

years of experience as a lawyer in private practice, Mr. McConnell has the strong support of both Senators from Rhode Island. Individuals and organizations from across the political spectrum in that state have called for Mr. McConnell's confirmation. The Providence

Journal endorsed his nomination by saying that he "in his legal work and community leadership has shown that he has the legal intelligence, character, compassion, and independence to be a distinguished jurist." A two-thirds majority of the Judiciary Committee, including Senator GRAHAM, voted to favorably report Mr. McConnell's nomination for confirmation.

The Senate should also have been able to have a debate and a vote on the nomination of Goodwin Liu of California to the Ninth Circuit Court of Appeals. He is a professor at the University of California, Berkeley, School of Law, and was nominated by President Obama to fill an emergency vacancy on the Ninth Circuit. An acclaimed scholar and a nationally recognized expert on constitutional law and educational law and policy, Professor Liu earned the highest possible rating, unanimously well qualified, from the ABA's Standing Committee on the Federal Judiciary. He is a former Supreme Court clerk and a Rhodes Scholar who would be only the second, active Asian Pacific American judge to serve on a Federal appellate court. Both of Professor Liu's home state Senators support his nomination.

The conservative, Republican-appointed Chief Judge of the Ninth Circuit to which Professor Liu has been nominated has written the Senate to inform us of crushing caseloads and the urgent need for new judges. Justice Anthony Kennedy this August warned the Ninth Circuit Judicial Conference about the threat posed by skyrocketing judicial vacancies in California and throughout the country. He noted that, "if judicial excellence is cast upon a sea of congressional indifference, the rule of law is imperiled."

Rather than following a partisan playbook, I wish Republican Senators had listened to the cross-section of people and organizations from across the political spectrum that have written in strong support of Professor Liu's qualifications to serve on the Ninth Circuit. These former prosecutors and judges, presidents of universities, renowned academics, distinguished practitioners, advocacy groups, and district attorneys believe Professor Liu would make an excellent Federal judge. So do I.

I reviewed the record of each of these nominees targeted for Republican opposition and carefully considered their character, background, and qualifications. I believe they each would have been confirmed by the Senate. That they will not be conservative activist judges should not disqualify them from consideration by the Senate or from serving on the Federal bench.

In addition to these nominees, there has been a destructive tact in which

Senate Republicans have systematically delayed votes on consensus nominations. The length of time nominations were stalled before a final Senate vote is the product of that systematic delay. The fact is that nominations have taken on average six times as long before final Senate consideration after being reported from the Judiciary Committee, when comparing the confirmations in the first two years of the Bush and Obama administrations. Several consensus nominations that were eventually confirmed unanimously required cloture petitions to be filed just to be considered. Other evidence is the fact that more than a dozen consensus judicial nominations that have been through the entire process are being denied a final vote as the Senate adjourns. I know of no precedent for this. Indeed, in the lame duck session at the end of President Bush's second year in office, we proceeded to report and confirm controversial circuit court nominees. That the Senate is not being allowed to consider consensus nominees awaiting a final vote is a shame and an unnecessary burden on them and their families and for the courts and people they would serve.

It is a travesty that all of the well-qualified nominees favorably reported by the Judiciary Committee could not be confirmed before this Congress adjourns. That is what we did when we confirmed 100 judicial nominees of President Bush in 2001 and 2002. All 100 of the nominees reported favorably by the Judiciary Committee received Senate votes and were confirmed, all 100. They include 20 during the lameduck session that year and circuit court nominees reported after the election. This year even consensus nominees are not being allowed to be considered.

When the Senate returns for the 112th Congress I hope that all Senators will learn from the mounting judicial vacancies and failure to make progress in this Congress. I hope that we can follow a path toward restoring the Senate's longstanding traditions of expeditiously considering nominations and reject the obstruction that blocked progress. We must do better to address the needs of the Federal courts and the American people who depend on them for justice.

#### LEGISLATIVE SESSION

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

#### ORDER FOR ADJOURNMENT SINE DIE

Mr. BAYH. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn sine die under the provisions of H. Con. Res. 336.

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

#### ORDERS FOR WEDNESDAY, JANUARY 5, 2011

Mr. BAYH. Madam President, I further ask unanimous consent that when the Senate returns on Wednesday, January 5, at 12 noon, following the prayer and pledge and following the presentation of the certificates of election and the swearing in of elected Members, and the required live quorum, 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 that there then be a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

#### PROGRAM

Mr. BAYH. Madam President, there will be a live quorum at 12 noon on Wednesday, January 5, to convene the 112th Congress. Senators are encouraged to report to the floor at that time.

#### ADJOURNMENT SINE DIE

Mr. BAYH. Madam President, if there is no further business to come before the Senate—let me say it has been a pleasure serving with you—I wish everyone here Godspeed and a Merry Christmas, and I ask unanimous consent that the Senate adjourn under the previous order.

There being no objection, the Senate, at 8:03 p.m., adjourned sine die.

#### NOMINATIONS

Executive nomination received by the Senate:

##### NATIONAL COUNCIL ON THE ARTS

AGNES GUND, OF NEW YORK, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE ARTS.

#### NOMINATIONS RETURNED TO THE PRESIDENT

The following nominations transmitted by the President of the United States to the Senate during the second session of the 111th Congress, and upon which no action was had at the time of the sine die adjournment of the Senate, failed of confirmation under the provisions of rule XXXI, paragraph 6, of the Standing Rules of the Senate.

##### CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

JONATHAN ANDREW HATFIELD, OF VIRGINIA, TO BE INSPECTOR GENERAL, CORPORATION FOR NATIONAL AND COMMUNITY SERVICE.

RICHARD CHRISTMAN, OF KENTUCKY, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE FOR THE REMAINDER OF THE TERM EXPIRING OCTOBER 6, 2012.

JANE D. HARTLEY, OF NEW YORK, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE FOR A TERM EXPIRING OCTOBER 6, 2014.

MARGUERITE W. KONDRACK, OF TENNESSEE, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE FOR A TERM EXPIRING JUNE 10, 2014.

MATTHEW FRANCIS MCCABE, OF PENNSYLVANIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE FOR A TERM EXPIRING OCTOBER 6, 2013.

JOHN D. PODESTA, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE FOR A TERM EXPIRING OCTOBER 6, 2014.

LISA M. QUIROZ, OF NEW YORK, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE FOR A TERM EXPIRING FEBRUARY 8, 2014.

PHYLLIS NICHAMOFF SEGAL, OF MASSACHUSETTS, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE FOR A TERM EXPIRING OCTOBER 6, 2013.

#### DEPARTMENT OF AGRICULTURE

EVAN J. SEGAL, OF PENNSYLVANIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE COMMODITY CREDIT CORPORATION.

ELIZABETH ANN HAGEN, OF VIRGINIA, TO BE UNDER SECRETARY OF AGRICULTURE FOR FOOD SAFETY, TO WHICH POSITION SHE WAS APPOINTED DURING THE LAST RECESS OF THE SENATE.

#### DEPARTMENT OF COMMERCE

ERIC L. HIRSCHHORN, OF MARYLAND, TO BE UNDER SECRETARY OF COMMERCE FOR EXPORT ADMINISTRATION.

FRANCISCO J. SANCHEZ, OF FLORIDA, TO BE UNDER SECRETARY OF COMMERCE FOR INTERNATIONAL TRADE, TO WHICH POSITION HE WAS APPOINTED DURING THE LAST RECESS OF THE SENATE.

ERIC L. HIRSCHHORN, OF MARYLAND, TO BE UNDER SECRETARY OF COMMERCE FOR EXPORT ADMINISTRATION, TO WHICH POSITION HE WAS APPOINTED DURING THE LAST RECESS OF THE SENATE.

KATHRYN D. SULLIVAN, OF OHIO, TO BE AN ASSISTANT SECRETARY OF COMMERCE.

#### DEPARTMENT OF DEFENSE

SOLOMON B. WATSON IV, OF NEW YORK, TO BE GENERAL COUNSEL OF THE DEPARTMENT OF THE ARMY.

JO ANN ROONEY, OF MASSACHUSETTS, TO BE PRINCIPAL DEPUTY UNDER SECRETARY OF DEFENSE FOR PERSONNEL AND READINESS.

MICHAEL VICKERS, OF VIRGINIA, TO BE UNDER SECRETARY OF DEFENSE FOR INTELLIGENCE.

#### DEPARTMENT OF ENERGY

PETER BRUCE LYONS, OF NEW MEXICO, TO BE AN ASSISTANT SECRETARY OF ENERGY (NUCLEAR ENERGY).

#### DEPARTMENT OF HEALTH AND HUMAN SERVICES

RICHARD SORIAN, OF NEW YORK, TO BE AN ASSISTANT SECRETARY OF HEALTH AND HUMAN SERVICES.

DONALD M. BERWICK, OF MASSACHUSETTS, TO BE ADMINISTRATOR OF THE CENTERS FOR MEDICARE AND MEDICAID SERVICES.

RICHARD SORIAN, OF NEW YORK, TO BE AN ASSISTANT SECRETARY OF HEALTH AND HUMAN SERVICES, TO WHICH POSITION HE WAS APPOINTED DURING THE LAST RECESS OF THE SENATE.

#### DEPARTMENT OF HOMELAND SECURITY

RAFAEL BORRAS, OF MARYLAND, TO BE UNDER SECRETARY FOR MANAGEMENT, DEPARTMENT OF HOMELAND SECURITY.

RAFAEL BORRAS, OF MARYLAND, TO BE UNDER SECRETARY FOR MANAGEMENT, DEPARTMENT OF HOMELAND SECURITY, TO WHICH POSITION HE WAS APPOINTED DURING THE LAST RECESS OF THE SENATE.

ALAN D. BERSIN, OF CALIFORNIA, TO BE COMMISSIONER OF CUSTOMS, DEPARTMENT OF HOMELAND SECURITY.

#### DEPARTMENT OF JUSTICE

THOMAS GRAY WALKER, OF NORTH CAROLINA, TO BE UNITED STATES ATTORNEY FOR THE EASTERN DISTRICT OF NORTH CAROLINA FOR THE TERM OF FOUR YEARS.

JOHN B. STEVENS, JR., OF TEXAS, TO BE UNITED STATES ATTORNEY FOR THE EASTERN DISTRICT OF TEXAS FOR THE TERM OF FOUR YEARS.

JAMES MICHAEL COLE, OF THE DISTRICT OF COLUMBIA, TO BE DEPUTY ATTORNEY GENERAL.

M. SCOTT BOWEN, OF MICHIGAN, TO BE UNITED STATES ATTORNEY FOR THE WESTERN DISTRICT OF MICHIGAN FOR THE TERM OF FOUR YEARS.

TIMOTHY J. FEIGHERY, OF NEW YORK, TO BE CHAIRMAN OF THE FOREIGN CLAIMS SETTLEMENT COMMISSION OF THE UNITED STATES FOR A TERM EXPIRING SEPTEMBER 30, 2012.

ANDREW L. TRAYER, OF ILLINOIS, TO BE DIRECTOR, BUREAU OF ALCOHOL, TOBACCO, FIREARMS, AND EXPLOSIVES.

S. AMANDA MARSHALL, OF OREGON, TO BE UNITED STATES ATTORNEY FOR THE DISTRICT OF OREGON FOR THE TERM OF FOUR YEARS.

ESTEBAN SOTO III, OF MARYLAND, TO BE UNITED STATES MARSHAL FOR THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA FOR THE TERM OF FOUR YEARS.

DENISE ELLEN O'DONNELL, OF NEW YORK, TO BE DIRECTOR OF THE BUREAU OF JUSTICE ASSISTANCE.

#### DEPARTMENT OF LABOR

PAUL M. TIAO, OF MARYLAND, TO BE INSPECTOR GENERAL, DEPARTMENT OF LABOR.

LEON RODRIGUEZ, OF MARYLAND, TO BE ADMINISTRATOR OF THE WAGE AND HOUR DIVISION, DEPARTMENT OF LABOR.

#### DEPARTMENT OF STATE

MARI CARMEN APONTE, OF THE DISTRICT OF COLUMBIA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF EL SALVADOR.

ROBERT STEPHEN FORD, OF MARYLAND, 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 SYRIAN ARAB REPUBLIC.

MATTHEW J. BRYZA, OF ILLINOIS, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF AZERBAIJAN.

SUZAN D. JOHNSON COOK, OF NEW YORK, TO BE AMBASSADOR AT LARGE FOR INTERNATIONAL RELIGIOUS FREEDOM.

NORMAN L. EISEN, OF THE DISTRICT OF COLUMBIA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE CZECH REPUBLIC.

LARRY LEON PALMER, OF GEORGIA, 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 BOLIVARIAN REPUBLIC OF VENEZUELA.

FRANCIS JOSEPH RICCIARDONE, JR., OF MASSACHUSETTS, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF CAREER MINISTER, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF TURKEY.

MARI CARMEN APONTE, OF THE DISTRICT OF COLUMBIA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF EL SALVADOR, TO WHICH POSITION SHE WAS APPOINTED DURING THE LAST RECESS OF THE SENATE.

GEORGE ALBERT KROL, OF NEW JERSEY, 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 UZBEKISTAN.

KURT WALTER TONG, OF MARYLAND, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, FOR THE RANK OF AMBASSADOR DURING HIS TENURE OF SERVICE AS UNITED STATES SENIOR OFFICIAL FOR THE ASIA-PACIFIC ECONOMIC COOPERATION (APEC) FORUM.

SUE KATHRINE BROWN, OF TEXAS, 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 MONTENEGRO.

PAMELA L. SPRATLEN, OF CALIFORNIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE KYRGYZ REPUBLIC.

DAVID LEE CARDEN, OF NEW YORK, TO BE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE ASSOCIATION OF SOUTHEAST ASIAN NATIONS, WITH THE RANK AND STATUS OF AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY.

DANIEL L. SHIELDS III, OF PENNSYLVANIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO BRUNEI DARUSSALAM.

JOSEPH M. TORSELLA, OF PENNSYLVANIA, TO BE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE UNITED NATIONS FOR U.N. MANAGEMENT AND REFORM, WITH THE RANK OF AMBASSADOR.

JOSEPH M. TORSELLA, OF PENNSYLVANIA, TO BE ALTERNATE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE SESSIONS OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS, DURING HIS TENURE OF SERVICE AS REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE UNITED NATIONS FOR U. N. MANAGEMENT AND REFORM.

DAVID BRUCE SHEAR, OF NEW YORK, 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 SOCIALIST REPUBLIC OF VIETNAM.

NILS MAARTEN PARIN DAULAIRE, OF VIRGINIA, TO BE REPRESENTATIVE OF THE UNITED STATES ON THE EXECUTIVE BOARD OF THE WORLD HEALTH ORGANIZATION.

#### DEPARTMENT OF THE INTERIOR

DANIEL M. ASHE, OF MARYLAND, TO BE DIRECTOR OF THE UNITED STATES FISH AND WILDLIFE SERVICE.

#### DEPARTMENT OF THE TREASURY

MICHAEL F. MUNDACA, OF NEW YORK, TO BE AN ASSISTANT SECRETARY OF THE TREASURY.

MICHAEL F. MUNDACA, OF NEW YORK, TO BE AN ASSISTANT SECRETARY OF THE TREASURY, TO WHICH POSITION HE WAS APPOINTED DURING THE LAST RECESS OF THE SENATE.

TIMOTHY CHARLES SCHEVE, OF PENNSYLVANIA, TO BE A MEMBER OF THE INTERNAL REVENUE SERVICE OVERSIGHT BOARD FOR A TERM EXPIRING SEPTEMBER 14, 2010.

TIMOTHY CHARLES SCHEVE, OF PENNSYLVANIA, TO BE A MEMBER OF THE INTERNAL REVENUE SERVICE OVERSIGHT BOARD FOR A TERM EXPIRING SEPTEMBER 14, 2015.

JEFFREY ALAN GOLDSTEIN, OF NEW YORK, TO BE AN UNDER SECRETARY OF THE TREASURY.

#### DEPARTMENT OF TRANSPORTATION

ANN D. BEGEMAN, OF VIRGINIA, TO BE A MEMBER OF THE SURFACE TRANSPORTATION BOARD FOR A TERM EXPIRING DECEMBER 31, 2015.

#### ELECTION ASSISTANCE COMMISSION

THOMAS HICKS, OF VIRGINIA, TO BE A MEMBER OF THE ELECTION ASSISTANCE COMMISSION FOR A TERM EXPIRING DECEMBER 12, 2013.

#### EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

CHAI RACHEL FELDBLUM, OF MARYLAND, TO BE A MEMBER OF THE EQUAL EMPLOYMENT OPPORTUNITY COMMISSION FOR A TERM EXPIRING JULY 1, 2013, TO WHICH POSITION SHE WAS APPOINTED DURING THE LAST RECESS OF THE SENATE.

JACQUELINE A. BERRIEN, OF NEW YORK, TO BE A MEMBER OF THE EQUAL EMPLOYMENT OPPORTUNITY COMMISSION FOR A TERM EXPIRING JULY 1, 2014, TO WHICH POSITION SHE WAS APPOINTED DURING THE LAST RECESS OF THE SENATE.

VICTORIA A. LIPNIC, OF VIRGINIA, TO BE A MEMBER OF THE EQUAL EMPLOYMENT OPPORTUNITY COMMISSION FOR THE REMAINDER OF THE TERM EXPIRING JULY 1, 2010, TO WHICH POSITION SHE WAS APPOINTED DURING THE LAST RECESS OF THE SENATE.

P. DAVID LOPEZ, OF ARIZONA, TO BE GENERAL COUNSEL OF THE EQUAL EMPLOYMENT OPPORTUNITY COMMISSION FOR A TERM OF FOUR YEARS, TO WHICH POSITION HE WAS APPOINTED DURING THE LAST RECESS OF THE SENATE.

#### EXECUTIVE OFFICE OF THE PRESIDENT

MICHAEL W. PUNKE, OF MONTANA, TO BE A DEPUTY UNITED STATES TRADE REPRESENTATIVE, WITH THE RANK OF AMBASSADOR.

ISLAM A. SIDDIQI, OF VIRGINIA, TO BE CHIEF AGRICULTURAL NEGOTIATOR, OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE, WITH THE RANK OF AMBASSADOR.

PHILIP E. COYLE, III, OF CALIFORNIA, TO BE AN ASSOCIATE DIRECTOR OF THE OFFICE OF SCIENCE AND TECHNOLOGY POLICY.

MICHAEL W. PUNKE, OF MONTANA, TO BE A DEPUTY UNITED STATES TRADE REPRESENTATIVE, WITH THE RANK OF AMBASSADOR, TO WHICH POSITION HE WAS APPOINTED DURING THE LAST RECESS OF THE SENATE.

ISLAM A. SIDDIQI, OF VIRGINIA, TO BE CHIEF AGRICULTURAL NEGOTIATOR, OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE, WITH THE RANK OF AMBASSADOR, TO WHICH POSITION HE WAS APPOINTED DURING THE LAST RECESS OF THE SENATE.

PHILIP E. COYLE, III, OF CALIFORNIA, TO BE AN ASSOCIATE DIRECTOR OF THE OFFICE OF SCIENCE AND TECHNOLOGY POLICY, TO WHICH POSITION HE WAS APPOINTED DURING THE LAST RECESS OF THE SENATE.

#### FARM CREDIT ADMINISTRATION

JILL LONG THOMPSON, OF INDIANA, TO BE A MEMBER OF THE FARM CREDIT ADMINISTRATION BOARD, FARM CREDIT ADMINISTRATION, TO WHICH POSITION SHE WAS APPOINTED DURING THE LAST RECESS OF THE SENATE.

#### FEDERAL HOUSING FINANCE AGENCY

JOSEPH A. SMITH, JR., OF NORTH CAROLINA, TO BE DIRECTOR OF THE FEDERAL HOUSING FINANCE AGENCY FOR A TERM OF FIVE YEARS.

#### FEDERAL MARITIME COMMISSION

MARIO CORDERO, OF CALIFORNIA, TO BE A FEDERAL MARITIME COMMISSIONER FOR THE TERM EXPIRING JUNE 30, 2014.

REBECCA F. DYE, OF NORTH CAROLINA, TO BE A FEDERAL MARITIME COMMISSIONER FOR THE TERM EXPIRING JUNE 30, 2015.

#### FEDERAL RESERVE SYSTEM

PETER A. DIAMOND, OF MASSACHUSETTS, TO BE A MEMBER OF THE BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM FOR THE UNEXPIRED TERM OF FOURTEEN YEARS FROM FEBRUARY 1, 2000.

#### GOVERNMENT PRINTING OFFICE

WILLIAM J. BOARMAN, OF MARYLAND, TO BE PUBLIC PRINTER.

#### MARINE MAMMAL COMMISSION

FRANCES M.D. GULLAND, OF CALIFORNIA, TO BE A MEMBER OF THE MARINE MAMMAL COMMISSION FOR A TERM EXPIRING MAY 13, 2012.

#### NATIONAL BOARD FOR EDUCATION SCIENCES

BEVERLY L. HALL, OF GEORGIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE NATIONAL BOARD FOR EDUCATION SCIENCES FOR A TERM EXPIRING MARCH 15, 2012.

ANTHONY BRYK, OF CALIFORNIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE NATIONAL BOARD FOR EDUCATION SCIENCES FOR A TERM EXPIRING NOVEMBER 28, 2015.

#### NATIONAL COUNCIL ON DISABILITY

PAMELA YOUNG-HOLMES, OF WISCONSIN, TO BE A MEMBER OF THE NATIONAL COUNCIL ON DISABILITY FOR THE REMAINDER OF THE TERM EXPIRING SEPTEMBER 17, 2010.

JANICE LEHRER-STEIN, OF CALIFORNIA, TO BE A MEMBER OF THE NATIONAL COUNCIL ON DISABILITY FOR A TERM EXPIRING SEPTEMBER 17, 2013.

CLYDE E. TERRY, OF NEW HAMPSHIRE, TO BE A MEMBER OF THE NATIONAL COUNCIL ON DISABILITY FOR A TERM EXPIRING SEPTEMBER 17, 2013.

#### NATIONAL COUNCIL ON THE ARTS

AGNES GUND, OF NEW YORK, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE ARTS.

#### NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

PAULA BARKER DUFFY, OF ILLINOIS, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE HUMANITIES FOR A TERM EXPIRING JANUARY 26, 2016.

MARTHA WAGNER WEINBERG, OF MASSACHUSETTS, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE HUMANITIES FOR A TERM EXPIRING JANUARY 26, 2016.

ALBERT J. BEVERIDGE III, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE HUMANITIES FOR A TERM EXPIRING JANUARY 26, 2016.

CONSTANCE M. CARROLL, OF CALIFORNIA, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE HUMANITIES FOR A TERM EXPIRING JANUARY 26, 2016.

CATHY M. DAVIDSON, OF NORTH CAROLINA, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE HUMANITIES FOR A TERM EXPIRING JANUARY 26, 2016.

AARON PAUL DWORKIN, OF MICHIGAN, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE ARTS FOR A TERM EXPIRING SEPTEMBER 3, 2014.

#### NATIONAL LABOR RELATIONS BOARD

CRAIG BECKER, OF ILLINOIS, TO BE A MEMBER OF THE NATIONAL LABOR RELATIONS BOARD FOR THE TERM OF FIVE YEARS EXPIRING DECEMBER 16, 2014, TO WHICH POSITION HE WAS APPOINTED DURING THE LAST RECESS OF THE SENATE.

MARK GASTON PEARCE, OF NEW YORK, TO BE A MEMBER OF THE NATIONAL LABOR RELATIONS BOARD FOR THE TERM OF FIVE YEARS EXPIRING AUGUST 27, 2013, TO WHICH POSITION HE WAS APPOINTED DURING THE LAST RECESS OF THE SENATE.

#### NATIONAL MEDIATION BOARD

THOMAS M. BECK, OF VIRGINIA, TO BE A MEMBER OF THE NATIONAL MEDIATION BOARD FOR A TERM EXPIRING JULY 1, 2013.

#### NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

SCOTT C. DONEY, OF MASSACHUSETTS, TO BE CHIEF SCIENTIST OF THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION.

#### NATIONAL SCIENCE FOUNDATION

CORA B. MARRETT, OF WISCONSIN, TO BE DEPUTY DIRECTOR OF THE NATIONAL SCIENCE FOUNDATION.

KELVIN K. DROEGEMEIER, OF OKLAHOMA, TO BE A MEMBER OF THE NATIONAL SCIENCE BOARD, NATIONAL SCIENCE FOUNDATION FOR A TERM EXPIRING MAY 10, 2016.

#### OFFICE OF SPECIAL COUNSEL

CAROLYN N. LERNER, OF MARYLAND, TO BE SPECIAL COUNSEL, OFFICE OF SPECIAL COUNSEL, FOR THE TERM OF FIVE YEARS.

#### OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE

STEPHANIE O'SULLIVAN, OF VIRGINIA, TO BE PRINCIPAL DEPUTY DIRECTOR OF NATIONAL INTELLIGENCE.

#### OVERSEAS PRIVATE INVESTMENT CORPORATION

KATHERINE M. GEHL, OF WISCONSIN, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE OVERSEAS PRIVATE INVESTMENT CORPORATION FOR A TERM EXPIRING DECEMBER 17, 2010.

MATTHEW MAXWELL TAYLOR KENNEDY, OF CALIFORNIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE OVERSEAS PRIVATE INVESTMENT CORPORATION FOR A TERM EXPIRING DECEMBER 17, 2012.

ROBERTO R. HERENCIA, OF ILLINOIS, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE OVERSEAS PRIVATE INVESTMENT CORPORATION FOR A TERM EXPIRING DECEMBER 17, 2012.

JAMES A. TORREY, OF CONNECTICUT, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE OVERSEAS PRIVATE INVESTMENT CORPORATION FOR A TERM EXPIRING DECEMBER 17, 2010.

JAMES A. TORREY, OF CONNECTICUT, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE OVERSEAS PRIVATE INVESTMENT CORPORATION FOR A TERM EXPIRING DECEMBER 17, 2013.

TERRY LEWIS, OF MICHIGAN, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE OVERSEAS PRIVATE INVESTMENT CORPORATION FOR A TERM EXPIRING DECEMBER 17, 2011.

#### PENSION BENEFIT GUARANTY CORPORATION

JOSHUA GOTBAUM, OF THE DISTRICT OF COLUMBIA, TO BE DIRECTOR OF THE PENSION BENEFIT GUARANTY CORPORATION, TO WHICH POSITION HE WAS APPOINTED DURING THE LAST RECESS OF THE SENATE.

#### PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD

ELISEBETH COLLINS COOK, OF ILLINOIS, TO BE A MEMBER OF THE PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD FOR A TERM EXPIRING JANUARY 29, 2014.

JAMES XAVIER DEMPSEY, OF CALIFORNIA, TO BE A MEMBER OF THE PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD FOR A TERM EXPIRING JANUARY 29, 2016.

#### SMALL BUSINESS ADMINISTRATION

WINSLOW LORENZO SARGEANT, OF WISCONSIN, TO BE CHIEF COUNSEL FOR ADVOCACY, SMALL BUSINESS ADMINISTRATION.

WINSLOW LORENZO SARGEANT, OF WISCONSIN, TO BE CHIEF COUNSEL FOR ADVOCACY, SMALL BUSINESS ADMINISTRATION, TO WHICH POSITION HE WAS APPOINTED DURING THE LAST RECESS OF THE SENATE.

#### STATE JUSTICE INSTITUTE

WILFREDO MARTINEZ, OF FLORIDA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE STATE JUSTICE INSTITUTE FOR A TERM EXPIRING SEPTEMBER 17, 2010.

#### THE JUDICIARY

AMY TOTENBERG, OF GEORGIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF GEORGIA.

EDWARD CARROLL DUMONT, OF THE DISTRICT OF COLUMBIA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE FEDERAL CIRCUIT.

PAUL KINLOCH HOLMES, III, OF ARKANSAS, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF ARKANSAS.

SUSAN L. CARNEY, OF CONNECTICUT, TO BE UNITED STATES CIRCUIT JUDGE FOR THE SECOND CIRCUIT.

ANTHONY J. BATTAGLIA, OF CALIFORNIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF CALIFORNIA.

EDWARD J. DAVILA, OF CALIFORNIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF CALIFORNIA.

JAMES E. SHADID, OF ILLINOIS, TO BE UNITED STATES DISTRICT JUDGE FOR THE CENTRAL DISTRICT OF ILLINOIS.

MAX OLIVER COGBURN, JR., OF NORTH CAROLINA, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF NORTH CAROLINA.

JAMES E. GRAVES, JR., OF MISSISSIPPI, TO BE UNITED STATES CIRCUIT JUDGE FOR THE FIFTH CIRCUIT.

JAMES EMANUEL BOASBERG, OF THE DISTRICT OF COLUMBIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF COLUMBIA.

AMY BERMAN JACKSON, OF THE DISTRICT OF COLUMBIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF COLUMBIA.

VICTORIA FRANCES NOURSE, OF WISCONSIN, TO BE UNITED STATES CIRCUIT JUDGE FOR THE SEVENTH CIRCUIT.

MARCO A. HERNANDEZ, OF OREGON, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF OREGON.

STEVE C. JONES, OF GEORGIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF GEORGIA.

SUE E. MYERSCOUGH, OF ILLINOIS, TO BE UNITED STATES DISTRICT JUDGE FOR THE CENTRAL DISTRICT OF ILLINOIS.

DIANA SALDANA, OF TEXAS, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF TEXAS.

MICHAEL H. SIMON, OF OREGON, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF OREGON.

CHARLES BERNARD DAY, OF MARYLAND, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF MARYLAND.

KATHLEEN M. WILLIAMS, OF FLORIDA, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF FLORIDA.

MARINA GARCIA MARMOLEJO, OF TEXAS, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF TEXAS.

ROBERT NEIL CHATIGNY, OF CONNECTICUT, TO BE UNITED STATES CIRCUIT JUDGE FOR THE SECOND CIRCUIT.

GOODWIN LIU, OF CALIFORNIA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE NINTH CIRCUIT.

LOUIS B. BUTLER, JR., OF WISCONSIN, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF WISCONSIN.

EDWARD MILTON CHEN, OF CALIFORNIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF CALIFORNIA.

JOHN J. MCCONNELL, JR., OF RHODE ISLAND, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF RHODE ISLAND.

CAITLIN JOAN HALLIGAN, OF NEW YORK, TO BE UNITED STATES CIRCUIT JUDGE FOR THE DISTRICT OF COLUMBIA CIRCUIT.

JIMMIE V. REYNA, OF MARYLAND, TO BE UNITED STATES CIRCUIT JUDGE FOR THE FEDERAL CIRCUIT.

RICHARD BROOKE JACKSON, OF COLORADO, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF COLORADO.

MAE A. D'AGOSTINO, OF NEW YORK, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF NEW YORK.

CATHY BISSEON, OF PENNSYLVANIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF PENNSYLVANIA.

VINCENT L. RICCETTI, OF NEW YORK, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF NEW YORK.

ROY BALE DALTON, JR., OF FLORIDA, TO BE UNITED STATES DISTRICT JUDGE FOR THE MIDDLE DISTRICT OF FLORIDA.

SARA LYNN DARROW, OF ILLINOIS, TO BE UNITED STATES DISTRICT JUDGE FOR THE CENTRAL DISTRICT OF ILLINOIS.

JOHN A. KRONSTADT, OF CALIFORNIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE CENTRAL DISTRICT OF CALIFORNIA.

KEVIN HUNTER SHARP, OF TENNESSEE, TO BE UNITED STATES DISTRICT JUDGE FOR THE MIDDLE DISTRICT OF TENNESSEE.

BERNICE BOUIE DONALD, OF TENNESSEE, TO BE UNITED STATES CIRCUIT JUDGE FOR THE SIXTH CIRCUIT.

ARENDA L. WRIGHT ALLEN, OF VIRGINIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF VIRGINIA.

MICHAEL FRANCIS URRANSKI, OF VIRGINIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF VIRGINIA.

CLAIRE C. CECCHI, OF NEW JERSEY, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF NEW JERSEY.

ESTHER SALAS, OF NEW JERSEY, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF NEW JERSEY.

MARK RAYMOND HORNAK, OF PENNSYLVANIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF PENNSYLVANIA.

ROBERT DAVID MARIANI, OF PENNSYLVANIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE MIDDLE DISTRICT OF PENNSYLVANIA.

JOHN ANDREW ROSS, OF MISSOURI, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF MISSOURI.

#### UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

ERIC G. POSTEL, OF WISCONSIN, TO BE AN ASSISTANT ADMINISTRATOR OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT.

#### UNITED STATES INSTITUTE OF PEACE

JUDITH A. ANSLEY, OF MASSACHUSETTS, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE UNITED STATES INSTITUTE OF PEACE FOR THE REMAINDER OF THE TERM EXPIRING SEPTEMBER 19, 2011.

JUDITH A. ANSLEY, OF MASSACHUSETTS, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE UNITED STATES INSTITUTE OF PEACE FOR A TERM OF FOUR YEARS.

JOHN A. LANCASTER, OF NEW YORK, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE UNITED STATES INSTITUTE OF PEACE FOR THE REMAINDER OF THE TERM EXPIRING SEPTEMBER 19, 2011.

JOHN A. LANCASTER, OF NEW YORK, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE UNITED STATES INSTITUTE OF PEACE FOR A TERM OF FOUR YEARS.

#### UNITED STATES TAX COURT

JUAN F. VASQUEZ, OF TEXAS, TO BE A JUDGE OF THE UNITED STATES TAX COURT FOR A TERM OF FIFTEEN YEARS.

MAURICE B. FOLEY, OF MARYLAND, TO BE A JUDGE OF THE UNITED STATES TAX COURT FOR A TERM OF FIFTEEN YEARS.

#### IN THE AIR FORCE

AIR FORCE NOMINATION OF BRIGADIER GENERAL RICHARD T. DEVEREAUX, TO BE MAJOR GENERAL.

AIR FORCE NOMINATION OF MAJ. GEN. ROBIN RAND, TO BE LIEUTENANT GENERAL.

AIR FORCE NOMINATIONS BEGINNING WITH BRIGADIER GENERAL WILLIAM R. BURKS AND ENDING WITH COLONEL ARTHUR W. HYATT, JR., WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 28, 2010.

AIR FORCE NOMINATION OF COL. DONALD P. DUNBAR, TO BE BRIGADIER GENERAL.

AIR FORCE NOMINATION OF MAJ. GEN. JOHN D. LAVELLE, TO BE GENERAL.

#### IN THE ARMY

ARMY NOMINATION OF COLONEL JODY J. DANIELS, TO BE BRIGADIER GENERAL.

ARMY NOMINATION OF COLONEL DOMINIC J. CARACCILLO, TO BE BRIGADIER GENERAL.

ARMY NOMINATION OF BRIG. GEN. RODNEY J. BARHAM, TO BE MAJOR GENERAL.

ARMY NOMINATION OF COLONEL DENISE T. ROONEY, TO BE BRIGADIER GENERAL.

#### NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION NOMINATION OF MICHAEL S. DEVANY, TO BE REAR ADMIRAL (LOWER HALF).

#### IN THE NAVY

NAVY NOMINATION OF CAPTAIN LUKE M. MCCOLLUM, TO BE REAR ADMIRAL (LOWER HALF).

NAVY NOMINATION OF REAR ADM. (LH) JAMES P. MCNAMON, TO BE REAR ADMIRAL.

#### IN THE AIR FORCE

AIR FORCE NOMINATION OF DAVID JAURIQUE, TO BE COLONEL.

AIR FORCE NOMINATIONS BEGINNING WITH DAVID LEWIS BUTTRICK AND ENDING WITH THEODORE L. WILSON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 17, 2010.

AIR FORCE NOMINATIONS BEGINNING WITH MARTIN D. ADAMSON AND ENDING WITH JOHN MARION VON ALMEN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 17, 2010.

#### FOREIGN SERVICE

FOREIGN SERVICE NOMINATION OF BARBARA J. MARTIN.

FOREIGN SERVICE NOMINATION OF R. DOUGLASS ARBUCKLE.

FOREIGN SERVICE NOMINATION OF HUSSAIN WAHEED IMAM.

#### IN THE MARINE CORPS

MARINE CORPS NOMINATIONS BEGINNING WITH JOE H. ADKINS, JR. AND ENDING WITH JAMES B. ZIENTEK, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON DECEMBER 8, 2010.

#### CONFIRMATIONS

Executive nominations confirmed by the Senate, December 22, 2010: