

that provides sound advice and takes responsible action, without regard for political considerations—not one that develops legalistic loopholes and ideological litmus tests to serve the ends of a particular administration.

I congratulate Mr. Rowan and his family on his confirmation today.

#### LEGISLATIVE SESSION

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

#### REMOVAL OF INJUNCTION OF SECRECY—TREATY DOCUMENT 110-22

Mr. WHITEHOUSE. Mr. President, as in executive session, I ask unanimous consent that the injunction of secrecy be removed from the following treaty transmitted to the Senate on September 26, 2008, by the President of the United States: Agreement on Conservation of Albatrosses and Petrels, Treaty Document No. 110-22. I further ask unanimous consent that the treaty be considered as having been read the first time; that it be referred, with accompanying papers, to the Committee on Foreign Relations and ordered to be printed; and that the President's message be printed in the RECORD.

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

The message of the President is as follows:

*To the Senate of the United States:*

With a view to receiving the advice and consent of the Senate to accession, I transmit herewith the Agreement on the Conservation of Albatrosses and Petrels, with Annexes. In addition, I transmit for the information of the Senate the report of the Department of State, which includes a detailed analysis of the Agreement.

The Agreement, done at Canberra on June 19, 2001, and that entered into force on February 1, 2004, was adopted pursuant to the Convention on the Conservation of Migratory Species of Wild Animals (the "Convention"), done at Bonn on June 23, 1979. Although the United States is not a Party to the Convention, the United States may nonetheless become a Party to the Agreement. The Agreement's objective is to achieve and maintain a favorable conservation status for albatrosses and petrels.

I believe the Agreement to be fully in the U.S. interest. Its provisions advance the U.S. goals of protecting albatrosses and petrels. As the Department of State's analysis explains, the Agreement is not self-executing and thus does not by itself give rise to domestically enforceable Federal law. Implementing legislation would be required, which will be submitted separately to the Congress for its consideration.

I recommend that the Senate give early and favorable consideration to

the Agreement and give its advice and consent to accession.

GEORGE W. BUSH.  
THE WHITE HOUSE, September 26, 2008.

#### ORDERS FOR SATURDAY, SEPTEMBER 27, 2008

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in recess until 9:30 a.m. tomorrow, Saturday, September 27; that following the prayer and pledge, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and the Senate resume the House message to accompany H.R. 2638, the consolidated security, disaster, continuing resolution; that the time until 10 a.m. be equally divided between the two leaders or their designees; and that at 10 a.m. the Senate proceed to vote on the motion to invoke cloture on the motion to concur in the House amendment to the Senate amendment to H.R. 2638.

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

#### PROGRAM

Mr. WHITEHOUSE. Mr. President, at approximately 10 a.m. tomorrow, there will be a cloture vote on the House message to accompany the consolidated appropriations bill.

#### RECESS UNTIL 9:30 A.M. TOMORROW

Mr. WHITEHOUSE. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand in recess under the previous order.

There being no objection, the Senate, at 8 p.m., recessed until Saturday, September 27, 2008, at 9:30 a.m.

#### NOMINATIONS

Executive nominations received by the Senate:

##### DEPARTMENT OF ENERGY

F. CHASE HUTTO III, OF MICHIGAN, TO BE AN ASSISTANT SECRETARY OF ENERGY (INTERNATIONAL AFFAIRS AND DOMESTIC POLICY), VICE KAREN ALDERMAN HARBERT, RESIGNED.

##### DEPARTMENT OF STATE

MICHAEL S. DORAN, OF NEW JERSEY, TO BE AN ASSISTANT SECRETARY OF STATE (INTERNATIONAL INFORMATION PROGRAMS), VICE JOHN STERN WOLF.

DISTRICT OF COLUMBIA OFFENDER SUPERVISION, DEFENDER, AND COURTS SERVICES AGENCY

PAUL A. QUANDER, JR., OF THE DISTRICT OF COLUMBIA, TO BE DIRECTOR OF THE COURT SERVICES AND OFFENDER SUPERVISION AGENCY FOR THE DISTRICT OF COLUMBIA FOR A TERM OF SIX YEARS. (REAPPOINTMENT)

##### THE JUDICIARY

PHILIP P. SIMON, OF INDIANA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE SEVENTH CIRCUIT, VICE KENNETH F. RIPPLE, RETIRED.

KATHRYN A. OBERLY, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSOCIATE JUDGE OF THE DISTRICT OF COLUMBIA COURT OF APPEALS FOR THE TERM OF FIFTEEN YEARS, VICE MICHAEL W. FARRELL, RETIRED.

##### SMALL BUSINESS ADMINISTRATION

JOHN GRASTY CREWS II, OF NEW MEXICO, TO BE INSPECTOR GENERAL, SMALL BUSINESS ADMINISTRATION, VICE ERIC M. THORSON.

##### IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

*To be brigadier general*

COL. JAMES N. STEWART

##### IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

*To be brigadier general*

COL. DAVID L. WEEKS

##### IN THE COAST GUARD

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES COAST GUARD UNDER TITLE 14, U.S.C., SECTION 271:

*To be lieutenant commander*

MICAH N. ACREE  
MICHEL K. ADAMS  
ERIN N. ADLER  
EDWARD W. AHLSTRAND  
ERIC C. ALLEN  
NAHSHON I. ALMANDMOSS  
JAMIE T. AMON  
JEREMY J. ANDERSON  
RICHARD A. ANGELET  
JOHN D. ANNONEN  
KYLE S. ARMSTRONG  
DOUGLAS G. ATKINS  
STEPHEN D. AXLEY  
PATRICK T. BACHER  
JAMES J. BAILEY  
JORDAN M. BALDUEZZA  
ROBERT J. BARONAS  
HEINZ G. BARTNICK  
DAVID M. BARTRAM  
TAB A. BEACH  
CLAYTON R. BEAL  
DEREK C. BEATTY  
PAUL R. BEAVIS  
BRIAN J. BEHRER  
DAVID S. BENNETT  
BRENT R. BERGAN  
JAMES R. BIGBIE  
JAMES A. BINNIKER  
STEPHEN R. BIRD  
JEFFREY E. BIXLER  
TODD X. BLOCH  
JOSE M. BOLANOS  
MATTHEW T. BOURASSA  
MATT A. BOURNONVILLE  
RALPH J. BOYES  
JEFFREY R. BRAY  
CURTIS G. BROWN  
SCOTT D. BUETTNER  
CHANING D. BURGESS  
PATRICK C. BURKETT  
DERREK W. BURRUS  
CONRAD R. CABANTAC  
THELMA CABANTAC  
MICHAEL R. CAIN  
GREGORY A. CALLAGHAN  
TIMOTHY F. CALLISTER  
JAMES C. CAMPBELL  
ERIC M. CARREBO  
ROBERT W. CARROLL  
JONATHAN A. CARTER  
JUSTIN M. CARTER  
DREW M. CASEY  
THOMAS M. CASEY  
SEAN R. CASHELL  
JOHN D. CASHMAN  
ANTHONY B. CAUDLE  
DEBORAH D. CAWTHORN  
STEVEN E. CERVENY  
SHERRI L. CHAMBERLIN  
ROBERT L. CHAMBERS  
JOHN V. CHANG  
RANDALL T. CHONG  
MICHAEL A. CILENTI  
JOSEPH A. COMAR  
BRADLEY C. COOK  
JEFFREY K. COON  
DANIEL H. COST  
THOMAS G. COWELL  
LAUREN E. COX  
MICHAEL A. CRIDER  
EDUARDO CRUZ  
MEGAN L. CULL  
PATRICK A. CULVER  
CHRISTOPHER H. DAILEY  
ASA S. DAHLS  
DOUGLAS K. DANIELS  
STEPHEN D. PONTE  
JOHN G. DAUGHTRY  
ELAINA DAVIS  
JAY E. DAVIS  
JAVIER A. DELGADO  
MATTHEW J. DENNING  
DANIEL T. DEUTERMANN  
SHANA R. DONALDSON  
JASON J. DORVAL  
REBECCA W. DORVAL  
JEFFREY B. DORWART  
JOHN F. DRUELLE  
DANIEL J. DUMAS  
BRIAN J. ECKLEY  
RACHEL M. ELDRIDGE  
ROBIN A. ELLERBE