

(b) REPORTS.—The Comptroller General of the United States shall report the analysis required under subsection (a) to Congress not later than December 31, 2002, and annually thereafter.

SA 3827. Mr. GREGG submitted an amendment intended to be proposed to amendment SA 2917 proposed by Mr. DASCHLE (for himself and Mr. BINGAMAN) to the bill (S. 517) to authorize funding the Department of Energy to enhance its mission areas through technology transfer and partnerships for fiscal years 2002 through 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 486, between lines 10 and 11, insert the following:

(E) NATIONAL FOREST SYSTEM LAND.—The Secretary of Agriculture consider the use of National Forest System land as sites to demonstrate the feasibility of monitoring programs developed under paragraph (1).

SA 3288. Mr. GREGG submitted an amendment intended to be proposed to amendment SA 2917 proposed by Mr. DASCHLE (for himself and Mr. BINGAMAN) to the bill (S. 517) to authorize funding the Department of Energy to enhance its mission areas through technology transfer and partnerships for fiscal years 2002 through 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 532, between lines 7 and 8, insert the following:

SEC. 1385. AIR QUALITY FORECASTS AND WARNINGS BY NOAA.

(a) REQUIREMENT FOR FORECASTS AND WARNINGS.—The Secretary of Commerce shall require the Administrator of the National Oceanic and Atmospheric Administration to issue air quality forecasts and air quality warnings as a mission of that agency.

(b) REGIONAL WARNINGS.—In carrying out subsection (a), the Secretary of Commerce shall establish within the National Oceanic and Atmospheric Administration a program to provide region-oriented forecasts and warnings regarding air quality for each of the following regions of the United States:

(1) The Northeast, composed of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Maryland, Delaware, and West Virginia.

(2) The Southeast, composed of Virginia, North Carolina, South Carolina, Georgia, Alabama, and Florida.

(3) The South, composed of Tennessee, Mississippi, Louisiana, Arkansas, Oklahoma, and Texas.

(4) The Midwest, composed of Minnesota, Wisconsin, Iowa, Missouri, Illinois, Kentucky, Indiana, Ohio, and Michigan.

(5) The High Plains, composed of North Dakota, South Dakota, Nebraska, and Kansas.

(6) The Northwest, composed of Washington, Oregon, Idaho, Montana, and Wyoming.

(7) The Southwest, composed of California, Nevada, Utah, Colorado, Arizona, and New Mexico.

(8) Alaska.

(9) Hawaii.

(c) PRIORITY AREA.—The Secretary shall give the highest priority under the program to providing forecasts and warnings regarding air quality within the New England area of the Northeast.

(d) AUTHORIZATION OF APPROPRIATIONS.—In addition to the amounts authorized to be ap-

propriated in section 1384, there are authorized to be appropriated to the Department of Commerce \$5,000,000 for each of fiscal years 2002 through 2005 specifically for carrying out the program required under subsection (b) for the Northeast in accordance with the priority established under subsection (c). In addition, there are authorized to be appropriated such sums as may be necessary under this section.

SA 3289. Mr. GREGG submitted an amendment intended to be proposed to amendment SA 2917 proposed by Mr. DASCHLE (for himself and Mr. BINGAMAN) to the bill (S. 517) to authorize funding the Department of Energy to enhance its mission areas through technology transfer and partnerships for fiscal years 2002 through 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 510, between lines 4 and 5, insert the following:

SEC. 1348. NEW ENGLAND AIR QUALITY STUDY.

(a) REQUIREMENT FOR STUDY.—The Secretary of Commerce shall carry out a study of the quality of the air within the New England region of the United States.

(b) PURPOSES.—In carrying out the study, the Secretary shall—

(1) determine and assess the effects of transcontinental air flow on the quality of the air in and around the New England region;

(2) determine and assess the effects of naturally occurring emissions on the quality of the air in the New England region, including the quality of the air in selected localities within the region; and

(3) determine, analyze, and quantify the production of ozone and fine particulate pollution through chemical reactions in the atmosphere within the New England region.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Department of Commerce to carry out the study under this section \$3,000,000 for each of fiscal years 2002 through 2006.

SA 3290. Mr. HATCH submitted an amendment intended to be proposed by him to the bill S. 517, to authorize funding the Department of Energy to enhance its mission areas through technology transfer and partnerships for fiscal years 2002 through 2006, and for other purposes; which was ordered to lie on the table; as follows:

At the end of Title V of the amendment, add the following section:

SEC. 514. CLARIFICATION OF CERTAIN REGULATORY AUTHORITY REGARDING URANIUM AND THORIUM.

The Atomic Energy Act of 1954 (42 U.S.C. 2011 et seq.) is amended by inserting before the period at the end of section 276(a): “, nor shall any such provision be construed to prohibit or otherwise restrict the authority of any state to regulate, on the basis of radiological hazard, uranium or thorium mill tailings, regardless of origin, that the Commission has determined are outside the statutory authority of the Commission or that the Commission has exempted from regulation by rule”.

SA 3291. Mrs. FEINSTEIN submitted an amendment intended to be proposed to amendment SA 2917 proposed by Mr. DASCHLE (for himself and Mr. BINGAMAN) to the bill (S. 517) to authorize funding the Department of Energy to enhance its mission areas through

technology transfer and partnerships for fiscal years 2002 through 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 144, line 11, strike “ in subparagraph (B)(i)(II)” and insert “in subparagraphs (B)(i)(II) and (C)”.

On page 146, between lines 9 and 10, insert the following:

“(C) EXEMPTION FOR CERTAIN PADDS.—During calendar years 2003 through 2005, subparagraphs (A) and (B) shall not apply to any refiner, blender, or importer located in Petroleum Administration for Defense District I or Petroleum Administration for Defense District V.”.

SA 3292. Mrs. FEINSTEIN submitted an amendment intended to be proposed to amendment SA 2917 proposed by Mr. DASCHLE (for himself and Mr. BINGAMAN) to the bill (S. 517) to authorize funding the Department of Energy to enhance its mission areas through technology transfer and partnerships for fiscal years 2002 through 2006, and for other purposes; which was ordered to lie on the table as follows:

On page 146, between lines 9 and 10, insert the following:

“(C) EXEMPTION FOR CERTAIN PADDS.—During calendar years 2003 through 2005, subparagraphs (A) and (B) shall not apply to any refiner, blender, or importer located in Petroleum Administration for Defense District I or Petroleum Administration for Defense District V.”.

PRIVILEGE OF THE FLOOR

Mr. DORGAN. Mr. President, I ask unanimous consent floor privileges be granted to Brandon Hirsch for the remainder of the day.

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

ENHANCED BORDER SECURITY AND VISA ENTRY REFORM ACT OF 2002

On April 18, 2002, the Senate amended and passed H.R. 3525, as follows:

Resolved, That the bill from the House of Representatives (H.R. 3525) entitled “An Act to enhance the border security of the United States, and for other purposes.”, do pass with the following amendments:

(1) Page 2, line 4, strike out [2001] and insert: 2002

(2) Page 2, in the table of contents, after the item which reads

“Sec. 203 Commission on interoperable data sharing.”

insert:

Sec. 204. Personnel management authorities for positions involved in the development and implementation of the interoperable electronic data system (“Chimera system”).

Sec. 205. Procurement of equipment and services for the development and implementation of the interoperable electronic data system (“Chimera system”).

(3) Page 2, in the table of contents, strike out [TITLE IV—ADMISSION AND INSPECTION OF ALIENS]

and insert:

“TITLE IV—INSPECTION AND ADMISSION OF ALIENS”

(4)Page 2, in the table of contents, after the item which reads

“Sec. 403. Time period for inspections.”

insert:

Sec. 404. Joint United States-Canada projects for alternative inspections services.

(5)Page 3, after line 15, insert:

(3) CHIMERA SYSTEM.—The term “Chimera system” means the interoperable electronic data system required to be developed and implemented by section 202(a)(2).

(6)Page 3, line 16, strike out [(3)] and insert:

(4)

(7)Page 4, line 15, strike out [(4)] and insert:

(5)

(8)Page 4, line 19, strike out [(5)] and insert:

(6)

(9)Page 5, line 4, strike out [(6)] and insert:

(7)

(10)Page 5, line 16, strike out [2002] and insert: 2003

(11)Page 6, line 1, strike out [2002] and insert: 2003

(12)Page 6, strike out lines 17 through 20

(13)Page 6, line 21, strike out [(c)] and insert: (b)

(14)Page 7, line 2, after “pay” insert: effective October 1, 2002

(15)Page 8, line 1, strike out [(d)] and insert: (c)

(16)Page 8, line 10, strike out [and]

(17)Page 8, line 21, strike out [(e)] and insert: (d)

(18)Page 15, line 11, strike out [one year] and insert: 15 months

(19)Page 15, line 13, strike out [six months] and insert: one year

(20)Page 16, line 12, after “alien” insert: (also known as the “Chimera system”)

(21)Page 20, line 13, after “about” insert: the

(22)Page 21, line 7, after “of” insert: Central

(23)Page 22, line 2, strike out [in this title] and insert: in section 202

(24)Page 22, line 24, strike out [against]

(25)Page 23, after line 14, insert:

SEC. 204. PERSONNEL MANAGEMENT AUTHORITIES FOR POSITIONS INVOLVED IN THE DEVELOPMENT AND IMPLEMENTATION OF THE INTEROPERABLE ELECTRONIC DATA SYSTEM (“CHIMERA SYSTEM”).

(a) IN GENERAL.—Notwithstanding any other provision of law relating to position classification or employee pay or performance, the Attorney General may hire and fix the compensation of necessary scientific, technical, engineering, and other analytical personnel for the purpose of the development and implementation of the interoperable electronic data system described in section 202(a)(2) (also known as the “Chimera system”).

(b) LIMITATION ON RATE OF PAY.—Except as otherwise provided by law, no employee compensated under subsection (a) may be paid at a rate in excess of the rate payable for a position at level III of the Executive Schedule.

(c) LIMITATION ON TOTAL CALENDAR YEAR PAYMENTS.—Total payments to employees under any system established under this section shall be subject to the limitation on payments to employees under section 5307 of title 5, United States Code.

(d) OPERATING PLAN.—Not later than 90 days after the date of enactment of this Act, the Attorney General shall submit to the Committee on Appropriations, the Committee on the Judiciary, the Select Committee on Intelligence, and the Committee on Foreign Relations of the Senate and the Committee on Appropriations, the Committee on the Judiciary, the Permanent Select Committee on Intelligence, and the Committee on International Relations of the House of Representatives an operating plan—

(1) describing the Attorney General’s intended use of the authority under this section; and

(2) identifying any provisions of title 5, United States Code, being waived for purposes of the development and implementation of the Chimera system.

(e) TERMINATION DATE.—The authority of this section shall terminate upon the implementation of the Chimera system.

SEC. 205. PROCUREMENT OF EQUIPMENT AND SERVICES FOR THE DEVELOPMENT AND IMPLEMENTATION OF THE INTEROPERABLE ELECTRONIC DATA SYSTEM (“CHIMERA SYSTEM”).

(a) EXEMPTION FROM APPLICABLE FEDERAL ACQUISITION RULES.—

(1) IN GENERAL.—Notwithstanding any other provision of law, for the purpose of the development and implementation of the interoperable electronic data system described in section 202(a)(2) (also known as the “Chimera system”), the Attorney General may use any funds available for the Chimera system to purchase or lease equipment or any related items, or to acquire interim services, without regard to any otherwise applicable Federal acquisition rule, if the Attorney General determines that—

(A) there is an exigent need for the equipment, related items, or services in order to support interagency information sharing under this title;

(B) the equipment, related items, or services required are not available within the Department of Justice; and

(C) adherence to that Federal acquisition rule would—

(i) delay the timely acquisition of the equipment, related items, or services; and

(ii) adversely affect interagency information sharing under this title.

(2) DEFINITION.—In this subsection, the term “Federal acquisition rule” means any provision of title III or IX of the Federal Property and Administrative Services Act of 1949, the Office of Federal Procurement Policy Act, the Small Business Act, the Federal Acquisition Regulation, or any other provision of law or regulation that establishes policies, procedures, requirements, conditions, or restrictions for procurements by the head of a department or agency of the Federal Government.

(b) NOTIFICATION OF CONGRESSIONAL APPROPRIATIONS COMMITTEES.—The Attorney General shall immediately notify the Committees on Appropriations of the House of Representatives and the Senate in writing of each expenditure under subsection (a), which notification shall include sufficient information to explain the circumstances necessitating the exercise of the authority under that subsection.

(26)Page 23, line 25, strike out [an alien] and insert: each alien

(27)Page 24, line 16, strike out [202(a)(3)(B)] and insert: 202(a)(4)(B)

(28)Page 25, line 21, strike out [October 26, 2003] and insert: October 26, 2004

(29)Page 26, line 2, after “comparison” insert: and authentication

(30)Page 26, line 5, strike out [each report] and insert: the report required by that paragraph

(31)Page 26, lines 12 and 13, strike out [October 26, 2003] and insert: October 26, 2004

(32)Page 26, line 15, after “visas and” insert: other

(33)Page 26, line 18, after “tablish” insert: document authentication standards and

(34)Page 26, line 19, after “visas and” insert: other

(35)Page 26, lines 24 and 25, strike out [October 26, 2003] and insert: October 26, 2004

(36)Page 27, line 3, after “comparison” insert: and authentication

(37)Page 27, line 4, after “visas and” insert: other

(38)Page 27, line 13, strike out [and]

(39)Page 27, line 16, strike out [(c)(1).] and insert: (c)(1); and

(40)Page 27, after line 16, insert:

(iii) can authenticate the document presented to verify identity.

(41)Page 27, line 22, strike out [202(a)(3)(B)] and insert: 202(a)(4)(B)

(42)Page 28, line 2, strike out [October 26, 2003] and insert: October 26, 2004

(43)Page 28, line 9, strike out all after “biometric” down to and including “identifiers” in line 10 and insert: and document authentication identifiers that comply with applicable biometric and document identifying

(44)Page 28, line 16, strike out [October 26, 2003] and insert: October 26, 2004

(45)Page 28, line 17, after “program” insert: under section 217 of the Immigration and Nationality Act

(46)Page 29, line 4, after “mission” insert: to a foreign country

(47)Page 29, line 23, strike out [The committee] and insert: Each committee established under subsection (a)

(48)Page 30, line 1, strike out [PERIODIC REPORTS] and insert: PERIODIC REPORTS TO THE SECRETARY OF STATE

(49)Page 30, line 1, strike out [The committee] and insert: Each committee established under subsection (a)

(50)Page 30, line 2, strike out [quarterly] and insert: monthly

(51)Page 30, line 5, strike out [quarter] and insert: month

(52)Page 30, after line 5, insert:

(f) REPORTS TO CONGRESS.—The Secretary of State shall submit a report on a quarterly basis to the appropriate committees of Congress on the status of the committees established under subsection (a).

(53)Page 30, line 6, strike out [(f)] and insert: (g)

(54)Page 32, strike out all after line 22 over to and including line 5 on page 33 and insert:

(a) REPORTING PASSPORT THEFTS.—Section 217 of the Immigration and Nationality Act (8 U.S.C. 1187) is amended—

(1) by adding at the end of subsection (c)(2) the following new subparagraph:

“(D) REPORTING PASSPORT THEFTS.—The government of the country certifies that it reports to the United States Government on a timely basis the theft of blank passports issued by that country.”; and

(2) in subsection (c)(5)(A)(i), by striking “5 years” and inserting “2 years”; and

(3) by adding at the end of subsection (f) the following new paragraph:

“(5) FAILURE TO REPORT PASSPORT THEFTS.—If the Attorney General and the Secretary of State jointly determine that the program country is not reporting the theft of blank passports, as required by subsection (c)(2)(D), the Attorney General shall terminate the designation of the country as a program country.”.

(55)Page 35, strike out lines 1 and 2 and insert:

TITLE IV—INSPECTION AND ADMISSION OF ALIENS

(56)Page 35, line 10, strike out all after “the” down to and including “(a)” in line 11 and insert: President

(57)Page 37, line 2, strike out [(i)] and insert: (j)

(58)Page 37, strike out lines 3 and 4 and insert:

(3) by striking “SEC. 231.” and inserting the following:

“SEC. 231. (a) ARRIVAL MANIFESTS.—For

(59)Page 37, lines 9 and 10, strike out [an immigration officer] and insert: any United States border officer (as defined in subsection (i))

(60)Page 37, line 19, strike out [an immigration officer] and insert: any United States border officer (as defined in subsection (i))

(61)Page 39, line 9, strike out [that] and insert: that,

(62)Page 39, lines 9 and 10, strike out [, aircraft, or land carriers] and insert: or aircraft

(63)Page 39, line 25, strike out [\$300] and insert: \$1,000

(64)Page 40, line 5, strike out **[aircraft, or land carrier]** and insert: *or aircraft*

(65)Page 40, line 16, strike out **[prescribe.]** and insert: *prescribe.*

(66)Page 40, after line 16, insert:

“(i) UNITED STATES BORDER OFFICER DEFINED.—In this section, the term ‘United States border officer’ means, with respect to a particular port of entry into the United States, any United States official who is performing duties at that port of entry.”

(67)Page 40, line 17, strike out all after “CARRIERS.—” down to and including “the” the second time it appears in line 18 and insert:

(1) STUDY.—The

(68)Page 41, after line 2, insert:

(2) REPORT.—Not later than two years after the date of enactment of this Act, the President shall submit to Congress a report setting forth the findings of the study conducted under paragraph (1).

(69)Page 41, after line 22, insert:

SEC. 404. JOINT UNITED STATES-CANADA PROJECTS FOR ALTERNATIVE INSPECTIONS SERVICES.

(a) IN GENERAL.—United States border inspections agencies, including the Immigration and Naturalization Service, acting jointly and under an agreement of cooperation with the Government of Canada, may conduct joint United States-Canada inspections projects on the international border between the two countries. Each such project may provide alternative inspections services and shall undertake to harmonize the criteria for inspections applied by the two countries in implementing those projects.

(b) ANNUAL REPORT.—The Attorney General and the Secretary of the Treasury shall prepare and submit annually to Congress a report on the joint United States-Canada inspections projects conducted under subsection (a).

(c) EXEMPTION FROM ADMINISTRATIVE PROCEDURE ACT AND PAPERWORK REDUCTION ACT.—Subchapter II of chapter 5 of title 5, United States Code (commonly referred to as the “Administrative Procedure Act”) and chapter 35 of title 44, United States Code (commonly referred to as the “Paperwork Reduction Act”) shall not apply to fee setting for services and other administrative requirements relating to projects described in subsection (a), except that fees and forms established for such projects shall be published as a notice in the Federal Register.

(70)Page 48, line 16, strike out **[or]** and insert: *and*

(71)Page 49, line 4, strike out all after “COMPLIANCE.—” down to and including “reviews” in line 7 and insert: *Not later than two years after the date of enactment of this Act, and every two years thereafter, the Commissioner of Immigration and Naturalization, in consultation with the Secretary of Education, shall conduct a review*

(72)Page 49, line 22, strike out all after “REVIEWS.—” down to and including “reviews” in line 23 and insert: *Not later than two years after the date of enactment of this Act, and every two years thereafter, the Secretary of State shall conduct a review*

(73)Page 50, line 16, strike out **[(c) EFFECT OF FAILURE TO COMPLY.—Failure]** and insert: *(c) EFFECT OF MATERIAL FAILURE TO COMPLY.—Material failure*

(74)Page 50, line 24, strike out all after “(1372),” over to and including “be.” in line 5 on page 51 and insert: *shall result in the suspension for at least one year or termination, at the election of the Commissioner of Immigration and Naturalization, of the institution’s approval to receive such students, or result in the suspension for at least one year or termination, at the election of the Secretary of State, of the other entity’s designation to sponsor exchange visitor program participants, as the case may be.*

(75)Page 54, lines 24 and 25, strike out **[proceeding]** and insert: *proceedings*

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider Calendar Nos. 774, 775, and 782 through 787; 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; that any statements relating to the nominations be printed in the Record; and that the Senate return to legislative session, without any intervening action or debate.

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

The nominations considered and confirmed are as follows:

DEPARTMENT OF JUSTICE

Debra W. Yang, of California, to be United States Attorney for the Central District of California for a term of four years.

Frank DeArmon Whitney, of North Carolina, to be United States Attorney for the Eastern District of North Carolina for a term of four years.

EXECUTIVE OFFICE OF THE PRESIDENT

Barry D. Crane, of Virginia, to be Deputy Director for Supply Reduction, Office of National Drug Control Policy.

Mary Ann Solberg, of Michigan, to be Deputy Director of National Drug Control Policy.

COAST GUARD

The following named officer for appointment as Chief of Staff of the United States Coast Guard under Title 14, U.S.C., Section 50a:

To be chief of staff

Vice Adm. Thad W. Allen, 0000

The following named officer for appointment as Vice Commandant of the United States Coast Guard and to the grade indicated under Title 14, U.S.C., Section 47:

To be vice admiral

Rear Adm. Thomas J. Barrett, 0000

The following named officer for appointment as Commander, Atlantic Area of the United States Coast Guard and to the grade indicated under Title 14, U.S.C., Section 50:

To be vice admiral

Rear Adm. James D. Hull, 0000

The following named officer for appointment as Commander, Pacific Area of the United States Coast Guard and to the grade indicated under Title 14, U.S.C., Section 50:

To be vice admiral

Rear Adm. Terry M. Cross, 0000

LEGISLATIVE SESSION

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

DISCHARGE AND REFERRAL—S. 1644

Mr. REID. Mr. President, I ask unanimous consent that S. 1644, the Veterans Memorial Preservation Recognition Act of 2001, be discharged from the Veterans Affairs Committee and that measure then be referred to the Committee on the Judiciary.

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

ORDERS FOR TUESDAY, APRIL 23, 2002

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until tomorrow at 10:30 a.m., Tuesday, April 23; that immediately following the prayer and the pledge, the Journal of proceedings be approved to date, the morning hour be deemed to have expired, and the time for the two leaders be reserved for their use later in the day, and there be a period for morning business until 11:30 a.m., with Senators permitted to speak for up to 10 minutes each, with the time equally divided between the two leaders or their designees; that at 11:30 a.m. the Senate resume consideration of the energy reform bill and vote on cloture on the Daschle-Bingaman substitute amendment; further, that the Senators have until 11 a.m. on Tuesday to file second-degree amendments to the energy reform bill; and that the Senate recess from 12:30 to 2:15 p.m. tomorrow for their weekly party conferences.

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

ADJOURNMENT UNTIL 10:30 A.M. TOMORROW

Mr. REID. If there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 4:56 p.m., adjourned until Tuesday, April 23, 2002, at 10:30 a.m.

NOMINATIONS

Executive nominations received by the Senate April 22, 2002:

DEPARTMENT OF DEFENSE

THOMAS FORREST HALL, OF OKLAHOMA, TO BE AN ASSISTANT SECRETARY OF DEFENSE, VICE DEBORAH ROCHE LEE, RESIGNED.

NATIONAL INSTITUTE FOR LITERACY

MARK G. YUDOF, OF MINNESOTA, TO BE A MEMBER OF THE NATIONAL INSTITUTE FOR LITERACY ADVISORY BOARD FOR A TERM OF TWO YEARS. (NEW POSITION)

CAROL C. GAMBILL, OF TENNESSEE, TO BE A MEMBER OF THE NATIONAL INSTITUTE FOR LITERACY ADVISORY BOARD FOR A TERM OF THREE YEARS. (NEW POSITION)

FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

MICHAEL F. DUFFY, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION FOR A TERM OF SIX YEARS EXPIRING AUGUST 30, 2006. VICE JAMES CHARLES RILEY.

DEPARTMENT OF JUSTICE

G. WAYNE PIKE, OF VIRGINIA, TO BE UNITED STATES MARSHAL FOR THE WESTERN DISTRICT OF VIRGINIA FOR THE TERM OF FOUR YEARS, VICE LARRY REED MATTOX, TERM EXPIRED.

THE JUDICIARY

JAMES KNOLL GARDNER, OF PENNSYLVANIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF PENNSYLVANIA, VICE JAN E. DUBOIS, RETIRED.

IN THE COAST GUARD

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