

and appeared in the Congressional Record of February 11, 2004.

PN1349 Air Force nominations (37) beginning NORMA L. ALLGOOD, and ending MATTHEW P. \*WICKLUND, which nominations were received by the Senate and appeared in the Congressional Record of February 11, 2004.

PN1350 Air Force nominations (33) beginning RICHARD C. BATZER, and ending RICHARD I. VANCE, which nominations were received by the Senate and appeared in the Congressional Record of February 11, 2004.

PN1351 Air Force nominations (56) beginning JOHN A. ALEXANDER, and ending JOHN A. WISNIEWSKI, JR., which nominations were received by the Senate and appeared in the Congressional Record of February 11, 2004.

PN1352 Air Force nomination (119) beginning TODD B. \*ABEL, and ending GIANNA R. ZEH, which nominations were received by the Senate and appeared in the Congressional Record of February 11, 2004.

PN1353 Air Force nominations (17) beginning DOUGLAS P. \*BETHONEY, and ending DOUGLAS E. \*THOMAS, which nominations were received by the Senate and appeared in the Congressional Record of February 11, 2004.

PN1354 Air Force nominations (370) beginning ADAM M. ANDERSON, and ending DAVID J. ZOLLINGER, which nominations were received by the Senate and appeared in the Congressional Record of February 11, 2004.

PN1355 Air Force nominations (43) beginning MARY J. BARNES, and ending KARYN E. YOUNGCARIGNAN, which nominations were received by the Senate and appeared in the Congressional Record of February 11, 2004.

#### IN THE ARMY

PN1282 Army nomination of Edward M. Willis, which was received by the Senate and appeared in the Congressional Record of January 28, 2004.

PN1299 Army nominations (34) beginning JAMES R. AGAR, II, and ending NOEL L. WOODWARD, which nominations were received by the Senate and appeared in the Congressional Record of February 2, 2004.

PN1322 Army nominations (56) beginning JEREMY A. BALL, and ending MICHAEL C. \*WONG, which nominations were received by the Senate and appeared in the Congressional Record of February 5, 2004.

PN1356 Army nominations (2) beginning DAVID H. FORDEN, and ending GERALD E. STONE, which nominations were received by the Senate and appeared in the Congressional Record of February 11, 2004.

#### IN THE MARINE CORPS

PN1300 Marine Corps nominations (6) beginning RANDY M. ADAIR, and ending ANDREW N. SULLIVAN, which nominations were received by the Senate and appeared in the Congressional Record of February 2, 2004.

PN1301 Marine Corps nominations (4) beginning JOSE GONZALEZ, and ending JEFFREY G. YOUNG, which nominations were received by the Senate and appeared in the Congressional Record of February 2, 2004.

PN1302 Marine Corps nominations (4) beginning EDWIN N. LLANTOS, and ending MATTHEW E. SUTTON, which nominations were received by the Senate and appeared in the Congressional Record of February 2, 2004.

PN1303 Marine Corps nominations (3) beginning THOMAS E. BLAKE, and ending JAMES A. GRIFFITHS, which nominations were received by the Senate and appeared in the Congressional Record of February 2, 2004.

PN1304 Marine Corps nominations (3) beginning GERALD A. CUMMINGS, and ending JOHN M. MCKEON, which nominations were

received by the Senate and appeared in the Congressional Record of February 2, 2004.

PN1305 Marine Corps nomination of Paul J. Smith, which was received by the Senate and appeared in the Congressional Record of February 2, 2004.

PN1306 Marine Corps nominations (2) beginning RICHARD D. BEDFORD, and ending JAMES D. MCCOY, which nominations were received by the Senate and appeared in the Congressional Record of February 2, 2004.

PN1307 Marine Corps nominations (4) beginning SAMUEL E. DAVIS, and ending DAVID H. STEPHENS, which nominations were received by the Senate and appeared in the Congressional Record of February 2, 2004.

PN1308 Marine Corps nomination of Donald L. Bohannon, which was received by the Senate and appeared in the Congressional Record of February 2, 2004.

PN1309 Marine Corps nominations (7) beginning PETER D. CHARBONEAU, and ending JOHN A. TANINECZ, which nominations were received by the Senate and appeared in the Congressional Record of February 2, 2004.

PN1310 Marine Corps nominations (11) beginning JOHN M. BISHOP, and ending JEFFREY W. SMITH, which nominations were received by the Senate and appeared in the Congressional Record of February 2, 2004.

PN1323 Marine Corps nominations (2) beginning BALWINDAR K. RAWALAYVANDEVOORT, and ending TROY A. TYRE, which nominations were received by the Senate and appeared in the Congressional Record of February 5, 2004.

PN1357 Marine Corps nomination of Steve E. Howell, which was received by the Senate and appeared in the Congressional Record of February 11, 2004.

PN1358 Marine Corps nomination Richard K. Rohr, which was received by the Senate and appeared in the Congressional Record of February 11, 2004.

PN1360 Marine Corps nomination of William E. Hidle, which was received by the Senate and appeared in the Congressional Record of February 11, 2004.

PN1362 Marine Corps nominations (4) beginning RONALD W. COCHRAN, and ending PAUL J. MINER, which nominations were received by the Senate and appeared in the Congressional Record of February 11, 2004.

PN1363 Marine Corps nomination of Todd P. Ohman, which was received by the Senate and appeared in the Congressional Record of February 11, 2004.

PN1364 Marine Corps nominations (3) beginning MICHAEL E. BEAN, and ending WALTON S. PITCHFORD, which nominations were received by the Senate and appeared in the Congressional Record of February 11, 2004.

#### LEGISLATIVE SESSION

The PRESIDENT pro tempore. Under the previous order, the Senate will return to legislative session.

#### MEASURE PLACED ON THE CALENDAR—S. 2137

Mr. FRIST. Mr. President, I understand that S. 2137 is at the desk and is due for a second reading.

The PRESIDENT pro tempore. The clerk will read the title of the bill for a second time.

The assistant legislative clerk read as follows:

A bill (S. 2137) to authorize the Secretary of Health and Human Services to promulgate regulations for the reimportation of prescription drugs, and for other purposes.

Mr. FRIST. Mr. President, I object to further proceedings on the measure at this time.

The PRESIDENT pro tempore. Objection is heard. The bill will be placed on the calendar.

#### DISCHARGE AND REFERRAL OF H.R. 2584

Mr. FRIST. Mr. President, I ask unanimous consent that the Energy Committee be discharged from further consideration of H.R. 2584, and that the bill then be referred to the Commerce Committee.

The PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

#### THE SENATE THIS WEEK

Mr. FRIST. Mr. President, we will be wrapping up very shortly for the week. Because it has been a very busy week, I would like to run through the progress that has been made. We have proceeded in step-wise fashion and advanced the business of this body in a very thoughtful way. We started the week hoping to consider the OB/GYN medical liability bill, aptly entitled "Healthy Mothers and Healthy Babies Access Care Act." We debated the issue on Monday and Tuesday but, unfortunately, were prevented from formally going to the bill. A cloture motion was filed on the motion to proceed.

I also want to thank our colleagues, Senator ENSIGN and Senator GREGG, for their real leadership on this particular issue. As we closed that debate, it was clear—as both sides stated—that we were going to have to come back and address the liability issues, and we will bring it back before the Senate again.

S. 1805, the gun manufacturers' liability bill, which is more formally called the Protection of Lawful Commerce in Arms Act, was then addressed, continues to be addressed through today. I commend our leader, Senator CRAIG, for his leadership.

We do plan on proceeding and having a final vote on this bill Tuesday. There was an objection to proceeding from the Democratic side of the aisle initially on that bill and thus we had to file, once again, a cloture motion. We prevailed on that cloture motion to proceed by a vote of 75 to 22, and thus we were able to get on the bill and debate the bill.

We were able to lock in the agreement limiting amendments to the gun liability bill, and during Thursday and Friday's session we have considered 16 amendments. We disposed of eight of those amendments, conducted six roll-call votes on Thursday. Under the agreement, we will pass the legislation on Tuesday. The House passed their version of this bill April 19th of last year. I hope we will be able to proceed on a conference on this bipartisan legislation so we can reconcile the differences. Again, I understand there is an objection to proceeding to a conference from the other side of the aisle,

but we will continue to discuss with the Democratic leadership how we can best proceed to conference.

Finally, just a few moments ago, we passed H.R. 3850, a 2-month extension of the highway bill. As we witnessed over the course of the day, it has required a lot in terms of discussions among colleagues in this body with Members of the House of Representatives, but I am pleased to announce we have reached a satisfactory conclusion for all parties involved. I thank all the Senators who were just appropriately thanked for their participation.

Again, the 5,000 Transportation employees who were at risk of not being able to go to work and being paid for work on Monday can rest now and, indeed, will receive both those checks and show up for work on Monday.

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#### ORDERS FOR MONDAY, MARCH 1, 2004

Mr. FRIST. I ask unanimous consent that when the Senate completes its business today, it adjourn until 12 noon Monday, March 1. I further ask that 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 resume consideration of S. 1805, the gun liability bill; provided that there be 4 hours of debate with the following Senators to control the time: Senator MCCAIN or his designee, 1 hour; Senator FEINSTEIN or her designee, 1 hour; Senator CRAIG or his designee, 2 hours; provided further that at 4 p.m. Senator BINGAMAN be recognized to offer his definition amendment, and the time until 5 p.m. be equally divided between Senators CRAIG and BINGAMAN; provided further that at 5 p.m. the Senate will proceed to a vote in relation to the Bingaman amendment without any intervening action or debate, and following the disposition of the amendment, the Senate resume consideration of the Levin amendment numbered 2631.

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

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#### PROGRAM

Mr. FRIST. On Monday, the Senate will resume consideration of S. 1805, the gun liability bill. There are a number of Senators who will be here to debate the remaining amendments and there will be adequate time for debate on Monday.

I sincerely thank the bill managers for their hard work on this legislation.

They have been on the floor constantly for the past 3 days, working through amendments and moving this bill forward. Through their efforts and a lot of hard work, we are poised to finish the bill Tuesday of next week. Again, they should be complimented.

I inform all my colleagues we will have a vote on an amendment to the bill Monday afternoon. Senators should expect that vote in relation to the Bingaman definition amendment to occur promptly at 5 p.m.

Mr. REID. I wonder, with the easy week the majority leader has had this week, could you tell us what we will do after we finish the gun liability legislation?

Mr. FRIST. Through the Chair, Mr. President, we have the agreement to complete the gun liability legislation Tuesday. It is our plan, although I want to discuss it further with the Democratic leadership and also my colleagues, but the plans are at this juncture to continue with the manufacturing bill called FSC/ETI. There is a deadline we are all familiar with of March 1. This bill has been taken through committee and we will be addressing it on the floor. The House has not yet addressed it.

It is my intention, at this point in time—again, it could be subject to change—to proceed with FSC/ETI.

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#### ADJOURNMENT UNTIL MONDAY, MARCH 1, 2004

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

There being no objection, the Senate, at 4:41 p.m., adjourned until Monday, March 1, 2004, at 12 noon.

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#### CONFIRMATIONS

Executive nominations confirmed by the Senate February 27, 2004:

##### IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER 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. DOUGLAS V. O'DELL, JR.

AIR FORCE NOMINATIONS BEGINNING MICHEL L. BUNNING AND ENDING DEBRA M. NIEMEYER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON OCTOBER 16, 2003.

AIR FORCE NOMINATIONS BEGINNING RAAN R. AALGAARD AND ENDING STEVEN R. ZWICKER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON OCTOBER 16, 2003.

AIR FORCE NOMINATION OF LINDSEY O. GRAHAM.  
AIR FORCE NOMINATIONS BEGINNING DONALD L. BUEGE AND ENDING SAMUEL R. WEINSTEIN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND AP-

PEARED IN THE CONGRESSIONAL RECORD ON JANUARY 28, 2004.

AIR FORCE NOMINATIONS BEGINNING ALAN C. DICKERSON AND ENDING CAMILLE PHILLIPS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 28, 2004.

AIR FORCE NOMINATIONS BEGINNING WALTER F. BURGHARDT, JR. AND ENDING PHILLIP Y. YOSHIMURA, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 28, 2004.

AIR FORCE NOMINATIONS BEGINNING MONICA M. ALLISONCERUTI AND ENDING MARK J. YOST, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 28, 2004.

AIR FORCE NOMINATIONS BEGINNING PATRICIA S. ANGELLILAMB AND ENDING KATHLEEN L. ZYGOWICZ, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 28, 2004.

AIR FORCE NOMINATIONS BEGINNING MICHAEL A. ALDAY AND ENDING DAVID J. SNELL, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 28, 2004.

AIR FORCE NOMINATION OF VIRGINIA A. SCHNEIDER.  
AIR FORCE NOMINATIONS BEGINNING PERRY L. AMERINE AND ENDING JAMES R. PATTERSON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 11, 2004.

AIR FORCE NOMINATIONS BEGINNING STEWART J. HAZEL AND ENDING WILLIAM W. POND, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 11, 2004.

AIR FORCE NOMINATIONS BEGINNING WILLIAM E. ENRIGHT, JR. AND ENDING MICHAEL F. VANHOOMISSEN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 11, 2004.

AIR FORCE NOMINATION OF COLLEN B. HOUGH.  
AIR FORCE NOMINATIONS BEGINNING NORMA L. ALLGOOD AND ENDING MATTHEW P. \* WICKLUND, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 11, 2004.

AIR FORCE NOMINATIONS BEGINNING RICHARD C. BATZER AND ENDING RICHARD I. VANCE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 11, 2004.

AIR FORCE NOMINATIONS BEGINNING JOHN A. ALEXANDER AND ENDING JOHN A. WISNIEWSKI, JR., WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 11, 2004.

AIR FORCE NOMINATIONS BEGINNING TODD B. \* ABEL AND ENDING GIANNA R. ZEH, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 11, 2004.

AIR FORCE NOMINATIONS BEGINNING DOUGLAS P. \* BETHONEY AND ENDING DOUGLAS E. \* THOMAS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 11, 2004.

AIR FORCE NOMINATIONS BEGINNING ADAM M. ANDERSON AND ENDING DAVID J. ZOLLINGER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 11, 2004.

AIR FORCE NOMINATIONS BEGINNING MARYA J. BARNES AND ENDING KARYN E. YOUNGCARIGNAN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 11, 2004.

ARMY NOMINATION OF EDWARD M. WILLIS.  
ARMY NOMINATIONS BEGINNING JAMES R. AGAR II AND ENDING NOEL L. WOODWARD, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 2, 2004.

ARMY NOMINATIONS BEGINNING JEREMY A. BALL AND ENDING MICHAEL C. \* WONG, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 5, 2004.

ARMY NOMINATIONS BEGINNING DAVID H. FORDEN AND ENDING GERALD E. STONE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 11, 2004.

MARINE CORPS NOMINATIONS BEGINNING RANDY M. ADAIR AND ENDING ANDREW N. SULLIVAN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 2, 2004.

MARINE CORPS NOMINATIONS BEGINNING JOSE GONZALEZ AND ENDING JEFFREY G. YOUNG, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 2, 2004.

MARINE CORPS NOMINATIONS BEGINNING EDWIN N. LLANTOS AND ENDING MATTHEW E. SUTTON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 2, 2004.