

(2) the country of origin of the immigrant investors;

(3) the localities where the immigrant investors are settling and whether those investors generally remain in the localities where they initially settle;

(4) the number of immigrant investors that have sought to become citizens of the United States;

(5) the types of commercial enterprises that the immigrant investors have established; and

(6) the types and number of jobs created by the immigrant investors.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. SESSIONS. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on Friday, October 3, 2003, at 9:30 a.m., in closed session, to receive a briefing on the interim report on Iraq's weapons of mass destruction programs.

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

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate immediately proceed to executive session to consider the following nominations on today's Executive Calendar: Calendar Nos. 147, 308, 343, 354, 363, 379, 387, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 403, 404, and all nominations on the Secretary's desk. I further ask unanimous consent that the nominations be confirmed; that the motions to reconsider be laid upon the table; that the President be immediately notified of the Senate's action; and that the Senate then return to legislative session.

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

The nominations considered and confirmed are as follows:

INTERNATIONAL JOINT COMMISSION, UNITED STATES AND CANADA

Dennis L. Schornack, of Michigan, to be Commissioner on the part of the United States on the International Joint Commission, United States and Canada.

DEPARTMENT OF JUSTICE

Jack Landman Goldsmith III, of Virginia, to be an Assistant Attorney General.

DEPARTMENT OF HOMELAND SECURITY

Penrose C. Albright, of Virginia, to be an Assistant Secretary of Homeland Security. (New Position)

DEPARTMENT OF JUSTICE

Daniel J. Bryant, of Virginia, to be an Assistant Attorney General.

DEPARTMENT OF ENERGY

Rick A. Dearborn, of Oklahoma, to be an Assistant Secretary of Energy (Congressional and Intergovernmental Affairs).

DEPARTMENT OF JUSTICE

Mauricio J. Tamargo, of Florida, to be Chairman of the Foreign Claims Settlement Commission of the United States for a term expiring September 30, 2006. (Reappointment)

John Francis Bardelli, of Connecticut, to be United States Marshal for the District of

Connecticut for the term of four years, vice John R. O'Connor.

DEPARTMENT OF STATE

Richard Eugene Hoagland, of the District of Columbia, 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 Tajikistan.

Pamela P. Willeford, of Texas, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Switzerland, and to serve concurrently and without additional compensation as Ambassador Extraordinary and Plenipotentiary of the United States of America to the Principality of Liechtenstein.

James Casey Kenny, of Illinois, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Ireland.

Randall L. Tobias, of Indiana, to be Coordinator of United States Government Activities to Combat HIV/AIDS Globally, with the rank of Ambassador.

W. Robert Pearson, of Tennessee, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Director General of the Foreign Service.

William Cabaniss, of Alabama, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Czech Republic.

David L. Lyon, of California, a Career Member of the Senior Foreign Service, to serve concurrently and without additional compensation as Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Kiribati.

Roderick R. Paige, of Texas, to be Representative of the United States of America to the Thirty-second Session of the General Conference of the United Nations Educational, Scientific, and Cultural Organization.

H. Douglas Barclay, of New York, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of El Salvador.

Robert B. Charles, of Maryland, to be an Assistant Secretary of State (International Narcotics and Law Enforcement Affairs).

DEPARTMENT OF JUSTICE

Karin J. Immergut, of Oregon, to be United States Attorney for the District of Oregon for the term of four years.

DEPARTMENT OF HOMELAND SECURITY

C. Suzanne Mencer, of Colorado, to be the Director of the Office for Domestic Preparedness, Department of Homeland Security. (New Position)

NOMINATIONS PLACED ON THE SECRETARY'S DESK

FOREIGN SERVICE

PN356-3 Foreign Service nomination of Pamela A. White, which was received by the Senate and appeared in the Congressional Record of February 25, 2003.

NOMINATION OF JACK LANDMAN GOLDSMITH III

Mr. LEAHY. Mr. President, we voted today on the nomination of Prof. Jack Goldsmith to head the Office of Legal Counsel at the Department of Justice. I have serious reservations about Professor Goldsmith's nomination. In particular, I am concerned about his positions as they relate to the international protection of human rights, the engagement of the United States in holding accountable those who commit crimes against humanity, the administration's use of military tribunals and, more broadly, our Nation's place in the global community.

Professor Goldsmith is a leading opponent of the use of the Alien Tort

Claims Act, ATCA. For the past 23 years, judges have interpreted the ATCA to allow victims of torture and abuse to file claims in United States courts against foreign governments, torturers, and multinational corporations. Victims have used the act to bring claims against notorious violators of human rights, such as war criminal Radovan Karadzic, the former prime minister of the Philippines, Ferdinand Marcos, and the banks and companies that profited from Nazi war crimes. Professor Goldsmith's opposition to the use of ATCA reflects a disturbing shift away from international efforts to hold human rights abusers responsible for their inhumane treatment of innocent victims throughout the world.

Professor Goldsmith is also a vocal opponent of the International Criminal Court, ICC. Over the past few months, the ICC has taken steps toward becoming an effective tool to hold accountable those accused of war crimes, genocide, and crimes against humanity. Yet Professor Goldsmith has dismissed the Court as "futile" and "unrealistic." Many believe that the ICC is the best forum to bring the world's worst criminals to justice, but Professor Goldsmith has predicted that it is headed for the grave: I am hopeful that the United States can one day play a key role in ensuring that the ICC effectively carries out its historic mandate, and I worry that Professor Goldsmith has not demonstrated a commitment to leading the administration in this important direction.

Professor Goldsmith also vigorously defended the President's authority to try suspected terrorists by military tribunal, despite the concerns raised by many Americans and our allies about the legality of these practices. Legitimate questions have been raised about the administration's inconsistency in bringing some cases in federal court while referring other similar cases to military tribunals, where the defendants' rights are fewer and the procedures less clear. I urge Professor Goldsmith to take a hard look at the administration's recent treatment of prisoners of war: I fear it may have negative implications for the treatment of our own citizens abroad.

Professor Goldsmith's positions on ATCA, the ICC, and military tribunals reflect a broader, disturbing trend in his thinking, scholarship and writings. At a time when the United States should be increasing our engagement in the international community, I am concerned that Professor Goldsmith will advocate for less engagement. At a time when the United States should be increasing our global cooperation in areas such as the war on terrorism, the environment, and international peace and security, I am concerned that Professor Goldsmith will advocate for less cooperation. At a time when the United States should be reaffirming