

General. Such reports shall include, but need not be limited to—

“(A) a summary of each significant report made during the reporting period, including a description of significant problems, abuses, and deficiencies disclosed by such report;

“(B) a description of the recommendations for corrective action made with respect to significant problems, abuses, or deficiencies described pursuant to subparagraph (A);

“(C) a summary of the progress made in implementing such corrective action described pursuant to subparagraph (B); and

“(D) information concerning any disagreement the Comptroller General has with a recommendation of the Inspector General.

“(2) The Comptroller General shall transmit the semiannual reports of the Inspector General, together with any comments the Comptroller General considers appropriate, to Congress within 30 days after receipt of such reports.

“(f) INDEPENDENCE IN CARRYING OUT DUTIES AND RESPONSIBILITIES.—The Comptroller General may not prevent or prohibit the Inspector General from carrying out any of the duties or responsibilities of the Inspector General under this section.

“(g) AUTHORITY FOR STAFF.—

“(1) IN GENERAL.—The Inspector General shall select, appoint, and employ such personnel as may be necessary to carry out this section consistent with the provisions of this title governing selections, appointments, and employment in the Government Accountability Office. Such personnel shall be appointed, promoted, and assigned only on the basis of merit and fitness, but without regard to those provisions of title 5 governing appointments and other personnel actions in the competitive service, except that no personnel of the Office may be paid at an annual rate greater than \$1,000 less than the annual rate of pay of the Inspector General.

“(2) EXPERTS AND CONSULTANTS.—The Inspector General may procure temporary and intermittent services under section 3109 of title 5 at rates not to exceed the daily equivalent of the annual rate of basic pay for level V of the Executive Schedule under section 5315 of such title.

“(3) INDEPENDENCE IN APPOINTING STAFF.—No individual may carry out any of the duties or responsibilities of the Office of the Inspector General unless the individual is appointed by the Inspector General, or provides services obtained by the Inspector General, pursuant to this paragraph.

“(4) LIMITATION ON PROGRAM RESPONSIBILITIES.—The Inspector General and any individual carrying out any of the duties or responsibilities of the Office of the Inspector General are prohibited from performing any program responsibilities.

“(h) OFFICE SPACE.—The Comptroller General shall provide the Office of the Inspector General—

“(1) appropriate and adequate office space;

“(2) such equipment, office supplies, and communications facilities and services as may be necessary for the operation of the Office of the Inspector General;

“(3) necessary maintenance services for such office space, equipment, office supplies, and communications facilities; and

“(4) equipment and facilities located in such office space.

“(i) DEFINITION.—As used in this section, the term ‘Federal agency’ means a department, agency, instrumentality, or unit thereof, of the Federal Government.”

(b) INCUMBENT.—The individual who serves in the position of Inspector General of the Government Accountability Office on the date of the enactment of this Act shall continue to serve in such position subject to removal in accordance with the amendments made by this section.

(c) CLERICAL AMENDMENT.—The table of sections for chapter 7 is amended by inserting after the item relating to section 704 the following:

“705. Inspector General for the Government Accountability Office.”

**[SEC. 6. REIMBURSEMENT OF AUDIT COSTS.]**

[(a) IN GENERAL.—Section 3521 is amended by adding at the end the following:

“(1) If the Government Accountability Office audits any financial statement or related schedule which is prepared under section 3515 by an executive agency (or component thereof) for a fiscal year beginning on or after October 1, 2009, such executive agency (or component) shall reimburse the Government Accountability Office for the cost of such audit if—

“(A) the statement or schedule audited is that of an executive agency (or component) which submitted a financial statement or related schedule under section 3515 for fiscal year 2007 which was audited by the Government Accountability Office; or

“(B) the reason for the audit (described in the matter before subparagraph (A)) is because of the Comptroller General’s determination of materiality to the statements required under section 331(e).

“(2) Any executive agency (or component thereof) that prepares a financial statement under section 3515 for a fiscal year beginning on or after October 1, 2009, and that requests the Government Accountability Office to audit such statement or any related schedule may reimburse the Government Accountability Office for the cost of such audit.

“(3) Any reimbursement under paragraph (1) or (2) shall be deposited to a special account in the Treasury and shall be available to the Government Accountability Office for such purposes and in such amounts as are specified in annual appropriations Acts.”

[(b) CONFORMING AMENDMENT.—Section 1401 of title I of Public Law 108-83 (31 U.S.C. 3523 note) is repealed, effective October 1, 2010.]

**SEC. [7.16. FINANCIAL DISCLOSURE REQUIREMENTS.]**

Section 109(13)(B) of the Ethics in Government Act of 1978 (5 U.S.C. App.) is amended—

(1) in clause (i), by inserting “(except any officer or employee of the Government Accountability Office)” after “legislative branch”, and by striking “and” at the end;

(2) by redesignating clause (ii) as clause (iii); and

(3) by inserting after clause (i) the following:

“(ii) each officer or employee of the Government Accountability Office who, for at least 60 consecutive days, occupies a position for which the rate of basic pay, minus the amount of locality pay that would have been authorized under section 5304 of title 5, United States Code (had the officer or employee been paid under the General Schedule) for the locality within which the position of such officer or employee is located (as determined by the Comptroller General), is equal to or greater than 120 percent of the minimum rate of basic pay payable for GS-15 of the General Schedule; and”.

**SEC. [8.17. HIGHEST BASIC PAY RATE.]**

Section 732(c)(2) is amended by striking “highest basic rate for GS-15;” and inserting “rate for level III of the Executive Level, except that the total amount of cash compensation in any year shall be subject to the limitations provided under section 5307(a)(1) of title 5;”.

**SEC. [9.18. ADDITIONAL AUTHORITIES.]**

(a) IN GENERAL.—Section 731 is amended—

(1) by repealing subsection (d);

(2) in subsection (e)—

(A) in the matter before paragraph (1), by striking “maximum daily rate for GS-18

under section 5332 of such title” and inserting “daily rate for level IV of the Executive Schedule”; and

(B) by striking “more than—” and all that follows and inserting the following: “more than 20 experts and consultants may be procured for terms of not more than 3 years, but which shall be renewable.”; and

(3) by adding at the end the following:

“(j) Funds appropriated to the Government Accountability Office for salaries and expenses are available for meals and other related reasonable expenses incurred in connection with recruitment.”.

(b) CONFORMING AMENDMENTS.—(1) Section 732a(b) is amended by striking “section 731(d), (e)(1), or (e)(2)” and inserting “paragraph (1) or (2) of section 731(e)”.

(2) Section 733(c) is amended by striking “(d).”.

(3) Section 735(a) is amended by striking “731(c)-(e).” and inserting “731(c) and (e).”.

Mr. REID. Mr. President, I ask unanimous consent that the committee amendments be withdrawn; the Lieberman substitute, which is at the desk, be agreed to; the bill, as amended, be read the third time, and passed; the motion to reconsider be laid upon the table, with no intervening action or debate; and that any statements related to this bill be printed in the RECORD.

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

The Committee amendments were withdrawn.

The amendment (No. 5264) was agreed to.

(The amendment is printed in today’s RECORD under “Text of Amendments.”)

The amendment was ordered to be engrossed and the bill to be read the third time.

The bill (H.R. 5683), as amended, was read the third time, and passed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR AND NOMINATIONS DISCHARGED

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following nominations: Calendar Nos. 525, 645, 691, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 737, 738, 741, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, and all nominations on the Secretary’s desk relating to the Air Force, Army, and Navy; that the HELP Committee be discharged of the following nominations: PN1816, the nomination of Holly A. Kuzmich; PN1817, the nomination of Christopher Marston; and PN1454 and PN1548, routine U.S. Public Health Services Commissioned Corps; that the Commerce Committee be discharged of the following nominations: PN1858, Stephen West, and PN1859, Elisa Garrity; that the Environment and Public Works Committee be discharged of PN1872, the nomination of Thomas J. Madison; that the Senate then proceed to the nominations, en bloc, the nominations be confirmed, en bloc, and the motions to reconsider be laid upon the table, en bloc.

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

The nominations were considered and confirmed, as follows:

## DEPARTMENT OF STATE

D. Kathleen Stephens, of Montana, 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 Korea.

Philip Thomas Reeker, of the District of Columbia, 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 Macedonia.

## DEPARTMENT OF THE TREASURY

Eric M. Thorson, of Virginia, to be Inspector General, Department of the Treasury.

## IN THE NAVY

The following named officer for appointment to the grade indicated under title 10, U.S.C., section 5148:

*To be vice admiral*

Rear Adm. Bruce E. MacDonald

## DEPARTMENT OF STATE

Marie L. Yovanovitch, of Connecticut, 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 Armenia.

Tatiana C. Gfoeller-Volkoff, of the District of Columbia, 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.

W. Stuart Symington, of Missouri, 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 Rwanda.

Alan W. Eastham, Jr., of Arkansas, 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 the Congo.

James Christopher Swan, 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 Republic of Djibouti.

Michele Jeanne Sison, 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 Republic of Lebanon.

Richard G. Olson, Jr., of New Mexico, 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 United Arab Emirates.

David D. Pearce, of Virginia, 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 People's Democratic Republic of Algeria.

John A. Simon, of Maryland, to be Representative of the United States of America to the African Union, with the rank and status of Ambassador Extraordinary and Plenipotentiary.

## AFRICAN DEVELOPMENT BANK

Mimi Alemayehou, of the District of Columbia, to be United States Director of the African Development Bank for a term of five years.

## INTER-AMERICAN DEVELOPMENT BANK

Miguel R. San Juan, of Texas, to be United States Executive Director of the Inter-American Development Bank for a term of three years.

## OVERSEAS PRIVATE INVESTMENT CORPORATION

Patrick J. Durkin, of Connecticut, to be a Member of the Board of Directors of the Overseas Private Investment Corporation for a term expiring December 17, 2009, vice Ned L. Siegel, term expired.

## EUROPEAN BANK FOR RECONSTRUCTION AND DEVELOPMENT

Kenneth L. Peel, of Maryland, to be United States Director of the European Bank for Reconstruction and Development.

## AFRICAN DEVELOPMENT FOUNDATION

John W. Leslie, Jr., of Connecticut, to be a Member of the Board of Directors of the African Development Foundation for a term expiring September 22, 2013. (Reappointment)

John O. Agwunobi, of Florida, to be a Member of the Board of Directors of the African Development Foundation for a term expiring February 9, 2014.

Julius E. Coles, of Georgia, to be a Member of the Board of Directors of the African Development Foundation for a term expiring September 22, 2011.

Morgan W. Davis, of California, to be a Member of the Board of Directors of the African Development Foundation for a term expiring November 13, 2013.

## THE JUDICIARY

Carol A. Dalton, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years.

Anthony C. Epstein, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years.

Heidi M. Pasichow, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years.

## IN THE AIR FORCE

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

*To be general*

Gen. Duncan J. McNabb

The following named officer for appointment in the United States Air Force 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. William L. Shelton

The following named officer for appointment in the United States Air Force 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*

Maj. Gen. Larry D. James

The following Air National Guard of the United States officers for appointment in the Reserve of the Air Force to the grades indicated under title 10, U.S.C., sections 12203 and 12212:

*To be major general*

Brigadier General William S. Busby, III  
Brigadier General Stanley E. Clarke, III  
Brigadier General John B. Ellington, Jr.  
Brigadier General Maria A. Falca-Dodson  
Brigadier General Tony A. Hart  
Brigadier General James E. Hearon  
Brigadier General Mark F. Sears

*To be brigadier general*

Colonel Theresa Z. Blumberg

Colonel Paul D. Brown, Jr.  
Colonel Steven D. Friedrichs  
Colonel Steven D. Gregg  
Colonel John O. Griffin  
Colonel Joseph L. Lengyel  
Colonel Bradley A. Livingston  
Colonel Michael A. Meyer  
Colonel Stanley J. Osserman, Jr.  
Colonel Stephan A. Pappas  
Colonel Bruce W. Prunk  
Colonel Charles L. Smith  
Colonel James R. Summers  
Colonel Bruce N. Thompson  
Colonel Delilah R. Works

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

*To be major general*

Brig. Gen. Lawrence A. Stutzriem

## IN THE ARMY

The following Army National Guard of the United States officer for promotion in the Reserve of the Army to the grade indicated under title 10, U.S.C., sections 12203 and 12211:

*To be brigadier general*

Col. James R. Anderson

The following named officers for appointment in the Reserve of the Army to the grades indicated under title 10, U.S.C., section 12203:

*To be major general*

Brigadier General Lie-Ping Chang  
Brigadier General Paul E. Crandall  
Brigadier General Jeffrey A. Jacobs  
Brigadier General Dempsey D. Kee  
Brigadier General Eldon P. Regua  
Brigadier General Richard A. Stone  
Brigadier General Keith L. Thurgood

*To be brigadier general*

Colonel Gill P. Beck  
Colonel Paul M. Benenati  
Colonel Alton G. Berry  
Colonel Leslie J. Carroll  
Colonel Joe E. Chesnut, Jr.  
Colonel David G. Clarkson  
Colonel Janet L. Cobb  
Colonel Don S. Cornett, Jr.  
Colonel Mark W. Corson  
Colonel John J. Donnelly, III  
Colonel James H. Doty, Jr.  
Colonel Roger B. Duff  
Colonel Gracus K. Dunn  
Colonel William J. Gothard  
Colonel Mark S. Hendrix  
Colonel Patricia A. Heritsch  
Colonel Leroy Winfield, Jr.  
Colonel Eugene R. Woolridge, III

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

*To be brigadier general*

Colonel Heidi V. Brown  
Colonel John A. Davis  
Colonel Edward P. Donnelly, Jr.  
Colonel Karen E. Dyson  
Colonel Robert S. Ferrell  
Colonel Stephen G. Fogarty  
Colonel Michael X. Garrett  
Colonel Thomas A. Harvey  
Colonel Thomas A. Harlander  
Colonel Paul J. Lacamera  
Colonel Sean B. MacFarland  
Colonel Kevin W. Mangum  
Colonel Robert M. McCaleb  
Colonel Colleen L. McGuire  
Colonel Herbert R. McMaster, Jr.  
Colonel Austin S. Miller  
Colonel John M. Murray  
Colonel Richard P. Mustion  
Colonel Camille M. Nichols  
Colonel John R. O'Connor

Colonel Lawarren V. Patterson  
 Colonel Gustave F. Perna  
 Colonel Warren E. Phipps, Jr.  
 Colonel Gregg C. Potter  
 Colonel Nancy L. S. Price  
 Colonel Edward M. Reeder, Jr.  
 Colonel Ross E. Ridge  
 Colonel Jess A. Scarbrough  
 Colonel Michael H. Shields  
 Colonel Jefforey A. Smith  
 Colonel Leslie C. Smith  
 Colonel Jeffrey J. Snow  
 Colonel Kurt S. Story  
 Colonel Kenneth E. Tovo  
 Colonel Stephen J. Townsend  
 Colonel John Uberti  
 Colonel Thomas S. Vandal  
 Colonel Bryan G. Watson  
 Colonel John F. Wharton  
 Colonel Mark W. Yenter

IN THE MARINE CORPS

The following named officer for appointment to the grade of lieutenant general in the United States Marine Corps while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

*To be lieutenant general*

Lt. Gen. John M. Paxton, Jr.

IN THE NAVY

The following named officers for appointment in the United States Navy Reserve to the grade indicated under title 10, U.S.C., section 12203:

*To be rear admiral (lower half)*

Capt. Christopher J. Paul  
 Capt. Russell S. Penniman  
 Capt. Gary W. Rosholt  
 Capt. Robert P. Wright  
 Capt. Michael J. Yurina

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 (lower half)*

Captain Terry B. Kraft

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*

Rear Adm. Bruce W. Clingan

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. James A. Winnefeld, Jr.

NOMINATIONS PLACED ON THE SECRETARY'S DESK

IN THE AIR FORCE

PN1468 Air Force nominations (29) beginning CHRISTIAN L. BISCOTTI, and ending BARRY K. WELLS, which nominations were received by the Senate and appeared in the Congressional Record of March 11, 2008.

PN1904 Air Force nominations (7) beginning TIMOTHY M. FRENCH, and ending RACHELLE M. NOWLIN, which nominations were received by the Senate and appeared in the Congressional Record of July 23, 2008.

PN1915 Air Force nomination of Jeffrey T. Butler, which was received by the Senate and appeared in the Congressional Record of July 24, 2008.

IN THE ARMY

PN1888 Army nominations (3) beginning ROBERT S. DEMPSTER, and ending FRED A. KARNIK, which nominations were received by the Senate and appeared in the Congressional Record of July 22, 2008.

PN1889 Army nominations (2) beginning THOMAS G. NORBIE, and ending DAVID K. RHINEHART, which nominations were received by the Senate and appeared in the Congressional Record of July 22, 2008.

PN1890 Army nominations (17) beginning ANNE M. ANDREWS, and ending KIM N. THOMSEN, which nominations were received by the Senate and appeared in the Congressional Record of July 22, 2008.

PN1891 Army nominations (17) beginning DAVID E. BENTZEL, and ending SHANNON M. WALLACE, which nominations were received by the Senate and appeared in the Congressional Record of July 22, 2008.

PN1892 Army nominations (76) beginning CARLOS C. AMAYA, and ending SELINA G. WILLIAMS, which nominations were received by the Senate and appeared in the Congressional Record of July 22, 2008.

PN1893 Army nominations (109) beginning KIMBERLEE A. AIELLO, and ending D060789, which nominations were received by the Senate and appeared in the Congressional Record of July 22, 2008.

PN1905 Army nomination of Deborah J. McDonald, which was received by the Senate and appeared in the Congressional Record of July 23, 2008.

PN1916 Army nomination of Lemuel H. Clement, which was received by the Senate and appeared in the Congressional Record of July 24, 2008.

PN1917 Army nomination of Marco E. Harris, which was received by the Senate and appeared in the Congressional Record of July 24, 2008.

PN1918 Army nominations (3) beginning ROBERT J. HOWELL JR., and ending STANLEY R. JONES JR., which nominations were received by the Senate and appeared in the Congressional Record of July 24, 2008.

PN1919 Army nomination of Francis B. Magurn II, which was received by the Senate and appeared in the Congressional Record of July 24, 2008.

PN1920 Army nomination of Joseph W. Brown, which was received by the Senate and appeared in the Congressional Record of July 24, 2008.

PN1921 Army nomination of Victor Ursua, which was received by the Senate and appeared in the Congressional Record of July 24, 2008.

PN1922 Army nomination of Yvonne M. Beale, which was received by the Senate and appeared in the Congressional Record of July 24, 2008.

PN1923 Army nomination of Gerald P. Johnson, which was received by the Senate and appeared in the Congressional Record of July 24, 2008.

PN1924 Army nominations (2) beginning MAUEL LABORDE, and ending ANTHONY WOJCIK, which nominations were received by the Senate and appeared in the Congressional Record of July 24, 2008.

PN1925 Army nominations (3) beginning GEORGE J. JICHA, and ending WILLIAM H. SMITHSON, which nominations were received by the Senate and appeared in the Congressional Record of July 24, 2008.

PN1926 Army nominations (3) beginning CHRISTOPHER M. HARTLEY, and ending LAJOHNE A. WHITE, which nominations were received by the Senate and appeared in the Congressional Record of July 24, 2008.

PN1927 Army nominations (4) beginning SAMUEL M. RUBEN, and ending GEORGE D. HORN, which nominations were received by the Senate and appeared in the Congressional Record of July 24, 2008.

IN THE NAVY

PN1894 Navy nominations (2) beginning TIMOTHY J. MCCULLOUGH, and ending JAE WOO CHUNG, which nominations were received by the Senate and appeared in the Congressional Record of July 22, 2008.

PN1895 Navy nominations (30) beginning PHILLIP J. BACHAND, and ending GILBERT L. WILLIAMS, which nominations were received by the Senate and appeared in the Congressional Record of July 22, 2008.

PN1928 Navy nomination of Eric D. Seeland, which was received by the Senate and appeared in the Congressional Record of July 24, 2008.

PN1929 Navy nominations (3) beginning WILLIAM L. HENDRICKSON, and ending ORLANDO GALLARDO JR., which nominations were received by the Senate and appeared in the Congressional Record of July 24, 2008.

DEPARTMENT OF EDUCATION

Holly A. Kuzmich, of Indiana, to be Assistant Secretary for Legislation and Congressional Affairs, Department of Education.

Christopher M. Marston, of Virginia, to be Assistant Secretary for Management, Department of Education.

REGULAR CORPS OF THE COMMISSIONED CORPS OF THE U.S. PUBLIC HEALTH SERVICE

The following candidates for personnel action in the Regular Corps of the Commissioned Corps of the U.S. Public Health Service subject to qualifications therefore as provided by law and regulations:

*To be medical director*

Margaret C. Bash  
 Diane E. Bennett  
 M Miles Braun  
 Louisa E. Chapman  
 Donald W. Clark  
 George A. Conway  
 Theresa Diaz Vargas  
 Steven H. Fox  
 Walter G. Hlady  
 Hamid S. Jafari  
 Susan A. Maloney  
 Diane A. Mitchell  
 Anthony W. Mounts  
 Carol A. Pertowski  
 Edward L. Petsonk  
 Lisa G. Rider  
 Steven R. Rosenthal  
 Patricia M. Simone  
 Gail M. Stennies  
 Pamela Stratton  
 John C. Watson

*To be senior surgeon*

Tecora D. Ballom  
 D. W. Chen  
 Patrick H. David  
 Michael C. Engel  
 Paul T. Harvey  
 Richard P. Hedlund  
 Michael T. Martin  
 John R. Mascola  
 William H. Orman  
 Bernard W. Parker  
 Karen L. Parko  
 Kevin A. Prohaska  
 William Resto-Rivera  
 Theresa L. Smith  
 Stephen H. Waterman

*To be surgeon*

Daniel S. Budnitz  
 Soju Chang  
 Eileen F. Dunne  
 Diana L. Dunnigan  
 David R. Gahn  
 John M. Hardin  
 Scott A. Harper  
 Richard P. Hedlund  
 Mitchell V. Mathis, Jr.  
 Matthew R. Moore  
 Marie A. Russell  
 Dorothy J. Sanderson  
 John W. Vanderhoof  
 Hui-Hsing Wong

*To be senior assistant surgeon*

Songhai C. Barclift  
 Richard P. Hedlund

Mitchell V. Mathis, Jr.  
Matthew J. Olnes  
Gregory J. Woitte

*To be dental director*

Joel J. Aimone  
Mitchel J. Bernstein  
David A. Crain  
Clay D. Crossett  
Christopher G. Halliday  
Kathy L. Hayes  
Stuart R. Holmes  
Linda A. Jackson  
John W. King  
Michael E. Korale  
Tad R. Mabry  
Ronald J. Nagel  
Mary S. Runner  
Saunders P. Steiman  
James N. Sutherland  
Stephen P. Torna

*To be senior dental surgeon*

Timothy L. Ambrose  
Anita L. Bright  
Brenda S. Burges  
Cielo C. Doherty  
Robert G. Good  
Renee Joskow  
Gelynn L. Majure  
Kippy G. Martin  
Hsiao P. Peng  
Ross W. Silver  
John R. Smith  
Michael P. Winkler  
Paul S. Wood  
Benjamin C. Wooten

*To be dental surgeon*

Stephanie M. Burrell  
Tanya T. Hollinshead-Miles  
Mary B. Johnson  
Craig S. Kluger  
Robert C. Lloyd, Jr.  
Tanya M. Robinson  
Bridget R. Swanberg-Austin  
Vanessa F. Thomas  
James H. Webb, Jr.  
Earlena R. Wilson

*To be nurse director*

Mary C. Aoyama  
Regena Dale  
Fern S. Detsoi  
Maureen Q. Farley  
Clarice Gee  
Ann R. Knebel  
Sheryl L. Meyers  
Ernestine Murray  
James M. Pobrislo  
Ana M. Puente  
Gwethlyn J. Sabatinos  
Toni Joy Spadaro  
Diane R. Walsh  
Janet L. Wildeboor

*To be senior nurse officer*

Yvonne L. Anthony  
Dolores J. Atkinson  
Katherine M. Berkousen  
Rosa J. Clark  
Bucky M. Frost  
Alex Garza  
Bradley J. Husberg  
Lynn M. Lowry  
Ivy L. Manning  
Daniel Reyna  
Michael L. Robinson  
Linda M. Trujillo  
Vien H. Vanderhoof  
Theresa B. Wade  
Amanda S. Waugaman  
Konstantine K. Weld  
Christine L. Williams  
Adolfo Zorrilla

*To be nurse officer*

Amy F. Anderson  
Felicia A. Andrews  
Debra D. Aynes  
Lisa A. Barnhart

Elizabeth A. Boot  
Alicia A. Bradford  
Theodora R. Bradley  
Claudia M. Brown  
Maureen J. Cippel  
William F. Coyner  
Susie P. Dill  
Jenny Doan  
John S. Gary, Jr.  
Deanna M. Gephart  
Akilah K. Green  
Chris L. Henneford  
Erik S. Hierholzer  
Eunice F. Jones-Willis  
Charles M. Kerns  
Yvonne T. Lacour  
Stephen D. Lane  
Christine M. Mattson  
Thel Moore, Jr.  
Alois P. Provost  
Tonia L. Sawyer  
Sean-David A. Waterman  
Kellie L. Westerbuhr  
Zenja D. Woodley

*To be senior assistant nurse officer*

David A. Campbell  
Darrell Lyons  
Christine M. Merenda  
Gloria M. Rodrigues  
Geri L. Tagliaferrri

*To be engineer director*

Dana J. Baer  
Robert E. Biddle  
David M. Birney  
Craig W. Larson  
Peter C. Pirillo, Jr.  
George D. Pringle, Jr.  
Paula A. Simenauer

*To be senior engineer officer*

Donald C. Antrobus  
Leo M. Blade  
Randall J. Gardner  
Bradley K. Harris  
Edward M. Lohr  
Robert J. Lorenz  
Dale M. Mossefin  
Susan K. Neurath  
Paul G. Robinson  
Arthur D. Ronimus I, II  
Jack S. Sorum  
Kenneth T. Sun  
Hung Trinh  
Daniel H. Williams

*To be engineer officer*

Mark T. Bader  
Sean M. Boyd  
Tracy D. Gilchrist  
Ramsey D. Hawasly  
Stephen B. Martin, Jr.  
Marcus C. Martinez  
Mark A. Nasi  
Delrey K. Pearson  
Nicholas R. Vizzzone

*To be scientist director*

S. Lori Brown  
Lemyra M. Debruyne  
Darcy E. Hanes  
Deloris L. Hunter  
Mahendra H. Kothary  
Francois M. Lalonde  
ONeal A. Walker

*to be senior scientist*

Jon R. Daugherty  
John M. Hayes  
William J. Murphy  
Richard P. Troiano

*To be scientist*

Diana M. Bensyl  
Mark J. Seaton

*To be environmental health officer director*

Steven M. Breithaupt  
Richie K. Grinnell  
Kathy L. Moring  
John P. Sarisky

*To be senior environmental health officer*

Debra M. Flagg  
Jean A. Gaunce  
Kevin W. Hanley  
Timothy M. Radtke  
Kelly M. Taylor

*To be environmental health officer*

David B. Cramer  
Thomas M. Fazzini  
Brian K. Johnson  
Tina J. Lankford  
John W. Spriggs  
Bobby T. Villines

*To be veterinary director*

Peter B. Bioland  
Waiter R. Daley  
Judith A. Davis  
Shelley Hoogstraten-Miller  
Marissa A. Miller

*To be senior veterinary officer*

Kristine M. Bisgard  
Brent C. Morse  
Kim D. Taylor

*To be veterinary officer*

Princess R. Campbell  
Marianne Phelan Ross

*To be pharmacist director*

Rodney M. Bauer  
Laurie B. Burke  
Diane Centeno-Deshields  
Paul A. David  
Josephine E. Divel  
George A. Lyght  
Michael J. Montello  
Cecilia-Marina Prela  
Bryan I. Schulz  
Raelene W. Skerda  
Matthew A. Spataro

*To be senior pharmacist*

Edward D. Bashaw  
Jeffrey T. Bingham  
Beecher R. Cope, Jr.  
Wesley G. Cox  
Susan J. Fredericks  
Muhammad A. Marwan  
Jill D. Mayes  
John F. Snow  
Robert C. Steyert  
Julienne M. Vaillancourt  
Todd A. Warren  
Kimberly A. Zietlow

*To be pharmacist*

Christopher K. Allen  
Mitzie A. Allen  
Michael J. Contos  
David T. Diwa  
Louis E. Feldman  
Richard K. Glabach  
Andrew S. Haffer  
Glenna L. Meade  
Andrew K. Meagher  
Suryamohan V. Palanki  
Laura L. Pincock  
Martin H. Shimer II  
Mark N. Strong  
Brandon L. Taylor  
Teresa A. Watkins  
Samuel Y. Wu  
Charla M. Young

*To be dietitian director*

Tammy L. Brown  
Karen A. Herbelin

*To be senior dietitian*

Silvia Benincaso  
Jean R. Makie  
Vangie R. Tate

*To be therapist director*

Terry T. Cavanaugh  
Georgia A. Johnson  
Susan F. Miller  
Rebecca A. Parks

*To be senior therapist*

Nancy J. Balash

Mercedes Benitez-Mccrary  
Gary W. Shelton

*To be therapist*

Cynthia E. Carter  
Grant N. Mead  
Sue N. Newman  
Tarri Ann Randall

*To be health services director*

Maria E. Burns  
Peter J. Delany  
Julia A. Dunaway  
Annie Brayboy Fair  
Steven M. Glover

*To be senior health services officer*

Gail A. Davis  
Rafael A. Duenas  
Gregory D. McLain  
Nancy A. Nichols  
Judy B. Pyant  
Larry E. Richardson  
Rafael A. Salas  
William Tool  
Gina B. Woodlief  
Elise S. Young

*To be health services officer*

Jeffrey S. Buckser  
Christopher C. Duncan  
Amanda K. Dunnick  
Nima D. Feldman  
Beth D. Finnson  
Celia S. Gabrel  
Daniel H. Hesselgesser  
Erich Kleinschmidt  
Audrey G. Lum  
Jack F. Martinez  
Priscilla Rodriguez  
Karen J. Sicard  
Colleen E. White  
Felicia B. Williams

*To be senior assistant health services officer*

Tracy J. Branch  
William L. Cooper  
Deborah A. Doody  
Suzanne Carole Hennigan  
Scarlett A. Lusk

The following candidates for personnel action in the Regular Corps of the Commissioned Corps of the U.S. Public Health Service subject to qualifications therefore as provided by law and regulations:

*To be assistant surgeon*

Robert P. Drewelow  
Sarah R. Wheatley

UNITED STATES COAST GUARD

The following named individual for appointment as a permanent commissioned regular officer in the United States Coast Guard in the grade indicated under title 14, U.S.C., Section 211:

*To be lieutenant*

Stephen E. West

The following named individual for appointment as a permanent commissioned regular officer in the United States Coast Guard in the grade indicated under Title 14, U.S.C., Section 211:

*To be lieutenant*

Elisa M. Garrity

FEDERAL HIGHWAY ADMINISTRATION

Thomas J. Madison, of New York, to be Administrator of the Federal Highway Administration.

NOMINATION OF GENERAL NORTON A. SCHWARTZ

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to Calendar No. 742, and I ask that the Senate proceed immediately to vote on confirmation of the nomination.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of GEN Norton A. Schwartz, Calendar No. 742?

The nomination was confirmed.

Mr. REID. Mr. President, I ask unanimous consent that no further motions be in order; that the President be immediately notified of the Senate's action; that any statements relating to any of these nominations be printed in the RECORD, as if read; that the RECORD reflect that had there been a rollcall vote on Calendar No. 742, Senator WEBB of Virginia would have voted no; and that the Senate resume legislative session.

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

#### LEGISLATIVE SESSION

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

#### AUTHORITY TO FILE

Mr. REID. Mr. President, I ask unanimous consent that during the recess or adjournment of the Senate, that Senate committees may file committee-reported legislative and Executive Calendar business on Friday, August 22, during the hours of 10 a.m. to 12 noon.

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

#### AUTHORITY TO MAKE APPOINTMENTS

Mr. REID. Mr. President, I ask unanimous consent that notwithstanding the recess or adjournment of the Senate, the President of the Senate, the President of the Senate pro tempore, and the majority and minority leaders be authorized to make appointments to commissions, committees, boards, conferences or interparliamentary conferences authorized by law, by concurrent action of the two Houses or by order of the Senate.

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

#### ORDER FOR PRO FORMA SESSIONS

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in recess and convene for pro forma sessions with no business conducted on the following days and times and that following each pro forma session, the Senate recess until the following pro forma session: Tuesday, August 5, at 10 a.m.; Friday, August 8, at 11 a.m.; Tuesday, August 12, at 2 p.m.; Friday, August 15, at 10 a.m.; Tuesday, August 19, at 9 a.m.; Friday, August 22, at 10 a.m.; Tuesday, August 26, at 2 p.m.; Friday, August 29, at 2 p.m.; Tuesday, September 2, at 12 p.m.; Friday, September 5, at 9:30 a.m.; and further that when the Senate completes its pro forma session on Friday, September 5, the Senate stand adjourned until 3 p.m. on Monday, September 8; that 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 Calendar No. 732, S. 3001, the Defense authorization bill.

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

#### PROGRAM

Mr. REID. Mr. President, Senators should be prepared for a rollcall vote at about 5:30 p.m., on Monday, September 8. That vote would be on the motion to invoke cloture on the motion to proceed to the Defense authorization bill.

RECESS UNTIL TUESDAY, AUGUST 5, 2008, at 10 A.M.

Mr. REID. Mr. President, I see no one on the floor seeking recognition. Therefore, I ask unanimous consent that the Senate stand in recess under the previous order.

There being no objection, the Senate, at 2:49 p.m., recessed until Tuesday, August 5, 2008, at 10 a.m.

#### NOMINATIONS

#### EXECUTIVE NOMINATIONS RECEIVED BY THE SENATE:

##### OFFICE OF PERSONNEL MANAGEMENT

MICHAEL W. HAGER, OF VIRGINIA, TO BE DIRECTOR OF THE OFFICE OF PERSONNEL MANAGEMENT FOR A TERM OF FOUR YEARS, VICE LINDA M. SPRINGER.

##### DEPARTMENT OF STATE

GREGORI LEBEDEV, OF VIRGINIA, TO BE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE UNITED NATIONS FOR U.N. MANAGEMENT AND REFORM, WITH THE RANK OF AMBASSADOR.

GREGORI LEBEDEV, OF VIRGINIA, 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.

#### DISCHARGED NOMINATIONS

The Senate Committee on Health, Education, Labor, and Pensions was discharged from further consideration of the following nominations and the nominations were confirmed:

PUBLIC HEALTH SERVICE NOMINATIONS BEGINNING WITH MARGARET C. BASH AND ENDING WITH SCARLETT A. LUSK, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 5, 2008.

PUBLIC HEALTH SERVICE NOMINATIONS BEGINNING WITH ROBERT P. DREWELow AND ENDING WITH SARAH R. WHEATLEY, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 3, 2008.

HOLLY A. KUZMICH, OF INDIANA, TO BE ASSISTANT SECRETARY FOR LEGISLATION AND CONGRESSIONAL AFFAIRS, DEPARTMENT OF EDUCATION.

CHRISTOPHER M. MARSTON, OF VIRGINIA, TO BE ASSISTANT SECRETARY FOR MANAGEMENT, DEPARTMENT OF EDUCATION.

The Senate Committee on Commerce, Science, and Transportation was discharged from further consideration of the following nominations and the nominations were confirmed:

COAST GUARD NOMINATION OF STEPHEN E. WEST, TO BE LIEUTENANT.

The Senate Committee on Environment and Public Works was discharged from further consideration of the following nomination and the nomination was confirmed: