

At the appropriate place, insert the following:

SEC. . (a) Notwithstanding any other provision of law, no funds appropriated or otherwise made available under this Act or any other Act may be obligated or expended by the Department of Defense or by any contractor of the Department of Defense to carry out any research, development, test, or evaluation on any technology or component of—

(1) the information collection program known as the Total Information Awareness program or any program whose purpose is the collection of information on United States citizens in the United States, and

(2) the information collection program known as the Total Information Awareness program or any program whose purpose is the collection of information on United States citizens in the United States for transfer to any other department or agency of the Federal Government.

(b) Within 30 days of the date of enactment of this Act, the Secretary of Defense, in conjunction with the Attorney General and the Director of the Central Intelligence Agency, shall submit to Congress a report setting forth a detailed explanation (including an expenditure plan) of the actual and intended use of the funds for all projects and activities within the Total Information Awareness program, the program's effect on the privacy and civil liberties of United States citizens, a list of the federal agencies that would have interest in utilizing the Total Information Awareness program and for what purposes, an evaluation of the effectiveness of the Total Information Awareness program in achieving its goals, a description of the ways information culled by the Total Information Awareness program may be used by law enforcement, intelligence, and other government agencies, major dates in the expected deployment of the program, a list of the laws and regulations currently governing the information to be collected by the Total Information Awareness program and any changes in these laws that will be required to use the information in the ways proposed, and recommendations for additional research, technology development or other measures necessary to ensure the protection of privacy and civil liberties of United States citizens.

(c) No funds may be obligated or expended by the Department of Defense for the Total Information Awareness program, or any program or activity of the Department of Defense whose purpose is to collect information on United States citizens in the United States, 30 days after the date of enactment of this Act unless the President submits to Congress a written waiver stating that the obligation and expenditure of funds is critical to the protection of the National Security of the United States.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. FRIST. Mr. President, I ask unanimous consent that nominations to the Office of Inspector General, except the Office of Inspector General of the Central Intelligence Agency, be referred in each case to the committee having primary jurisdiction over the Department, Agency, or entity, and if and when reported in each case, then to the Committee on Governmental Affairs for not to exceed 20 calendar days, except that in cases when the 20-day period expires while the Senate is in recess, the committee shall have 5 additional calendar days after the Senate reconvenes to report the nomination.

Finally, I ask unanimous consent that if the nomination is not reported after the expiration of that period, the nomination be automatically discharged and placed on the Executive Calendar.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

ORDERS FOR THURSDAY, JANUARY 16, 2003

Mr. FRIST. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 10 a.m., Thursday, January 16. I further ask consent that following the prayer and pledge, the morning hour be deemed expired, 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 then resume consideration of H.J. Res. 2 as under the order.

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

PROGRAM

Mr. FRIST. Mr. President, on Thursday, there will be 2 hours of debate in relation to the pending Byrd amendment regarding homeland security. Members should therefore expect a rollcall vote at approximately 12 or 12:30 p.m. in relation to the Byrd amendment. Senators should be advised of additional amendments and, therefore, additional votes are expected during the course of Thursday's session. A late night is contemplated in order to make substantial progress or perhaps even to complete action on the omnibus appropriations bill.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. FRIST. Mr. President, 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 8:27 p.m., adjourned until Thursday, January 16, 2003, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate January 15, 2003:

DEPARTMENT OF TRANSPORTATION

ROBERT A. STURGELL, OF MARYLAND, TO BE DEPUTY ADMINISTRATOR OF THE FEDERAL AVIATION ADMINISTRATION, VICE LINDA HALL DASCHLE.

THE JUDICIARY

JOSEPH ROBERT GOEKE, OF ILLINOIS, TO BE A JUDGE OF THE UNITED STATES TAX COURT FOR A TERM OF FIFTEEN YEARS AFTER HE TAKES OFFICE, VICE HERBERT L. CHABOT.

PATRICIA HEAD MINALDI, OF LOUISIANA, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF LOUISIANA, VICE JAMES T. TRIMBLE, JR., RETIRED.

DEE D. DRELL, OF LOUISIANA, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF LOUISIANA, VICE F. A. LITTLE, JR., RETIRED.

CECILIA M. ALTONAGA, OF FLORIDA, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF FLORIDA, VICE SHELBY HIGHSMITH, RETIRED.

FOREIGN SERVICE

THE FOLLOWING-NAMED PERSONS OF THE AGENCIES INDICATED FOR APPOINTMENT AS FOREIGN SERVICE OFFICERS OF THE CLASS STATED, AND ALSO FOR THE OTHER APPOINTMENTS INDICATED HEREWITH:

FOR APPOINTMENT AS FOREIGN SERVICE OFFICERS OF CLASS THREE, CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

DEPARTMENT OF AGRICULTURE

RUSSELL J. NICELY, OF WEST VIRGINIA
MICHAEL A. SMITH, OF MARYLAND
PAUL SPENCER, OF COLORADO

FOR APPOINTMENT AS FOREIGN SERVICE OFFICERS OF CLASS FOUR, CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

DEPARTMENT OF STATE

MATEO MARTIN RAMIREZ AYALA, OF TEXAS
JAMES ANDREW COHEN, OF NEW YORK
LOUIS JOHN CRISHOCK, OF VIRGINIA
JOAN MACKLEN CRISTINI, OF NEW YORK
ROBERT C. DOMAINGUE, OF WASHINGTON
SUSAN C. DOMAN, OF KENTUCKY
ROBERT WELLS DRESEN, OF WASHINGTON
GLENN E. FEDZER, OF WASHINGTON
GREGORY G. GARRAMONE, OF TEXAS
JOHN T. GODFREY, OF CALIFORNIA
AMY RUSSELL GRIER, OF NEW HAMPSHIRE
DIANA J. HABERLACK, OF WASHINGTON
JENNIFER HALL GODFREY, OF CALIFORNIA
CHRISTINA MARIA HUTH, OF VIRGINIA
JAYNE ALLISON HOWELL, OF TEXAS
CHRISTINE MARIE KAGARISE, OF PENNSYLVANIA
THOMAS E. KELLY, OF FLORIDA
MICHAEL F. KLEINE, OF CONNECTICUT
BARBARA LANKFORD, OF MARYLAND
SANGMIN LEE, OF PENNSYLVANIA
TREVOR W. MONROE, OF VIRGINIA
JILL ALANE NYSTROM, OF NORTH CAROLINA
ANNE E. OHLRICH, OF TEXAS
DEMITRA M. PAPPAS, OF NEW YORK
DONI MARIE PHILLIPS, OF WYOMING
ALBERTO RODRIGUEZ, OF PUERTO RICO
MICHAEL JOHN SEARS, OF CALIFORNIA
SUSAN MARY TULLER, OF PENNSYLVANIA
JONAS IAN WECHSLER, OF NEW YORK
STEPHEN J. WEED, OF CALIFORNIA
MATTHEW ALAN WERNER, OF GEORGIA
J. BENEDICT WOLF, OF VIRGINIA

THE FOLLOWING-NAMED MEMBERS OF THE FOREIGN SERVICE OF THE DEPARTMENT OF STATE AND COMMERCE TO BE CONSULAR OFFICERS AND/OR SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA, AS INDICATED:

CONSULAR OFFICERS AND SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

DEPARTMENT OF COMMERCE

JONATHAN M. HEIMER, OF NEW YORK
WILLIAM LAWTON, OF WASHINGTON
SHARON J. MANN, OF WASHINGTON
CHRISTINA A. SHARKEY, OF FLORIDA
CAMERON S. WERKER, OF VIRGINIA

DEPARTMENT OF STATE

DARION K. AKINS, OF TEXAS
SERGE M. ALEKSANDROV, OF VIRGINIA
JONATHAN ARTHUR ALAN, OF NORTH CAROLINA
TYLER TRAVIS ALLEN, OF CALIFORNIA
SUMERA ASHRAF, OF COLORADO
JOSEPH GEORGE ASSAD, OF VIRGINIA
EVAN ELINE LARSON BAKER, OF NEW YORK
DAVID H. BALL, OF FLORIDA
SHAWN BAXTER, OF WASHINGTON
DEBRA ANNE BENAVIDEZ, OF VIRGINIA
BARBARA MARIE BERAN, OF WASHINGTON
VALERIE K. BILGRI HOLM, OF WISCONSIN
THOMAS J. BILLARD, OF MARYLAND
DAVID MATTHEW BOYD, OF VIRGINIA
MELISSA ANNE BROWN, OF NEW YORK
CHRISTOPHER L. CAMPELL, OF OHIO
THOMAS CHOJNACKI, OF COLORADO
NICOLE ANN CHULICK, OF VIRGINIA
JEFFREY S. COLLINS, OF VIRGINIA
CHRISTINA K. CULLISON
PETER J. COVINGTON, OF CALIFORNIA
DANIEL NELS DALEY, OF THE DISTRICT OF COLUMBIA
RAYMOND MARK DAVIDSON, OF THE DISTRICT OF COLUMBIA

AARON P. DAVIET, OF TENNESSEE
RACHEL E. DAWLEY, OF TEXAS
SONDRA FERGUSON DE ROJAS, OF VIRGINIA
PAM DEVOLDER, OF WASHINGTON
MICHAEL DICERSON, OF OHIO
MAYA HOWE DIETZ, OF WASHINGTON
STACY PEARCE DOMINGUEZ, OF NEW MEXICO
JEFFREY LYNN DUNFORD, OF VIRGINIA
BENJAMIN ANDREW EAST, OF CONNECTICUT
EMILY SANFORD FISHER, OF MARYLAND
MARK LEWIS FLEMING, OF VIRGINIA
MELISSA A. FULLER, OF VIRGINIA
DANIEL C. GAUSH, OF TEXAS
DAN T. GILBRIDE, OF VIRGINIA
AUSTIN G. GILREATH, OF THE DISTRICT OF COLUMBIA
JOHN GINKEL, OF MISSOURI
RICHARD B. GINSBURG, OF CALIFORNIA
RYAN M. GLIHA, OF ARIZONA
HEATHER GRANT, OF FLORIDA
BRIAN J. GREELEY, OF MARYLAND
WILLIAM MICHAEL HAMMAKER, OF WASHINGTON