

TEXT OF AMENDMENTS

SA 246. Mr. THOMAS proposed an amendment to amend SA 61 proposed by Ms. MIKULSKI (for herself, Mr. SARBANES, Mr. DORGAN, Mr. DURBIN, Mr. AKAKA, Mr. BINGAMAN, Mr. FEINGOLD, Mr. JOHNSON, Mr. KENNEDY, Mr. KOHL, and Mrs. MURRAY) to the joint resolution H.J. Res. 2, making further continuing appropriations for the fiscal year 2003 and for other purposes; as follows:

Strike all after the first word and insert the following:

While nothing in this section shall prevent any agency of the executive branch from subjecting work performed by Federal Government employees or private contractors to public-private competition or conversions, none of the funds made available in this Act may be used by an agency of the executive branch to establish, apply, or enforce any numerical goal, target, or quota for subjecting the employees of the executive agency to public-private competitions or for converting such employees or the work performed by such employees to private contractor performance under the Office of Management and Budget Circular A-76 or any other administrative regulation, directive, or policy unless the goal, target, or quota is based on considered research and sound analysis of past activities and is consistent with the stated mission of the executive agency. Nothing in this section shall limit the use of such funds for the administration of the Government Performance and Results Act of 1993 or for the administration of any other provision of law.

SA 247. Ms. MIKULSKI (for herself and Mr. REID) proposed an amendment to amendment SA 61 proposed by Ms. MIKULSKI (for herself, Mr. SARBANES, Mr. DORGAN, Mr. DURBIN, Mr. AKAKA, Mr. BINGAMAN, Mr. FEINGOLD, Mr. JOHNSON, Mr. KENNEDY, Mr. KOHL, and Mrs. MURRAY) to the joint resolution H.J. Res. 2, making further continuing appropriations for the fiscal year 2003, and for other purposes; as follows:

In lieu of the language proposed to be inserted, insert the following:

SEC. ____ None of the funds made available in this Act may be used by an Executive agency to establish, apply, or enforce any numerical goal, target, or quota for subjecting the employees of the agency to public-private competitions or converting such employees or the work performed by such employees to private contractor performance under the Office of Management and Budget Circular A-76 or any other Administrative regulation, directive, or policy. This section shall take effect one day after the date of this bill's enactment.

SA 248. Ms. STABENOW proposed an amendment to the joint resolution H.J. Res. 2, making further continuing appropriations for the fiscal year 2003, and for other purposes; as follows:

At the appropriate place, insert the following:

SEC. ____ SENSE OF THE SENATE.

It is the sense of the Senate that the conferees on the part of the Senate on the disagreeing votes of the two Houses on this joint resolution should insist that the committee of conference ensure that the joint resolution as reported from the committee includes section 102 of division L relating to Homeland Security Act of 2002 Amendments,

as passed by the Senate, (relating to amendments to sections 1714 through 1717 of the Homeland Security Act of 2002 (Public Law 107-296)).

PRIVILEGE OF THE FLOOR

Mr. REID. Mr. President, I ask unanimous consent that Rhonda Sinkfield of the Finance Committee staff be accorded floor privileges during the duration of debate on H.J. Res. 2.

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

Mrs. CLINTON. Mr. President, I ask unanimous consent that Murali Raju, a fellow from my office, be granted the privilege of the floor for the duration of the debate.

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

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. COLEMAN. Mr. President, I ask unanimous consent that the Senate immediately proceed to executive session to consider the following nominations on the Executive Calendar: Nos. 2 through 16, and 19.

I further ask unanimous consent that the nominations be confirmed, the motions to reconsider be laid upon the table, 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 were considered and confirmed, as follows:

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 the title 10, U.S.C., section 601:

To be lieutenant general

Lt. Gen. George W. Casey, Jr., 1204

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. John P. Abizaid, 6229

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

Celeste Colgan, of Texas, to be a Member of the National Council on the Humanities for a term expiring January 26, 2008.

Jewel Spears Brooker, of Florida, to be a Member of the National Council on the Humanities for a term expiring January 26, 2008.

Elizabeth Fox-Genovese, of Georgia, to be a Member of the National Council on the Humanities for a term expiring January 26, 2008.

Stephen McKnight, of Florida, to be a Member of the National Council on the Humanities for a term expiring January 26, 2006.

Sidney McPhee, of Tennessee, to be a Member of the National Council on the Humanities for a term expiring January 26, 2008.

Lawrence Okamura, of Missouri, to be a Member of the National Council on the Humanities for a term expiring January 26, 2008.

Marguerite Sullivan, of the District of Columbia, to be a Member of the National Council on the Humanities for a term expiring January 26, 2008.

Stephen Thernstrom, of Massachusetts, to be a Member of the National Council on the Humanities for a term expiring January 26, 2008.

David Hertz, of Indiana, to be a Member of the National Council on the Humanities for a term expiring January 26, 2006.

Terry L. Maple, of Georgia, to be a Member of National Museum Services Board for a term expiring December 6, 2005

NATIONAL INSTITUTE FOR LITERACY

Phyllis C. Hunter, of Texas, to be a Member of the National Institute for Literacy Advisory Board for a term of two years. (New Position)

Blanca E. Enriquez, of Texas, to be a Member of the National Institute for Literacy Advisory Board for a term of three years. (New Position)

Douglas Carnine, of Oregon, to be a Member of the National Council Institute for Literacy Advisory Board for a term of three years. (New Position)

DEPARTMENT OF HOMELAND SECURITY

Asa Hutchinson, of Arkansas, to be Under Secretary for Border and Transportation, Department of Homeland Security. (New Position)

Mr. MCCAIN. Mr. President, the Senate has just confirmed the appointment of Asa Hutchinson to serve as the Under Secretary for Border and Transportation Security at the Department of Homeland Security. This is a very important position within the newly created Department, and one that encompasses far-reaching responsibilities. Therefore, I am pleased the Senate was able to move expeditiously on this confirmation so that Congressman Hutchinson can be in his position when the new Department officially begins operation tomorrow, January 24.

The Under Secretary for Border and Transportation Security is charged with critical duties, including: preventing the entry of terrorists and the instruments of terrorism into the United States; securing the borders, territorial waters, ports, terminals, waterways, and air, land, and sea transportation systems of the United States; administering U.S. customs laws; establishing national immigration enforcement policies and priorities; carrying out INS immigration enforcement functioning; and administering the granting of visas or other forms of permission to enter the United States.

With these duties will go jurisdiction over many existing government units, including the United States Customs Service of the Department of the Treasury, the Transportation Security Administration, TSA, of the Department of Transportation, the Federal Protective Service of the General Services Administration, the Federal Law Enforcement Training Center of the Department of the Treasury, and the Office for Domestic Preparedness of the Office of Justice Programs of the Department of Justice.