

Energy and Natural Resources be authorized to meet during the session of the Senate on Tuesday, February 11 at 10 a.m. to consider the president's proposed FY 2004 budget for the Department of the Interior.

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. LOTT. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on Tuesday, February 11, at 2:30 p.m. to consider the nomination of Joseph T. Kelliher to be a member of the Federal Energy Regulatory Commission.

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

COMMITTEE ON FINANCE

Mr. LOTT. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session on Tuesday, February 11, 2003, at 10 a.m., to hear testimony on Examination of Proposals for Economic Growth and Job Creation: Incentives for Consumption.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. LOTT. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Tuesday, February 11, 2003 at 9:30 a.m. to hold a Hearing on the Future of Iraq.

Agenda

Witnesses:

Panel 1: The Honorable Marc I. Grossman, Undersecretary of State for Political Affairs, Department of State, Washington, DC., The Honorable Douglas J. Feith, Undersecretary of Defense for Policy, Department of Defense, Washington, DC.

Panel 2: Colonel Scott R. Feil (Ret.), Executive Director, Role of American Military Power, Arlington, VA. General Anthony Zinni, (Ret.), Former Commander in Chief of U.S. Central Command, Washington, DC., Professor Anthony H. Cordesman, Arleigh A. Burke Chair for Strategy, Center for Strategic and International Studies, Washington, DC.

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

COMMITTEE ON HEALTH, EDUCATION, LABOR AND PENSIONS

COMMITTEE ON THE JUDICIARY

Mr. LOTT. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions and Committee on the Judiciary be authorized to meet for a joint hearing on Patient Access Crisis: The Role of Medical Litigation during the session of the Senate on Tuesday, February 11, 2003, at 2:30 p.m. in SD-106.

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

COMMITTEE ON THE JUDICIARY
COMMITTEE ON HEALTH, EDUCATION, LABOR,
AND PENSIONS

Mr. LOTT. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a joint hearing on "Patient Access Crisis: The Role of the Medical Litigation" on Tuesday, February 11, 2003 in Dirksen Room 106 at 2:30 p.m.

Witness List

Laurie Peel, Raleigh, NC, Linda McDougal, Woodville, Wisconsin, Leanne Dyess, Vicksburg, MS, Jay Angoff, Of Counsel, Roger G. Brown & Associates, Jefferson City, MO, José Montemayor, Commissioner of Insurance, Austin, TX, Shelby Wilbourn, MD, Physician, on behalf of the American College of Obstetrics and Gynecology, Belfast, ME, Lawrence E. Smarr, President, Physician Insurers Association of America, Rockville, MD.

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. LOTT. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on Tuesday, February 11, 2003 at 10 a.m. to hold an open hearing and 2:30 p.m. to hold a closed hearing.

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

SPECIAL COMMITTEE ON AGING

Mr. LOTT. Mr. President, I ask unanimous consent that the Special Committee on Aging be authorized to meet on Tuesday, February 11, 2003, from 10 a.m.–12 p.m. in Dirksen 628 for the purpose of conducting a hearing.

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

PRIVILEGE OF THE FLOOR

Mr. DURBIN. Mr. President, I ask unanimous consent that Michael Zubrensky, a detailee on my staff from the Department of Justice, be granted the privilege of the floor during the remainder of the first session of the this Congress.

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

DISCHARGES AND REFERRALS—S.
277 AND S. RES. 51

Mr. HATCH. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be discharged from further consideration of S. 277 and that the bill be referred to the Committee on Environment and Public Works.

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

Mr. HATCH. Mr. President, I ask unanimous consent that the Governmental Affairs Committee be discharged from further action on S. Res. 51 and that the matter be referred to the Committee on Rules and Administration.

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

REMOVAL OF INJUNCTION OF SECRECY—TREATY DOCUMENT NO. 108-2

Mr. HATCH. Mr. President, I ask unanimous consent that the injunction of secrecy be removed from the following treaty transmitted to the Senate on February 11, 2003, by the President of the United States:

Amendments to the 1987 Treaty on Fisheries with Pacific Island States (Treaty Document No. 108-2).

I further ask that the treaty be considered as having been read the first time; that it be referred, with accompanying papers, to the Committee on Foreign Relations and ordered to be printed; and that the President's message be printed in the RECORD.

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

The message of the President is as follows:

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith Amendments to the 1987 Treaty on Fisheries Between the Governments of Certain Pacific Island States and the Government of the United States of America, with Annexes and agreed statements, done at Port Moresby, April 2, 1987 (the Treaty), done at Koror, Palau, March 30, 1999, and at Kiritimati, Kiribati, March 24, 2002. I also transmit, for the information of the Senate, the report of the Secretary of State with respect to these Amendments, related Amendments to the Treaty Annexes, and the Memorandum of Understanding regarding provisional application. The United States enjoys positive and constructive fisheries relations with the Pacific Island Parties through the implementation and operation of the Treaty, which is one of the cornerstones of our overall foreign relations with the Pacific Island Parties. This Treaty, and the good relationships it has fostered, has provided new opportunities for collaboration between the Pacific Island Parties and the United States on fisheries conservation and management issues. The relationships established as a result of the Treaty have also helped to safeguard U.S. commercial and security interests in the region.

The Amendments to the Treaty will, among other things, allow U.S. longline vessels to fish in high seas portions of the Treaty Area; streamline the way amendments to the Treaty Annexes are agreed; and allow the Parties to consider the issue of capacity in the Treaty Area and, where appropriate, to promote consistency between the Treaty and the relevant fisheries management convention, which is likely to come into force during the duration of the extended operation of the Treaty. Therefore, no new legislation is necessary in order for the United States to

ratify these Amendments. However, minor amendments to section 6 of the South Pacific Tuna Act of 1988, Public Law 100-330 will be necessary to take account of the Amendment to paragraph 2 of Article 3 "Access to the Treaty Area," which opens the high seas of the Treaty Area to fishing by U.S. longline vessels.

I recommend that the Senate give favorable consideration to these Amendments and give its advice and consent to their ratification at an early date.

GEORGE W. BUSH.
THE WHITE HOUSE, February 11, 2003.

ORDERS FOR WEDNESDAY, FEBRUARY 12, 2003

Mr. HATCH. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 9:30 a.m., Wednesday, February 12. I further ask consent that on Wednesday, following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and the Senate then return to executive session to resume the consideration of the nomination of Miguel Estrada to be a circuit judge for the DC Circuit.

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

PROGRAM

Mr. HATCH. For the information of Senators, tomorrow the Senate will resume debate on the nomination of Miguel Estrada. We have now spent 4 days, over 20 hours, debating this well-qualified and capable nominee. While my colleagues on the other side of the aisle continue to object to any time agreement, we will continue to work with them to move this nomination to a final vote.

Many Members have participated in the debate, and we appreciate their efforts. However, at some point each side will have had adequate time to make their case, and that the Senate should then vote on this nomination. At this time, we will continue to give Members the opportunity to speak. Senators should, therefore, expect a late night tomorrow.

In addition to the Estrada nomination, it is the leader's intention to also complete action on the omnibus appropriations conference report prior to the President's Day recess. Again, I remind Senators that they should expect late nights and rollcall votes throughout the remainder of the week.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. HATCH. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 8:10 p.m., adjourned until Wednesday, February 12, 2003, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate February 11, 2003:

DEPARTMENT OF TRANSPORTATION

JEFFREY SHANE, OF THE DISTRICT OF COLUMBIA, TO BE UNDER SECRETARY OF TRANSPORTATION FOR POLICY. (NEW POSITION)

DEPARTMENT OF STATE

LINO GUTIERREZ, OF FLORIDA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO ARGENTINA.

RENO L. HARNISH, 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 AZERBAIJAN.

JEFFREY LUNSTEAD, 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 DEMOCRATIC SOCIALIST REPUBLIC OF SRI LANKA, AND TO SERVE CONCURRENTLY AND WITHOUT ADDITIONAL COMPENSATION AS AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF MALDIVES.

JOHN W. SNOW, OF VIRGINIA, TO BE UNITED STATES GOVERNOR OF THE INTERNATIONAL MONETARY FUND FOR A TERM OF FIVE YEARS; UNITED STATES GOVERNOR OF THE INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT FOR A TERM OF FIVE YEARS; UNITED STATES GOVERNOR OF THE INTER-AMERICAN DEVELOPMENT BANK FOR A TERM OF FIVE YEARS; UNITED STATES GOVERNOR OF THE AFRICAN DEVELOPMENT BANK FOR A TERM OF FIVE YEARS; UNITED STATES GOVERNOR OF THE ASIAN DEVELOPMENT BANK; UNITED STATES GOVERNOR OF THE AFRICAN DEVELOPMENT FUND; UNITED STATES GOVERNOR OF THE EUROPEAN BANK FOR RECONSTRUCTION AND DEVELOPMENT. VICE PAUL HENRY O'NEILL, RESIGNED.

DEPARTMENT OF JUSTICE

GREGORY A. WHITE, OF OHIO, TO BE UNITED STATES ATTORNEY FOR THE NORTHERN DISTRICT OF OHIO FOR THE TERM OF FOUR YEARS. VICE EMILY MARGARET SWEENEY, TERM EXPIRED.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS THE CHIEF OF THE NATIONAL GUARD BUREAU, AND FOR APPOINTMENT TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 10502:

To be lieutenant general

H. STEVEN BLUM, 0000

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

JOHN D.W. CORLEY, 0000

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

To be lieutenant colonel

CHARLES N. DAVIDSON, 0000

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

To be lieutenant colonel

THOMAS R. UNRATH, 0000

IN THE ARMY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

THOMAS W. SHEA, 0000
RICHARD H. TAYLOR, 0000
THOMAS W. YARBOROUGH, 0000

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

To be colonel

ROBERT J. KINCAID, 0000
CARLOS M. REYESROSADO, 0000
RODNEY L. THOMAS, 0000

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT TO

THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

BRADLEY J. JORGENSEN, 0000

THE FOLLOWING NAMED OFFICERS FOR REGULAR APPOINTMENT IN THE GRADES INDICATED IN THE UNITED STATES ARMY IN THE DENTAL CORPS (DE), UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be lieutenant colonel

THERESA S. GONZALES, 0000
PETER M. GRONET, 0000
AUBREY R. HOPKINS JR., 0000
JONATHAN A. MAHAFFEY, 0000
MARK E. PEACOCK, 0000
ALBERT E. SCOTT JR., 0000

To be major

SIMUEL L. JAMISON, 0000
ANTHONY S. THOMAS, 0000

THE FOLLOWING NAMED OFFICERS FOR REGULAR APPOINTMENT IN THE GRADES INDICATED IN THE UNITED STATES ARMY IN THE MEDICAL SPECIALIST CORPS (SP) UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

RONALD E. ELLYSON, 0000
WILLIAM C. WERLING, 0000

To be captain

JORGE L. CABALLERO, 0000
STEVEN S. GAY, 0000
DARREN L. HIGHTOWER, 0000
BILL A. SOLIZ, 0000
JEFFREY E. TRIGG, 0000
MELVA S. TRIGG, 0000
SHELDON WATSON, 0000

THE FOLLOWING NAMED OFFICERS FOR REGULAR APPOINTMENT IN THE GRADES INDICATED IN THE UNITED STATES ARMY IN THE MEDICAL CORPS (MC), UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be colonel

DAVID J COHEN, 0000 MC
DANIEL G STRUM, 0000 MC

To be lieutenant colonel

ARTHUR E BROWN, 0000 MC
JOHN N CAREY, 0000 MC

To be major

ROBERT B CARROLL, 0000 MC
ROBERT D FORSTEN, 0000 MC
JOHN H GARR, 0000 MC
STEPHEN W JARRARD, 0000 MC
SHAWN C NESSEN, 0000 MC
MICHAEL J ZAPOR, 0000 MC

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY VETERINARY CORPS AND FOR REGULAR APPOINTMENT (IDENTIFIED BY AN ASTERISK(*)) UNDER TITLE 10, U.S.C., SECTIONS 624, 531, AND 3064:

To be major

BRAD A * BLANKENSHIP, 0000
MICHAEL R * BONHAGE, 0000
STEVEN T * GREINER, 0000
SANDER O * HACKER, 0000
KARL J * HOCHSTEIN, 0000
JERROD W * KILLIAN, 0000
BRIAN U * KIM, 0000
BRIDGET S * LEWIS, 0000
TIMOTHY P * LOONAM, 0000
ANNE M * MACLARTY, 0000
NANCY * MERRILL, 0000
MARK L * RICHEY, 0000
PATRICIA Y * RILEY, 0000
HEATHER A * SERWON, 0000
MARK A * SMITH, 0000
EUGENE K * WEBSTER, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SERVICE CORPS AND FOR REGULAR APPOINTMENT (IDENTIFIED BY AN ASTERISK(*)) UNDER TITLE 10, U.S.C., SECTIONS 624, 531, AND 3064:

To be major

SHEILA R * ADAMS, 0000
CHRISTOPHER E ANSELL, 0000
MARTINEZ W * ARIZA, 0000
JOHN R * BAILEY, 0000
CARMEN * BELL, 0000
TIMOTHY N * BERGERON, 0000
GRAEME C * BICKNELL, 0000
ROBERT V * BIENVENU II, 0000
BENJAMIN S * BLACKWELL, 0000
DANIEL G BONNICHSEN, 0000
DANIEL C * BRANT JR., 0000
STEPHEN M * BROCK, 0000
KATHERINE A * BRUCH, 0000
TRAVIS J * BURCHETT, 0000
KYLE J * BURROW, 0000
JOHN R CALL, 0000
MARK C * CARDER, 0000
EVERETT R * CARDWELL JR., 0000
ERIC P * CARNAHAN, 0000
KRISTEN L * CASTO, 0000
DONALD J CHAPMAN, 0000
RODRIGO * CHAVEZ JR., 0000