

The PRESIDING OFFICER. The clerk will read the bill by title.

The legislative clerk read as follows:

A bill (S. 1789) to amend the Federal Food, Drug, and Cosmetic Act to improve the safety and efficacy of pharmaceuticals for children.

Mr. KENNEDY. Mr. President, I strongly support the Best Pharmaceuticals for Children Act, which reauthorizes the pediatric drug exclusivity provision enacted as part of the FDA Modernization Act in 1997. I commend Senator DODD and Senator DEWINE for their effective leadership on this provision as well as Senator CLINTON for her important contributions to this legislation, and I also commend their staffs for their long and skilled work on this bill.

Combined with FDA's Rule that requires pediatric testing for drugs and biological products, this legislation is intended to do more to see that medicines are adequately tested for safety and effectiveness in children.

The 1997 provision has been a major success in encouraging essential studies of pharmaceutical products in children. Dozens of such drugs have been studied in children, and many of the products have now been relabeled or even reformulated for use in children. But the 1997 provision has not been an unqualified success. Although many products have been studied, others have not. For every label changed, others remain incomplete.

This reauthorization provides that every pharmaceutical product that is needed to treat children will, in fact, be studied in children. In a few years, there will be far fewer of these products that lack adequate information about pediatric use. The Food and Drug Administration will be able to act more quickly and successfully to see that drug companies label their products for such use. The bill also gives needed new priority to the appropriate use of cancer drugs for children.

In addition to extending and improving this program which has been so important in improving therapies for children, the bill closes technical loopholes which might have improperly barred generic drugs from the market or limited the incentives for generic drug development.

This is a bill that will make a major contribution to the health of American children and I urge its prompt passage by the Senate and the House.

Mr. REID. I ask for its second reading, and I object to my own request on behalf of the minority.

The PRESIDING OFFICER. The objection is heard.

The bill will be read the second time on the next legislative day.

#### UNANIMOUS CONSENT AGREEMENT

Mr. REID. Mr. President, as in executive session, I ask unanimous consent that at 9:30 a.m. on Tuesday, December

11, the Senate proceed to executive session to consider the following nominations: Calendar Nos. 586, 587, and 591; that the Senate immediately vote on each nominee; that upon the disposition of these nominations, the President be immediately notified of the Senate's action, and any statements thereon appear at the appropriate place in the RECORD, and the Senate then return to legislative session.

I further ask unanimous consent that it be in order for the yeas and nays on each of the nominees with a show of hands.

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

Mr. REID. Mr. President, as in executive session, I ask for the yeas and nays on the nominations.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

#### ORDERS FOR MONDAY, DECEMBER 10, 2001

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until the hour of 3 p.m. on Monday, December 10, that immediately following the prayer and the pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and the Senate resume consideration of S. 1731, the farm bill.

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

#### PROGRAM

Mr. REID. Mr. President, there will be no rollcall votes on Monday. The next rollcall votes will occur on Tuesday morning beginning at 9:30.

#### ADJOURNMENT UNTIL 3 P.M., MONDAY, DECEMBER 10, 2001

Mr. REID. Mr. President, I ask unanimous consent that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 12:29 a.m., adjourned until Monday, December 10, 2001, at 3 p.m.

#### CONFIRMATIONS

Executive nominations confirmed by the Senate December 7, 2001:

##### DEPARTMENT OF DEFENSE

PETER B. TREETS, OF MARYLAND, TO BE UNDER SECRETARY OF THE AIR FORCE.

THE ABOVE NOMINATION WAS APPROVED SUBJECT TO THE NOMINEE'S COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.

##### DEPARTMENT OF LABOR

TAMMY DEE MCCUTCHEEN, OF ILLINOIS, TO BE ADMINISTRATOR OF THE WAGE AND HOUR DIVISION, DEPARTMENT OF LABOR.

##### IN THE 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. PISCUS

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

BRIG. GEN. JACK L. RIVES

##### IN THE 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

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  
BRIGADIER GENERAL ELDON A. BARGEWELL  
BRIGADIER GENERAL DAVID W. BARNO  
BRIGADIER GENERAL JOHN R. BATISTE  
BRIGADIER GENERAL PETER W. CHIARELLI  
BRIGADIER GENERAL CLAUDE V. CHRISTIANSON  
BRIGADIER GENERAL ROBERT T. DALL  
BRIGADIER GENERAL PAUL D. EATON  
BRIGADIER GENERAL KARL W. EIKENBERRY  
BRIGADIER GENERAL ROBERT H. GRIFFIN  
BRIGADIER GENERAL JOHN W. HOLLY  
BRIGADIER GENERAL DAVID H. HUNTOON, JR.  
BRIGADIER GENERAL JAMES C. HYLTON  
BRIGADIER GENERAL GENE M. LACOSTE  
BRIGADIER GENERAL DEE A. MCWILLIAMS  
BRIGADIER GENERAL RAYMOND T. ODIERNO  
BRIGADIER GENERAL VIRGIL L. PACKETT II  
BRIGADIER GENERAL JOSEPH F. PETERSON  
BRIGADIER GENERAL DAVID H. PETRAEUS  
BRIGADIER GENERAL MARILYN A. QUAGLIOTTI  
BRIGADIER GENERAL MICHAEL D. ROCHELLE  
BRIGADIER GENERAL DONALD J. RYDER  
BRIGADIER GENERAL HENRY W. STRATMAN  
BRIGADIER GENERAL JOE G. TAYLOR, JR.  
BRIGADIER GENERAL N. ROSS THOMPSON III  
BRIGADIER GENERAL JAMES D. THURMAN  
BRIGADIER GENERAL THOMAS R. TURNER II  
BRIGADIER GENERAL MICHAEL A. VANE  
BRIGADIER GENERAL WILLIAM G. WEBSTER, JR.

##### IN THE 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. (LH) ANTHONY W. LINGERICH

THE FOLLOWING NAMED OFFICERS 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. (LH) RICHARD B. PORTERFIELD

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

THE FOLLOWING NAMED OFFICERS 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. (LH) DAVID ARCHITZEL

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.

##### IN THE 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.

##### IN THE ARMY

ARMY NOMINATIONS BEGINNING VERN J. ABDON AND ENDING DOUGLAS K. ZIMMERMAN II, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 27, 2001.

##### IN THE NAVY

NAVY NOMINATION OF JOHN B. STOCKEL  
NAVY NOMINATION OF PHILIP F. STANLEY