

(b) *EXCEPTION FOR STATE LEGISLATION.*—*In the case of a State plan under title XIX or XXI of the Social Security Act, which the Secretary determines requires State legislation in order for the plan to meet the additional requirements imposed by an amendment made by this Act, the State plan shall not be regarded as failing to comply with the requirements of such Act solely on the basis of its failure to meet these additional requirements before the first day of the first calendar quarter beginning after the close of the first regular session of the State legislature that begins after the date of enactment of this Act. For purposes of the preceding sentence, in the case of a State that has a 2-year legislative session, each year of the session shall be considered to be a separate regular session of the State legislature.*

Amend the title so as to read: "An Act to amend title XXI of the Social Security Act to reauthorize the State Children's Health Insurance Program, and for other purposes."

UNANIMOUS CONSENT AGREE-
MENT—EXECUTIVE CALENDAR
NO. 278

Mr. REID. Mr. President, I ask unanimous consent that on Tuesday, September 4, at 2:30 p.m., the Senate proceed to executive session to consider Executive Calendar No. 278, Jim Nussle, to be Director of the Office of Management and Budget; that there be a time limit of 3 hours for debate on the nomination, 2 hours equally divided between the chairman and ranking member, 1 hour under the control of Senator SANDERS; that at the conclusion or yielding back of the time, the Senate vote on confirmation of the nomination, the motion to reconsider be laid on the table, the President be immediately notified of the Senate's action, and the Senate return to legislative session.

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

EXECUTIVE SESSION

EXECUTIVE CALENDAR AND
NOMINATIONS DISCHARGED

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider Executive Calendar Nos. 245, 246, 247, 248, 249, 256, 273, 274, 276, 277, 279 through 290, and all nominations placed on the Secretary's desk; further that the HELP Committee be discharged from the following nominations: PN659, David W. James to be an Assistant Secretary of Labor; and PN485, Bradford Campbell to be an Assistant Secretary of Labor; that the Foreign Relations Committee be discharged from further consideration of PN641, Mark Green to be Ambassador to Tanzania; that the nominations be confirmed, the motions to reconsider be laid on the table, that any statements thereon be printed in the RECORD, the President be immediately notified of the Senate's action, and the Senate then return to legislative session.

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

The nominations considered and confirmed are as follows:

DEPARTMENT OF THE INTERIOR

Brent T. Wahlquist, of Pennsylvania, to be Director of the Office of Surface Mining Reclamation and Enforcement.

James L. Caswell, of Idaho, to be Director of the Bureau of Land Management.

DEPARTMENT OF ENERGY

Lisa E. Epifani, of Texas, to be an Assistant Secretary of Energy (Congressional and Intergovernment Affairs).

Kevin M. Kolevar, of Michigan, to be an Assistant Secretary of Energy (Electricity Delivery and Energy Reliability).

Clarence H. Albright, of South Carolina, to be Under Secretary of Energy.

MORRIS K. UDALL SCHOLARSHIP AND EXCELLENCE IN NATIONAL ENVIRONMENTAL POLICY FOUNDATION

Robert Boldrey, of Michigan, to be a Member of the Board of Trustees of the Morris K. Udall Scholarship and Excellence in National Environmental Policy Foundation for a term expiring May 26, 2013.

FEDERAL EMERGENCY MANAGEMENT AGENCY

Dennis R. Schrader, of Maryland, to be Deputy Administrator for National Preparedness, Federal Emergency Management Agency, Department of Homeland Security.

[NEW REPORTS]

DEPARTMENT OF COMMERCE

William G. Sutton, Jr., of Virginia, to be an Assistant Secretary of Commerce.

DEPARTMENT OF TRANSPORTATION

Thomas J. Barrett, of Alaska, to be Deputy Secretary of Transportation.

Paul R. Brubaker, of Virginia, to be Administrator of the Research and Innovative Technology Administration, Department of Transportation.

IN THE AIR FORCE

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

Lt. Gen. David A. Deptula, 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 general

Lt. Gen. Claude R. Kehler, 0000

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

Maj. Gen. Kenneth W. Hunzeker, 0000

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. James D. Thurman, 0000

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. James J. Lovelace, 0000

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. Carter F. Ham, 0000

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

To be brigadier general

Col. Lawrence A. Haskins, 0000

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. Richard K. Gallagher, 0000

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. Robert T. Moeller, 0000

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. James A. Winnefeld, Jr., 0000

The following named officer for appointment as the Chairman of the Joint Chiefs of Staff and appointment to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., sections 152 and 601:

To be admiral

Adm. Michael G. Mullen, 0000

IN THE MARINE CORPS

The following named officer for appointment as the Vice Chairman of the Joint Chiefs of Staff and appointment to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., sections 601 and 154:

To be general

Gen. James E. Cartwright, 0000

NOMINATIONS PLACED ON THE SECRETARY'S
DESK

IN THE AIR FORCE

PN793 AIR FORCE nomination of Damion T. Gottlieb, which was received by the Senate and appeared in the Congressional Record of July 25, 2007.

PN794 AIR FORCE nomination of Francis E. Lowe, which was received by the Senate and appeared in the Congressional Record of July 25, 2007.

PN795 AIR FORCE nominations (25) beginning LISTA M. BENSON, and ending KAREN L. WEIS, which nominations were received by the Senate and appeared in the Congressional Record of July 25, 2007.

P796 AIR FORCE nominations (17) beginning KEVIN C. BLAKLEY, and ending ROBERT A. TETLA, which nominations were received by the Senate and appeared in the Congressional Record of July 25, 2007.

PN797 AIR FORCE nominations (556) beginning ROBERT K. ABERNATHY, and ending ANTHONY J. ZUCCO, which nominations were received by the Senate and appeared in the Congressional Record of July 25, 2007.

PN800 AIR FORCE nominations (36) beginning MARY ANN BEHAN, and ending PAUL A. WILLINGHAM, which nominations were received by the Senate and appeared in the Congressional Record of July 25, 2007.

IN THE ARMY

PN801 ARMY nominations (53) beginning DAWUD A. AGBERE, and ending EDWARD