COMMITTEE ON FINANCE

Mr. BAUCUS. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on August 5, 2010, immediately following the 11:20 a.m. vote on the Senate floor, in the President's Room, S-216 of the Capitol.

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

### COMMITTEE ON FOREIGN RELATIONS

Mr. BAUCUS. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on August 5, 2010, at 10:30 a.m.

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

### COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BAUCUS. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate to conduct a business meeting on August 5, 2010 at 9:30 a.m., in room SD-366 of the Dirksen Senate Office Building.

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

### COMMITTEE ON THE JUDICIARY

Mr. BAUCUS. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on August 5, 2010, at 10 a.m., in SD-226 of the Dirksen Senate Office Building, to conduct an executive business meeting.

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

### COMMITTEE ON VETERANS' AFFAIRS

Mr. BAUCUS. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be authorized to meet during the session of the Senate on August 5, 2010, at 9:30 a.m. to conduct a markup on pending legislation. 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.

## PRIVILEGES OF THE FLOOR

Mr. KAUFMAN. Mr. President, I ask unanimous consent that Jacqueline Hyatt, Jordan Franklin, and Lara Christensen from Senator BINGAMAN's office be granted floor privileges for today, August 5, 2010.

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

Mr. SCHUMER. Mr. President, I ask unanimous consent that Liz Saxe, Katharine McFarland, David Zayas, and Miles Clark, law clerks on the Judiciary Committee staff of Senator LEAHY, and Avi Zevin and Jacquelyn Stanley, law clerks on my Judiciary Committee staff, be granted the privileges of the floor for the remainder of the debate on the nomination of Elena Kagan to be Associate Justice for the U.S. Supreme Court.

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

## EXECUTIVE SESSION

### EXECUTIVE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider en bloc Calendar Nos. 959, 960, 1003, 1004, 1005, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1094, 1095, 1096, 1097, 1098, 1099, 1100 and 1101; that the nominations be confirmed en bloc; that the motions to reconsider be considered made and laid upon the table en bloc; that any statements relating to the nominations be printed in the RECORD; and that the President of the United States be immediately notified of the Senate's action.

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

The nominations were considered and confirmed, as follows:

### DEPARTMENT OF JUSTICE

Cathy Jo Jones, of Ohio, to be United States Marshall for the Southern District of Ohio.

Edward L. Stanton, III, of Tennessee, to be United States Attorney for the Western District of Tennessee for the term of four years.

Stephen R. Wigginton, of Illinois, to be United States Attorney for the Southern District of Illinois for the term of four years.

## DEPARTMENT OF JUSTICE

Timothy Q. Purdon, of North Dakota, to be United States Attorney for the District of North Dakota for the term of four years.

Willie Ransome Stafford III, of North Carolina, to be United States Marshal for the Middle District of North Carolina for the term of four years.

Arthur Darrow Baylor, of Alabama, to be United States Marshal for the Middle District of Alabama for the term of four years.

## DEPARTMENT OF JUSTICE

John F. Walsh, of Colorado, to be United States Attorney for the District of Colorado for the term of four years.

William J. Ihlenfeld, II, of West Virginia, to be United States Attorney for the Northern District of West Virginia for the term of four years.

John William Vaudreuil, of Wisconsin, to be United States Attorney for the Western District of Wisconsin for the term of four years.

Mark Lloyd Ericks, of Washington, to be United States Marshal for the Western District of Washington for the term of four years.

Joseph Patrick Faughnan, Sr., of Connecticut, to be United States Marshal for the District of Connecticut for the term of four years.

Harold Michael Oglesby, of Arkansas, to be United States Marshal for the Western District of Arkansas for the term of four years.

Conrad Ernest Candelaria, of New Mexico, to be United States Marshal for the District of New Mexico for the term of four years.

## DEPARTMENT OF JUSTICE

Melinda L. Haag, of California, to be United States Attorney for the Northern District of California for the term of four years.

Barry R. Grissom, of Kansas, to be United States Attorney for the District of Kansas for the term of four years.

David J. Hickton, of Pennsylvania, to be United States Attorney for the Western District of Pennsylvania for the term of four years.

Donald Martin O'Keefe, of California, to be United States Marshal for the Northern District of California for the term of four years.

James Thomas Fowler, of Tennessee, to be United States Marshal for the Eastern District of Tennessee for the term of four years.

Craig Ellis Thayer, of Washington, to be United States Marshal for the Eastern District of Washington for the term of four years.

Joseph Anthony Papili, of Delaware, to be United States Marshal for the District of Delaware for the term of four years.

James Alfred Thompson, of Utah, to be United States Marshal for the District of Utah for the term of four years.

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to consider en bloc Executive Calendar Nos. 809, 1019, 1027, 1028, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1053, 1055 to and including 1057, 1059 to and including 1081, and all nominations on the Secretary's desk in the Air Force, Army, Foreign Service, and Navy; that the nominations be confirmed en bloc; that the motions to reconsider be laid upon the table en bloc; that no further motions be in order; that 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 were considered and confirmed, as follows:

## DEPARTMENT OF STATE

Bisa Williams, of New Jersey, 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 Niger.

## OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE

James R. Clapper, of Virginia, to be Director of National Intelligence.

## DEPARTMENT OF STATE

Philip Carter III, of Virginia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Cote d'Ivoire.

Gerald M. Feierstein, of Pennsylvania, 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 Yemen.

Helen Patricia Reed-Rowe, of Maryland, 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 Palau.

Patrick S. Moon, of Virginia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Bosnia and Herzegovina.

Christopher W. Murray, of New York, 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 the Congo.

Mark Charles Storella, of Maryland, 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 Zambia.

J. Thomas Dougherty, of Wyoming, 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 Burkina Faso.

Eric D. Benjaminson, of Oregon, 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 Democratic Republic of Sao Tome and Principe.

Maura Connelly, of New Jersey, 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 Lebanon.

Daniel Bennett Smith, of Virginia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Greece.

James Frederick Entwistle, of Virginia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Democratic Republic of the Congo.

Laurence D. Wohlers, 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 Central African Republic.

Judith R. Fergin, 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 Democratic Republic of Timor-Leste.

Michael S. Owen, 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 Republic of Sierra Leone.

Robert Porter Jackson, of Virginia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Cameroon.

James Franklin Jeffrey, of Virginia, a Career Member of the Senior Foreign Service, Class of Minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Iraq.

Alejandro Daniel Wolff, of California, 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 Chile.

Scot Alan Marciel, of California, 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 Indonesia.

Terence Patrick McCulley, of Oregon, 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 Federal Republic of Nigeria.

Pamela E. Bridgewater Awkard, of Virginia, 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 Jamaica.

Michele Thoren Bond, of the District of Columbia, 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 Kingdom of Lesotho.

Paul W. Jones, of New York, 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 Malaysia.

Phyllis Marie Powers, of Virginia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Panama.

## DEPARTMENT OF ENERGY

Neile L. Miller, of Maryland, to be Principal Deputy Administrator, National Nuclear Security Administration.

## IN THE AIR FORCE

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

*To be brigadier general*

Col. Paul H. McGillicuddy

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

*To be brigadier general*

Col. Scott A. Vander Hamm

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. Stephen P. Mueller

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. Douglas H. Owens

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. Michael R. Moeller

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 Hugh T. Broomall  
Brigadier General Paul D. Brown, Jr.  
Brigadier General James E. Daniel, Jr.  
Brigadier General Michael J. Dornbush  
Brigadier General Matthew J. Dzialo  
Brigadier General Gregory A. Fick  
Brigadier General Robert H. Johnston  
Brigadier General Joseph L. Lengyel  
Brigadier General William N. Reddel, III  
Brigadier General James R. Wilson

*To be brigadier general*

Colonel Donald A. Ahern  
Colonel James C. Balserak  
Colonel Frank W. Barnett, Jr.  
Colonel Mark E. Bartman  
Colonel Robert M. Branyon  
Colonel Richard J. Dennee  
Colonel Richard J. Evans, III  
Colonel Lawrence P. Gallogly  
Colonel Michael D. Hepner  
Colonel Worthe S. Holt, Jr.  
Colonel Bradley S. Link  
Colonel Donald L. McCormack  
Colonel Brian G. Neal  
Colonel Roy V. Qualls  
Colonel Marc H. Sasseville  
Colonel Mark L. Stephens  
Colonel Alphonse J. Stephenson  
Colonel Kendall S. Switzer  
Colonel Daniel C. VanWyk

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 lieutenant general*

Lt. Gen. Joseph F. Fil, Jr.

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. William J. Troy

The following named officer for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., section 12203:

*To be major general*

Brig. Gen. Sanford E. Holman

The following named officer for appointment as the Dean of the Academic Board, United States Military Academy and for appointment to the grade indicated under title 10, U.S.C., section 4335:

*To be brigadier general*

Col. Timothy E. Trainor

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

*To be brigadier general*

Col. David G. Fox

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*

Brig. Gen. Hugo E. Salazar

*To be brigadier general*

Col. William L. Glasgow

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., sections 12203 and 12211:

*To be brigadier general*

Col. Steven W. Duff

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., sections 12203 and 12211:

*To be major general*

Brig. Gen. James A. Hoyer

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., sections 12203 and 12211:

*To be brigadier general*

Col. Walter T. Lord

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 Frank E. Batts  
Brigadier General Melvin L. Burch  
Brigadier General John E. Davoren  
Brigadier General Lester D. Eisner  
Brigadier General Allen M. Harrell  
Brigadier General Robert A. Harris  
Brigadier General Alberto J. Jimenez  
Brigadier General Thomas H. Katkus  
Brigadier General James D. Tyre

*To be brigadier general*

Colonel Steven W. Altman  
Colonel David B. Anderson  
Colonel David N. Aycock  
Colonel David S. Baldwin  
Colonel Jonathan T. Ball  
Colonel Craig E. Bennett  
Colonel Julie A. Bentz  
Colonel Victoria A. Betterton  
Colonel Victor A. Braden  
Colonel David R. Brown  
Colonel Felix T. Castagnola  
Colonel Peter L. Corey  
Colonel Donald S. Cotney  
Colonel Stephanie E. Dawson  
Colonel Carol A. Eggert  
Colonel Alfred C. Faber  
Colonel William A. Hall  
Colonel Richard J. Hayes  
Colonel Timothy E. Hill  
Colonel Timothy J. Hilty  
Colonel Jeffrey H. Holmes  
Colonel Janice G. Igou  
Colonel James C. Lettko  
Colonel Tom C. Loomis  
Colonel Wesley L. McClellan  
Colonel John K. McGrew  
Colonel Johnny R. Miller  
Colonel Steven R. Mount  
Colonel Eric C. Peck  
Colonel Charles E. Petrarca

Colonel Andrew P. Schafer  
Colonel Raymond F. Shields  
Colonel Lester Simpson  
Colonel Philip A. Stemple  
Colonel Randy H. Warm  
Colonel Charles W. Whittington

IN THE MARINE CORPS

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

*To be lieutenant general*

Maj. Gen. Robert E. Schmidle, Jr.

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

*To be lieutenant general*

Maj. Gen. John E. Wissler

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

*To be general*

Gen. James N. Mattis

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 brigadier general*

Col. William T. Collins  
Col. James S. Hartsell  
Col. Roger R. Machut  
Col. Marcela J. Monahan

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. Charles J. Leidig, Jr.

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. William E. Landay, III

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 M. Bird

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. Daniel P. Holloway

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. Walter M. Skinner

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 admiral*

Vice Adm. Samuel J. Locklear, III

NOMINATIONS PLACED ON THE SECRETARY'S  
DESK

IN THE AIR FORCE

PN1663 AIR FORCE nominations (52) beginning LORI A. ADAMS, and ending SHANNON G. WOMBLE, which nominations were received by the Senate and appeared in the Congressional Record of April 21, 2010.

PN1665 AIR FORCE nominations (541) beginning WILLARD B. AKINS II, and ending MICHAEL J. ZUBER, which nominations were received by the Senate and appeared in the Congressional Record of April 21, 2010.

PN1906 AIR FORCE nomination of Zennon A. Bochnak, which was received by the Senate and appeared in the Congressional Record of June 29, 2010.

PN1907-1 AIR FORCE nominations (74) beginning FREDERICK D. ALDRIDGE, and ending SCOTT D. YACKLEY, which nominations were received by the Senate and appeared in the Congressional Record of June 29, 2010.

IN THE ARMY

PN1677 ARMY nomination of Ralph L. Kauzlarich, which was received by the Senate and appeared in the Congressional Record of April 26, 2010.

PN1908 ARMY nomination of Edward B. McKee, which was received by the Senate and appeared in the Congressional Record of June 29, 2010.

PN1909 ARMY nomination of John D. Via, which was received by the Senate and appeared in the Congressional Record of June 29, 2010.

PN1910 ARMY nomination of Kyu Lund, which was received by the Senate and appeared in the Congressional Record of June 29, 2010.

PN1911 ARMY nomination of Matthew L.Y. Okuda, which was received by the Senate and appeared in the Congressional Record of June 29, 2010.

PN1912 ARMY nomination of Alexander K. Brenner, which was received by the Senate and appeared in the Congressional Record of June 29, 2010.

PN1913 ARMY nomination of Richard J. Gray, which was received by the Senate and appeared in the Congressional Record of June 29, 2010.

PN1914 ARMY nominations (7) beginning JOSEPH B. DORE, and ending COURTNEY T. TRIPP, which nominations were received by the Senate and appeared in the Congressional Record of June 29, 2010.

PN1915 ARMY nominations (13) beginning EDWARD C. CAMACHO, and ending JON B. TIPTON, which nominations were received by the Senate and appeared in the Congressional Record of June 29, 2010.

PN1916 ARMY nominations (2) beginning DAVID GONZALEZ, and ending PAMELA H. REYNOLDS, which nominations were received by the Senate and appeared in the Congressional Record of June 29, 2010.

PN1917 ARMY nominations (2) beginning GREGORY C. RISK, and ending VICTOR Y. YU, which nominations were received by the Senate and appeared in the Congressional Record of June 29, 2010.

PN1918 ARMY nominations (4) beginning MARK M. JACKSON, and ending AVINASH JADHAV, which nominations were received by the Senate and appeared in the Congressional Record of June 29, 2010.

PN1960 ARMY nominations (15) beginning SUSAN M. CEBULA, and ending D070757, which nominations were received by the Senate and appeared in the Congressional Record of July 12, 2010.

PN1961 ARMY nominations (148) beginning JOHN S. AITA, and ending D010009, which

nominations were received by the Senate and appeared in the Congressional Record of July 12, 2010.

PN1979 ARMY nominations (69) beginning ILSE K. ALUMBAUGH, and ending PAMELA M. WULF, which nominations were received by the Senate and appeared in the Congressional Record of July 14, 2010.

PN1980 ARMY nominations (16) beginning DERRON A. ALVES, and ending SAMUEL L. YINGST, which nominations were received by the Senate and appeared in the Congressional Record of July 14, 2010.

PN1981 ARMY nominations (94) beginning JENNIFER L. ANDERSON, and ending D006711, which nominations were received by the Senate and appeared in the Congressional Record of July 14, 2010.

PN1982 ARMY nomination of Edward J. Benz III, which was received by the Senate and appeared in the Congressional Record of July 14, 2010.

PN1983 ARMY nominations (10) beginning PAUL W. CARDEN, and ending SHERRY L. WOMACK, which nominations were received by the Senate and appeared in the Congressional Record of July 14, 2010.

PN2010 ARMY nominations (48) beginning JOHN P. BATSON, and ending TONY K. YOON, which nominations were received by the Senate and appeared in the Congressional Record of July 21, 2010.

PN2011 ARMY nominations (329) beginning CHRISTOPHER W. ABBOTT, and ending D00587, which nominations were received by the Senate and appeared in the Congressional Record of July 21, 2010.

PN2012 ARMY nominations (336) beginning MATTHEW C. ABOUDARA, and ending DAVID J. YOO, which nominations were received by the Senate and appeared in the Congressional Record of July 21, 2010.

PN2013 ARMY nominations (437) beginning PETER M. ABBRUZZESE, and ending G001388, which nominations were received by the Senate and appeared in the Congressional Record of July 21, 2010.

PN2014 ARMY nominations (784) beginning JOSE C. ACOSTAJAVIERRE, and ending G010027, which nominations were received by the Senate and appeared in the Congressional Record of July 21, 2010.

FOREIGN SERVICE

PN1889 FOREIGN SERVICE nominations (2) beginning Karen S. Sliter, and ending Elia P. Vanechanos, which nominations were received by the Senate and appeared in the Congressional Record of June 28, 2010.

PN1890 FOREIGN SERVICE nominations (153) beginning James K. Chambers, and ending Cameron Munter, which nominations were received by the Senate and appeared in the Congressional Record of June 28, 2010.

IN THE NAVY

PN1919 NAVY nomination of Paul J. Joyce, which was received by the Senate and appeared in the Congressional Record of June 29, 2010.

PN1920 NAVY nomination of Kerry J. Krause, which was received by the Senate and appeared in the Congressional Record of June 29, 2010.

PN1921 NAVY nomination of Matthew D. Barker, which was received by the Senate and appeared in the Congressional Record of June 29, 2010.

PN1922 NAVY nominations (4) beginning CHRISTOPHER J. KLUGEWICZ, and ending BRIGHAM C. WILLIS, which nominations were received by the Senate and appeared in the Congressional Record of June 29, 2010.

PN1923 NAVY nominations (2) beginning EDGARDO MONTERO, and ending BECKY J. WATSON, which nominations were received by the Senate and appeared in the Congressional Record of June 29, 2010.

PN1924 NAVY nominations (2) beginning DAVID B. RODRIGUEZ, and ending BRAD-

LEY J. THOM, which nominations were received by the Senate and appeared in the Congressional Record of June 29, 2010.

PN1925 NAVY nominations (5) beginning ROBERT C. BURTON, and ending ROBERT A. OLIVER JR., which nominations were received by the Senate and appeared in the Congressional Record of June 29, 2010.

PN1926 NAVY nominations (8) beginning JERRY D. BINGHAM, and ending AMIN MOURAD, which nominations were received by the Senate and appeared in the Congressional Record of June 29, 2010.

PN1927 NAVY nominations (9) beginning RUBY O. ANDERSON, and ending LYNN C. OMALLEY, which nominations were received by the Senate and appeared in the Congressional Record of June 29, 2010.

PN1928 NAVY nominations (6) beginning JOHN R. CAPRA, and ending DILLON L. ROSS, which nominations were received by the Senate and appeared in the Congressional Record of June 29, 2010.

PN1929 NAVY nominations (4) beginning PATRICIA A. FREDRICKSON, and ending JAMES M. SMITH, which nominations were received by the Senate and appeared in the Congressional Record of June 29, 2010.

PN1930 NAVY nominations (4) beginning FRANK M. GUPTON, and ending JAIME A. QUEJADA, which nominations were received by the Senate and appeared in the Congressional Record of June 29, 2010.

PN1931 NAVY nominations (17) beginning MICHAEL J. BATTAGLIA II, and ending KATHLEEN G. WILSON, which nominations were received by the Senate and appeared in the Congressional Record of June 29, 2010.

PN1932 NAVY nominations (5) beginning ROBERTO J. ATHA JR., and ending JAMES A. MCMULLIN III, which nominations were received by the Senate and appeared in the Congressional Record of June 29, 2010.

PN1933 NAVY nominations (8) beginning THOMAS H. COTTON, and ending KEVIN R. STEPHENS, which nominations were received by the Senate and appeared in the Congressional Record of June 29, 2010.

PN1934 NAVY nominations (11) beginning MARIANIE O. BALOLONG, and ending JONATHAN J. VORRATH, which nominations were received by the Senate and appeared in the Congressional Record of June 29, 2010.

PN1935 NAVY nominations (15) beginning FRANKLIN W. BENNETT, and ending EDWIN SANTANA, which nominations were received by the Senate and appeared in the Congressional Record of June 29, 2010.

PN1936 NAVY nominations (16) beginning RICHARD M. ARCHER, and ending NAGEL B. SULLIVAN, which nominations were received by the Senate and appeared in the Congressional Record of June 29, 2010.

PN1937 NAVY nominations (19) beginning WILLIAM ARIAS, and ending JAMES V. WALSH, which nominations were received by the Senate and appeared in the Congressional Record of June 29, 2010.

PN1938 NAVY nominations (20) beginning NICHOLAS E. ANDREWS, and ending WILLIAM E. WREN JR., which nominations were received by the Senate and appeared in the Congressional Record of June 29, 2010.

PN1939 NAVY nominations (23) beginning JAMIE W. ACHEE, and ending DARYK E. ZIRKLE, which nominations were received by the Senate and appeared in the Congressional Record of June 29, 2010.

PN1940 NAVY nominations (25) beginning KEVIN L. ANDERSEN, and ending PAUL W. WILKES, which nominations were received by the Senate and appeared in the Congressional Record of June 29, 2010.

PN1941 NAVY nominations (32) beginning PATRICK L. BENNETT, and ending TIMOTHY L. ZANE, which nominations were received by the Senate and appeared in the Congressional Record of June 29, 2010.



PN1942 NAVY nominations (42) beginning BRIAN M. AKER, and ending BRETT A. WISE, which nominations were received by the Senate and appeared in the Congressional Record of June 29, 2010.

PN1943 NAVY nominations (441) beginning DAVID L. AAMODT, and ending CHRISTOPHER M. YOUNG, which nominations were received by the Senate and appeared in the Congressional Record of June 29, 2010.

PN1962 NAVY nominations (2) beginning JASON L. RICH, and ending BRUNO A. SCHMITZ, which nominations were received by the Senate and appeared in the Congressional Record of July 12, 2010.

PN1963 NAVY nominations (4) beginning WENDY C. GAZA, and ending PATRICIA A. LIMPET, which nominations were received by the Senate and appeared in the Congressional Record of July 12, 2010.

PN1984 NAVY nominations (26) beginning JARED A. BATTANI, and ending ROBERT D. YOUNG, which nominations were received by the Senate and appeared in the Congressional Record of July 14, 2010.

PN1985 NAVY nomination of Virginia Skiba, which was received by the Senate and appeared in the Congressional Record of July 14, 2010.

PN2015 NAVY nomination of Barbara A. Munro, which was received by the Senate and appeared in the Congressional Record of July 21, 2010.

PN2016 NAVY nominations (4) beginning LISA M. BECOAT, and ending ROSCOE C. PORTER JR., which nominations were received by the Senate and appeared in the Congressional Record of July 21, 2010.

PN2017 NAVY nominations (20) beginning STEVEN R. BARSTOW, and ending MARK S. WINWARD, which nominations were received by the Senate and appeared in the Congressional Record of July 21, 2010.

PN2018 NAVY nominations (22) beginning MICHAEL J. ADAMS, and ending HEATHER A. WATTS, which nominations were received by the Senate and appeared in the Congressional Record of July 21, 2010.

PN2019 NAVY nominations (29) beginning RICHARD S. ADCOOK, and ending JEFFREY G. ZELLER, which nominations were received by the Senate and appeared in the Congressional Record of July 21, 2010.

PN2020 NAVY nominations (33) beginning CHRISTOPHER F. BEAUBIEN, and ending JEFFREY D. THOMAS, which nominations were received by the Senate and appeared in the Congressional Record of July 21, 2010.

PN2021 NAVY nominations (59) beginning DOMINGO B. ALINIO, and ending MARK A. ZIEGLER, which nominations were received by the Senate and appeared in the Congressional Record of July 21, 2010.

PN2022 NAVY nominations (69) beginning KAREN L. ALEXANDER, and ending MARC T. YOUNG, which nominations were received by the Senate and appeared in the Congressional Record of July 21, 2010.

PN2023 NAVY nominations (93) beginning CRISTINA ALBERTO, and ending KIM T. ZABLAN, which nominations were received by the Senate and appeared in the Congressional Record of July 21, 2010.

PN2024 NAVY nominations (121) beginning PHILLIP M. ADRIANO, and ending ROBERT A. ZALEWSKIZARAGOZA, which nominations were received by the Senate and appeared in the Congressional Record of July 21, 2010.

Mrs. FEINSTEIN. Mr. President, I rise today in support of the President's nominee to be the next Director of National Intelligence, DNI—GEN James Clapper, U.S. Air Force, Lieutenant General retired.

I am pleased his confirmation will be approved by unanimous consent.

General Clapper is well qualified to be the Director of National Intelligence. He has as much experience in the intelligence profession as anyone serving in the government today.

He has held a wide range of positions that have prepared him for this position, in the U.S. military, as the head of two intelligence agencies, and in the private sector. General Clapper is currently the highest ranking intelligence official in the Department of Defense, serving as the Under Secretary of Defense for Intelligence.

He has clearly expressed his views on the position of the DNI and described how he intends to carry out those views.

Last week, the Senate Intelligence Committee reported out his nomination on a rollcall vote of 15-0.

Not a single objection that was raised in the Senate following the committee's unanimous vote was related to the nominee, his background, his views, or how he intends to serve.

And now I am pleased to report that those objections have been worked out and General Clapper will be approved by unanimous consent.

Let me take a few minutes and describe the position to which General Clapper has been nominated, the Director of National Intelligence, or DNI.

The DNI position was first seriously considered by the so-called "Joint Inquiry" into the attacks of September 11, 2001—a joint panel of the Senate and House Intelligence Committees that studied the events leading to the attacks of 9/11 and the structural problems in the U.S. Government that led to our failure to prevent them.

The Joint Inquiry concluded that the Intelligence Community—the collection of intelligence agencies and offices across the Federal Government—could not be led by the same person who was simultaneously serving as the Director of the CIA.

This congressional panel recommended, in December 2002, that the National Security Act be amended "to create and sufficiently staff a statutory Director of National Intelligence who shall be the President's principal advisor on intelligence and shall have the full range of management, budgetary and personnel responsibilities needed to make the entire U.S. Intelligence Community operate as a coherent whole."

Two years later, the 9/11 Commission, led by former Governor Tom Kean and former Congressman Lee Hamilton, came to the same conclusion and recommended the creation of a National Intelligence Director to "manage the national intelligence program and oversee the agencies that contribute to it."

A few months later, in December 2004, the Congress passed the Intelligence Reform and Terrorism Prevention Act, IRTPA, that created the position of DNI.

By statute, the position of the Director of National Intelligence is the sen-

ior-most intelligence position in the U.S. Government. The DNI is, under the law:

The head of the 16 different offices and agencies that make up the U.S. intelligence community;

The principal advisor to the President on intelligence matters; and

The official in charge of developing the intelligence budget.

Despite that expansive charge, the first 5 years with a Director of National Intelligence at the helm of the intelligence community have been unsteady times. There have been three Directors in 5 years: Ambassador John Negroponte, ADM Mike McConnell, and ADM Dennis Blair.

It is the strong hope of the Senate Intelligence Committee that General Clapper will provide some stability to the office and set it on a more stable path.

He was asked about this in the committee's confirmation hearing. Senator WHITEHOUSE asked General Clapper if he intended to stick around. General Clapper responded "Yes, sir, I will. I wouldn't take this on without thinking about that. And I do think my experience has been, it does take time to bring these changes about."

And certainly changes are needed. I have discussed with General Clapper my concern that the position of DNI could be considered the job of a coordinator someone—who makes sure the 16 agencies are carrying out their roles and working harmoniously.

But that was not what the job was designed to be, and that isn't going to be sufficient to put in place the changes we need. The Director needs to set priorities, develop the budget accordingly, oversee agencies' implementation, and make changes when problems or gaps arise. These include:

Making sure the systems and personnel are in place to make sure the dots are connected before a terrorist attack;

Ensuring there is sufficient intelligence collected by human and technical means so that decisionmakers have an accurate and full set of facts before setting policies—for example, on sending troops to war;

Reviewing intelligence programs and activities to make sure they fit squarely within the Constitution and the law, and that Congress is provided with the information it requires to conduct independent oversight; and

Managing the intelligence budget to make sure it is spent without waste, abuse, or inappropriate duplication.

These are not the jobs of a coordinator; they are the jobs of a Director. General Clapper recognizes these as the obligations of the DNI.

The last thing I would like to note on the position of the DNI is its statutory authorities, and the limits placed on them.

In particular, the DNI is constrained from directing 15 of the 16 agencies and offices of the intelligence community, because they reside in various Federal departments. The Intelligence Reform and Terrorism Prevention Act of 2004, IRTPA, states that in carrying out his responsibilities, the DNI may not "abrogate" the statutory responsibilities

of Cabinet Secretaries. This is often interpreted to prevent centralized direction.

The 16th agency, the CIA, is not housed within a department, but it, too, has demonstrated its ability to thwart the DNI's directives it dislikes by importuning the White House.

We understand from former officials in the DNI's office that both problems have greatly frustrated past DNIs' ability to lead.

General Clapper has served on the DNI's executive committee under Directors McConnell and Blair. He has seen firsthand how this tension between the DNI's direction and the views of a Cabinet Secretary has played out.

Indeed, General Clapper has been very forthright that as the Under Secretary of Defense for Intelligence since 2007, part of his responsibility has been to uphold and support the interests of the Secretary of Defense.

But he has also assured the Intelligence Committee that, if confirmed, this would change. During his confirmation hearing, General Clapper said, "I have been, for the last three years, the Undersecretary of Defense for Intelligence. And I considered it my responsibility and my obligation to defend and protect the secretary's authorities and prerogatives to the maximum extent I could. If I were confirmed as the DNI, I will be equally assiduous in ensuring that the DNI's prerogatives and authorities are protected and advanced."

Even so, General Clapper has a track record of taking concrete steps to ensure that the interests of the Department of Defense and the intelligence community are synchronized, and both are enhanced to improve our national security.

What is more, General Clapper is perhaps unique in that he has strong relationships with the President and the national security team at the White House, the Secretary of Defense, and the CIA Director—the three most important relationships for a DNI to be successful.

So in short, I believe that General Clapper will bring to the position of the DNI the right approach, skills, and gravitas to make this work.

I will continue to work with him, like the committee has worked with past Directors, to make changes in the law to give him the authorities and flexibility that he needs.

The Senate has just passed unanimously a revised version of the fiscal year 2010 Intelligence Authorization Act. That bill includes 10 provisions to strengthen the DNI's ability to run his office and direct the intelligence community. Eight of those ten provisions were requested by this administration or the last one, and I will continue to push to get this important bill signed into law soon.

Let me say a few words now about General Clapper himself.

General Clapper has served in the intelligence field for 46 years, almost all

of which was in military and government service.

His 32 years of military service in the U.S. Air Force included wartime operations, flying 72 combat support missions over Laos and Cambodia and being a wing commander.

He has served as the Director of Intelligence, the J-2, for three warfighting commands—at U.S. Forces Korea, the Pacific Command, and the Strategic Air Command.

In the 1990s, Lieutenant General Clapper led the Defense Intelligence Agency, DIA, one of the biggest and most complex of the agencies in the intelligence community.

He retired from active duty in 1995 after this position and worked in the private sector until he was asked to return to government service and lead the National Imagery and Mapping Agency, NIMA—since renamed the National Geospatial Intelligence Agency, NGA. He led NGA for 5 years—an unusually long tenure heading an intelligence agency—until a difference of opinion with Secretary Rumsfeld cost him his job in 2006—and provided a notable example of General Clapper's willingness to "speak truth to power."

In 2007, General Clapper once again put aside the benefits of a private life and agreed to serve under Secretary Gates as the Under Secretary of Defense for Intelligence.

As he said in his confirmation hearing, the nomination to be DNI "was an unexpected turn of events. I'm in my third tour back in the government, and my plan was to walk out of the Pentagon about a millisecond after Secretary Gates. I had no plan or inkling to take on another position."

Nonetheless, he has agreed to take on this challenging and somewhat thankless position.

General Clapper was nominated by the President on June 7, 2010. He answered more than 150 tailored pre-hearing questions in addition to our standard questionnaire and appeared before a lengthy confirmation hearing on July 20.

After the hearing, he answered another 79 questions for the record and appeared in a subsequent closed session meeting with four members of the committee who had additional questions.

If there were questions or doubts about his nomination, they have been answered. In fact, when General Clapper was nominated, I had my doubts about having another person in this position with a military background and whether he viewed the position of DNI as a coordinator or a director.

My concerns have been allayed. I am confident that he will be mindful of the important intelligence needs of the military and the Department of Defense, but he will be independent of Pentagon interests. He understands that the responsibility of the DNI is to provide strategic intelligence to policymakers and that the job requires more than simple coordination.

On July 29, the Intelligence Committee voted out General Clapper's

nomination on a roll call vote of 15 to 0.

The committee has expressed its full support of General Clapper. He has excellent credentials, support from the White House and other key intelligence officials, and will be a strong Director of the Intelligence Community.

I congratulate General Clapper on his confirmation.

Mr. FEINGOLD. Mr. President, as a member of the Senate Select Committee on Intelligence, I voted in support of the confirmation of General Clapper to be Director of National Intelligence. He is clearly qualified for the position and his extensive experience at various intelligence agencies and at the Pentagon should give him a clear sense of the challenges ahead.

Over the course of the confirmation process, General Clapper provided encouraging responses on a number of issues. He expressed clear support for the declassification of the top-line intelligence budget, which would allow for the establishment of a separate intelligence budget. This reform, which was recommended by the 9/11 Commission and passed by the Senate, would improve transparency, accountability and oversight. He also agreed with the principle that the public should be made aware of secret interpretations of law. Finally, in a welcome shift from the previous DNI, General Clapper expressed openness to recommendations provided by an independent commission related to the integration of the intelligence community and those in the U.S. Government who collect information openly. Legislation to create this commission has also passed the Senate.

On other issues, General Clapper's responses were less encouraging. He indicated that he would be a "zealous advocate" for full notification of the committee, and I have no reason to doubt that. But, when asked about statutory reporting requirements under the National Security Act, he cited an incorrect interpretation of the law, specifically the assertion that the "Gang of Eight" provision that appears only in the covert action section could apply to other intelligence activities. As DNI, General Clapper will be responsible for adhering to the law, regardless of the views of counsel.

I am also concerned about his responses to questions on the PATRIOT Act, in which he described proposed safeguards on National Security Letter authorities as "crippling." As he becomes familiar with these and other surveillance authorities, and the abuses associated with them, I hope that he will become more open to efforts to protect the privacy and civil liberties of Americans.

General Clapper has testified that the DNI already has sufficient authorities, and I agree that the ODNI should not be expanded for its own sake. But there are specific, identifiable problems with how the intelligence community spends taxpayer dollars which are

addressed in provisions of the intelligence authorization bill and my Control Spending Now legislation. While I will continue to fight for those provisions, I have asked General Clapper to tackle these issues with or without new statutory authorities. I will also continue to seek greater access by the GAO to the intelligence community, an issue on which General Clapper has expressed some flexibility.

Finally, General Clapper is in a unique position to address one of the great failings of intelligence reform thus far—the extent to which intelligence and intelligence-related activities are conducted by the military, away from the oversight of the congressional intelligence committees. In some cases, such as cybersecurity operations, I remain concerned about the division of authorities but have been kept reasonably informed. In other cases, specifically the Department of Defense's use of "Section 1208" authorities to assist foreign forces and irregular groups supporting counterterrorism operations around the world, I have generally been stonewalled. General Clapper has stated that, as DNI, these activities will not be his responsibility. But the DNI, particularly one with General Clapper's background, should be assertive in ensuring that the intelligence community and the military are operating in a coordinated fashion under coherent and consistent policies, and that the congressional intelligence committees are kept fully informed of all relevant programs and operations.

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to consider en bloc the following nominations on the Executive Calendar: No. 883, J. Michelle Childs to be a United States District Judge;

No. 884, Richard Gergel to be a United States District Judge—both of these judges are from the State of South Carolina—No. 893, Leonard Stark to be a United States District Judge for the District of Delaware; and No. 657, James Wynn, to be a United States Circuit Judge; that the Senate proceed to vote en bloc on the nominations; that upon confirmation, the motions to reconsider be made and laid upon the table; that any statements relating to the nominations be printed in the RECORD, and that the President be immediately notified of the Senate's action, and the Senate then resume legislative session.

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

The nominations considered and confirmed en bloc are as follows:

#### THE JUDICIARY

J. Michelle Childs, of South Carolina, to be United States District Judge for the District of South Carolina.

Richard Mark Gergel, of South Carolina, to be United States District Judge for the District of South Carolina.

Leonard Philip Stark, of Delaware, to be United States District Judge for the District of Delaware.

James A. Wynn, Jr., of North Carolina, to be United States Circuit Judge for the Fourth Circuit.

#### LEGISLATIVE SESSION

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

#### UNANIMOUS-CONSENT REQUEST—EXECUTIVE CALENDAR

Mr. REID. Mr. President, as in executive session, I ask unanimous consent that at 3:30 p.m., Monday, September 13, the Senate proceed to executive session to consider Calendar No. 552, the nomination of Jane Stranch to be a United States Circuit Judge for the Sixth Circuit; that there be 2 hours of debate with respect to the nomination, with the time equally divided and controlled between Senators LEAHY and SESSIONS or their designees; that at 5:30 p.m. on that date, the Senate proceed to vote on confirmation of the nomination; that upon confirmation, the motion to reconsider be considered made and laid upon the table; that any statements related to the nomination be printed in the RECORD; that the President of the United States be immediately notified of the Senate's action, and the Senate then resume legislative session.

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

#### UNANIMOUS-CONSENT REQUEST—NOMINATIONS

Mr. REID. Mr. President, I ask unanimous consent that notwithstanding an adjournment/recess of the Senate, that all nominations currently in committee or on the calendar remain in status quo, notwithstanding the provisions of rule XXXI, paragraph 6, of the Standing Rules of the Senate, except the following: Calendar Nos. 404, 591, 688, 696, 697, 698, 891; 933, 958, 1008; and the following in committee: PN797, PN1644, PN1024, PN1651, PN1631, and PN1987.

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

#### UNANIMOUS-CONSENT REQUEST—EXECUTIVE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent that at a time to be determined by the majority leader, following consultation with the Republican leader, the Senate proceed to executive session and consider Calendar No. 886, Kimberly Mueller to be a United States District Judge for the Eastern District of California; that there be 1 hour of debate with respect to the nomination, with the time equally divided and controlled between Senators LEAHY and SESSIONS or their designees; that upon the use or yielding back of time, the Senate proceed to vote on confirmation of the nomination; that upon confirmation, the motion to reconsider be considered made and laid upon the table; the President be immediately notified of the Senate's action, and the Senate then resume legislative session.

The PRESIDING OFFICER. Is there objection?

Mr. MCCONNELL. I object.

The PRESIDING OFFICER. Objection is heard.

The Republican leader.

Mr. MCCONNELL. Mr. President, we just confirmed 47 nominations plus 3 district court judges, a circuit court judge, and we will continue to work on the balance of these when we return.

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

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

Mr. WHITEHOUSE. Mr. President, I understand there has just been an agreement reached and entered into the RECORD regarding a number of appointments that were on the Executive Calendar. I understand further that—in fact, I discovered just recently—there is a rule anybody who is pending on the Executive Calendar when there is a recess of longer than 30 days needs to be resubmitted.

There are a number of judges who, applying that rule and the order, would need to be resubmitted by the President. Two of them, as I understand it, are district judges. What I would like to do is ask unanimous consent regarding those two. I know there is nobody from the minority party on the floor of the Senate right now, so I am not going to ask that unanimous consent and take advantage of the lack of their presence on the floor. But I would like to ask that someone come to the floor so I may ask unanimous consent, as to district court judges who are pending on the Executive Calendar, that the application of that rule be waived for this recess.

These are names that are going to be resubmitted anyway. It adds nothing to the process other than just an extra, sort of deliberate and unnecessary hassle to require those submission and committee procedures to be replayed.

It is also my understanding there has been a tradition in this body that while circuit court nominees are considered what one might call, for better or worse, political fair game, there has been a tradition of courtesy and comity regarding district court judges who sit in the Senator's home State when both of the home State Senators have agreed to and accepted the President's recommendations and supported it, given their blue slip to the committee and so forth.

So I guess I will put the Senate back into a quorum call so that I can discuss this with my colleagues on the other side. But I hope very much that as a personal courtesy they would accept that amendment to the order that was just entered, which I believe is consistent with the traditions and practices of the Senate.