

exercise, for purposes of management, administration, and expenditure of funds of the Court, the authorities provided for such purposes by any provision of law (including any limitation with respect to such provision of law) applicable to a court of the United States (as that term is defined in section 451 of title 28), except to the extent that such provision of law is inconsistent with a provision of this chapter."

(b) *CLERICAL AMENDMENT.*—The table of sections at the beginning of chapter 72 is amended by inserting after the item related to section 7286 the following new item:

"7287. Administration."

SA 2463. Mr. REID (for Mr. ROCKFELLER) proposed an amendment to the bill H.R. 1291, to amend title 38, United States Code, to modify and improve authorities relating to education benefits, burial benefits, and vocational rehabilitation benefits for veterans to modify certain authorities relating to the United States Court of Appeals for Veterans Claims, and for other purposes; as follows:

Amend the title so as the read: "A Bill to amend title 38, United States Code, to modify and improve authorities relating to education benefits, compensation and pension benefits, housing benefits, burial benefits, and vocational rehabilitation benefits for veterans, to modify certain authorities relating to the United States Court of Appeals for Veterans Claims, and for other purposes."

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet on Friday, December 7, 2001, at 9:30 a.m., on the nomination of Sean O'Keefe to be NASA Administrator.

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

PRIVILEGE OF THE FLOOR

Mr. CLELAND. Mr. President, I ask unanimous consent that my military fellow, Steve Tryon, be granted the privilege of the floor during the Senate's consideration of the Defense Appropriations Act.

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

Mr. CARPER. Mr. President, I ask unanimous consent that Pat Jones, a legislative fellow who serves on my staff, be granted floor privileges during the deliberation of this bill.

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

Mr. STEVENS. Mr. President, I ask unanimous consent that Jeff Freeman, a Fellow serving in Senator COCHRAN's office, and Stewart Holmes, a staff member of Senator COCHRAN, be granted the privilege of the floor during the duration of the consideration of the fiscal year 2002 Defense appropriations bill.

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

Mr. MILLER. Mr. President, I ask unanimous consent that Stephen Kay, a legislative fellow in my office, be granted floor privileges.

The PRESIDING OFFICER. 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 the following nominations: Calendar Nos. 606, 608 to and including 615, and all nominations on the Secretary's desk in the Army and Navy; further, that the HELP Committee be discharged from further consideration of the following nominations: Tammy Dee McCutchen, to be Administrator of the Wage and Hour Division of the Department of Labor, and the list of Public Health nominations beginning with Ketty Gonzalez and ending with Amanda Stoddard. I ask unanimous consent that the nominations be confirmed en bloc, the motions to reconsider be laid on the table en bloc, any statements relating to the nominations 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 en bloc are as follows:

DEPARTMENT OF DEFENSE

Peter B. Teets, of Maryland, to be Under Secretary of the Air Force.

AIR FORCE

The following named officers for appointment in the Regular Air Force of the United States to the positions and grade indicated under title 10, U.S.C. section 8307:

To be the judge advocate general of the United States Air Force

Maj. Gen. Thomas J. Fiscus, 5444.

To be major general and to be the deputy judge advocate general of the United States Air Force

Brig. Gen. Jack L. Rives, 0540.

ARMY

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

To be brigadier general

Col. Bruce H. Barlow, 0873.

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

To be major general

Brigadier General Keith B. Alexander, 9763.

Brigadier General Eldon A. Bargewell, 6135.

Brigadier General David W. Barno, 9794.

Brigadier General John R. Batiste, 9665.

Brigadier General Peter W. Chiarelli, 6598.

Brigadier General Claude V. Christianson, 1982.

Brigadier General Robert T. Dail, 5056.

Brigadier General Paul D. Eaton, 1993.

Brigadier General Karl W. Eikenberry, 5198.

Brigadier General Robert H. Griffin, 5619.

Brigadier General John W. Holly, 6285.

Brigadier General David H. Huntoon, Jr., 1919.

Brigadier General James C. Hylton, 8014.

Brigadier General Gene M. LaCoste, 2941.

Brigadier General Dee A. McWilliams, 1427.

Brigadier General Raymond T. Odierno, 8425.

Brigadier General Virgil L. Packett, II, 9367.

Brigadier General Joseph F. Peterson, 2747.

Brigadier General David H. Petraeus, 1960.

Brigadier General Marilyn A. Quagliotti, 8480.

Brigadier General Michael D. Rochelle, 4381.

Brigadier General Donald J. Ryder, 5451.

Brigadier General Henry W. Stratman, 1226.

Brigadier General Joe G. Taylor, Jr., 0884.

Brigadier General N. Ross Thompson, III, 5240.

Brigadier General James D. Thurman, 8182.

Brigadier General Thomas R. Turner, II, 7116.

Brigadier General Michael A. Vane, 9890.

Brigadier General William G. Webster, Jr., 9468.

NAVY

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

To be rear admiral

Rear Adm. (1h) Anthony W. Lengerich, 9020.

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

To be rear admiral

Rear Adm. (1h) Richard B. Porterfield, 3989.

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

To be rear admiral (lower half)

Capt. Stephen A. Turcotte, 3628.

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

To be rear admiral

Rear Adm. (1h) David Architzel, 0731.

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. Charles W. Moore, Jr., 5696.

NOMINATIONS PLACED ON THE SECRETARY'S

DESK

ARMY

PN1242 Army nominations (655) beginning VERN J ABDOO, and ending DOUGLAS K ZIMMERMAN, II, which nominations were received by the Senate and appeared in the Congressional Record of November 27, 2001

PN1243 Navy nominations of John B. Stockel, which was received by the Senate and appeared in the Congressional Record of November 27, 2001

PN1244 Navy nominations of Philip F. Stanley, which was received by the Senate and appeared in the Congressional Record of November 27, 2001

NOMINATIONS DISCHARGED

DEPARTMENT OF LABOR

Tammy Dee McCutchen, of Illinois, to be Administrator of the Wage and Hour Division, Department of Labor.

PUBLIC HEALTH SERVICE

Public Health Service nominations beginning Ketty M. Gonzalez and ending Amanda D. Stoddard, which nominations were received by the Senate and appeared in the Congressional Record on September 21, 2001.

To be medical director

Ketty M. Gonzalez.
Gunta I. Orams.

To be senior surgeon

Vito M. Caserta.
Olga Grajales.
Mary L. Kamb.
Dawn L. Wyllie.

To be surgeon

Andrew Biauvelt.
Michael J. Boquard.
J Russell Bowman.
Monica E. Parise.
Lisa G. Rider.
Abigail M. Shefer.
Darrell P. Stone.

To be senior assistant surgeon

Dahna L. Batts-Osborne.
Stephen M. Hewitt.
James F. Lando.
John T. Ning.
Alexander K. Rowe.
Stephen M. Rudd.
Seymour G. Williams.

To be senior dental surgeon

Michael L. Campsmith.
A. Isabel Garcia.

To be dental surgeon

Ronald E. Bajuscak.
Tania M. Macias.
Wilnetta A. Sweeting.
Michael P. Winkler.

To be senior assistant dental surgeon

Dawn A. Breeden.
Katherine T. Cotton.
Bryan S. Dawson.
Stanley K. Gordon.
Maria-Paz U. Smith.
Valerie D. Wilson.

To be senior nurse officer

Robert E. Eaton.
Mary I. Lambert.
Susanne R. Rohrer.
Marjorie Lynn Witman.

To be nurse officer

Eileen D. Bonneau.
Ruth M. Coleman.
Terri L. Dodds.
Susan D. Hillis.
Barbara W. Kilbourne.
Gwethlyn J. Sabatinos.
Amanda S. Waugaman.

To be senior assistant nurse officer

Thomas C. Arminio.
Deborah M. Carter.
Charles D. Duke Jr.
Keyla E. Gammarrano.
Mary C. Karlson.
Julie D. King.
Kimberly M. Mock.
Lisa S. Penix.
Laverne Puckett.
Keysha L. Ross.
Michael R. Sanchez.
Jeanne D. Shaffer.
Steven M. Wacha.

To be assistant nurse officer

Benjamin F. Brown Jr.
Serina A. Hunter.
Patricia K. Mitchell.
Todd A. Ridge.
William Ruiz-Colon.
Tonia L. Sawyer.
Thomas R. Stanley.
Robbie K. Taylor.

To be engineer officer

Kevin B. Milne.

To be senior assistant engineer officer

Donald C. Antrobus.

Mark A. Calkins.
Edward A. Cayous.
Tracy D. Gilchrist.
Steven M. McGovern.
Dale M. Mossefin.
Jeffrey S. Reynolds.
Hilda F. Scharen-Guivel.
Jerry A. Smith.
Michael A. Stover.
Darrall F. Tillock.
Mary M. Weber.

To be scientist director

Victor Krauthamer.

To be senior scientist

Young H. Lee.
H. Edward Murray.

To be scientist

Kate M. Brett.
Angela M. Gonzalez.
O'Neal A. Walker.

To be senior assistant scientist

Nelson Adekoya.
Mehran S. Massoudi.
Darin J. Weber.

To be sanitarian

Matthew E. Taylor.
Daniel C. Weaver.

To be assistant therapist

Corey S. Dahl.

To be senior health services officer

Ilze L. Ruditis.

To be health services officer

Steven M. Glover.
Darlene A. Harris.
Carmencita T. Palma.
Julia A. Stokes.

To be senior assistant health services officer

Sherlene Bailey.
Kathy L. Balasko.
Marinna A. Banks.
Jose H. Belardo.
Julie Wofford Black.
Dawn M. Clary.
Sandra L. Ferguson.
Kathleen D. Heiden.
Mary C. Hollister.
David W. Keene.
Scott A. Middlekauff.
Godwin O. Odia.
Elizabeth A. Pierce.
Brian E. Richmond.
Renee S. Roberson.
Lisa D. Starnes.
Scott W. Tobias.
Gilbert E. Varney Jr.
Kimberly A. Walker.

To be assistant health services officer

Parmjeet S. Saini.
Amanda D. Stoddard.

LEGISLATIVE SESSION

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

SMALL BUSINESS INVESTMENT COMPANY AMENDMENTS ACT OF 2001

Mr. REID. Mr. President, I ask that the Chair lay before the Senate a message from the House on S. 1196.

The Presiding Officer laid before the Senate a message from the House as follows:

Resolved, That the bill from the Senate (S. 1196) entitled "An Act to amend the Small

Business Investment Act of 1958, and for other purposes," do pass with the following amendment:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Small Business Investment Company Amendments Act of 2001".

SEC. 2. SUBSIDY FEES.

(a) *IN GENERAL.*—Section 303 of the Small Business Investment Act of 1958 (15 U.S.C. 683) is amended—

(1) in subsection (b)—

(A) by striking "of not more than 1 percent per year";

(B) by inserting "which amount may not exceed 1.38 percent per year, and" before "which shall be paid"; and

(C) by striking "September 30, 2000" and inserting "September 30, 2001"; and

(2) in subsection (g)(2)—

(A) by striking "of not more than 1 percent per year";

(B) by inserting "which amount may not exceed 1.38 percent per year, and" before "which shall be paid"; and

(C) by striking "September 30, 2000" and inserting "September 30, 2001".

(b) *EFFECTIVE DATE.*—The amendments made by this section shall become effective on October 1, 2001.

SEC. 3. CONFLICTS OF INTEREST.

Section 312 of the Small Business Investment Act of 1958 (15 U.S.C. 687d) is amended by striking "(including disclosure in the locality most directly affected by the transaction)".

SEC. 4. PENALTIES FOR FALSE STATEMENTS.

(a) *CRIMINAL PENALTIES.*—Section 1014 of title 18, United States Code, is amended by inserting ", as defined in section 103 of the Small Business Investment Act of 1958 (15 U.S.C. 662), or the Small Business Administration in connection with any provision of that Act" after "small business investment company".

(b) *CIVIL PENALTIES.*—Section 951 of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (12 U.S.C. 1833a) is amended—

(1) by redesignating subsections (d) through (g) as subsections (e) through (h), respectively; and

(2) in subsection (c)—

(A) in paragraph (1), by striking "or" at the end;

(B) in paragraph (2)—

(i) by striking "1341," and inserting "1341"; and

(ii) by striking "institution." and inserting "institution; or";

(C) by inserting immediately after paragraph (2) the following:

"(3) section 16(a) of the Small Business Act (15 U.S.C. 645(a))."; and

(D) by striking "This section shall" and inserting the following:

"(d) *EFFECTIVE DATE.*—This section shall".

SEC. 5. REMOVAL OR SUSPENSION OF MANAGEMENT OFFICIALS.

Section 313 of the Small Business Investment Act of 1958 (15 U.S.C. 687e) is amended to read as follows:

"SEC. 313. REMOVAL OR SUSPENSION OF MANAGEMENT OFFICIALS.

"(a) *DEFINITION OF 'MANAGEMENT OFFICIAL'.*—In this section, the term 'management official' means an officer, director, general partner, manager, employee, agent, or other participant in the management or conduct of the affairs of a licensee.

"(b) *REMOVAL OF MANAGEMENT OFFICIALS.*—

"(1) *NOTICE OF REMOVAL.*—The Administrator may serve upon any management official a written notice of its intention to remove that management official whenever, in the opinion of the Administrator—