

(E) the number of orders received by small business concerns;

(F) the value of orders received by small business concerns;

(G) the number of small business concerns that received orders; and

(H) such other information that the Comptroller General considers relevant.

On page 193, strike line 14 and all that follows through page 194, line 7, and insert the following:

(2) in subparagraph (F), by striking the period at the end and inserting “; and”; and

“(G) certification that the offeror or bidder will acquire articles, equipment, supplies, services, or materials, or obtain the performance of construction work from small business concerns in the amount and quality used in preparing the bid or proposal, unless such small business concerns are no longer in business or can no longer meet the quality, quantity, or delivery date.”.

(b) PENALTIES FOR FALSE CERTIFICATIONS.—Section 16(f) of the Small Business Act (15 U.S.C. 645(f)) is amended by striking “of this Act” and inserting “or the reporting requirements of section 8(d)(11)”.

On page 195, strike lines 4 through 19 and insert the following:

(1) by redesignating paragraph (11) as paragraph (14); and

(2) by inserting after paragraph (10) the following:

“(11) CERTIFICATION.—A report submitted by the prime contractor pursuant to paragraph (6)(E) to determine the attainment of a subcontract utilization goal under any subcontracting plan entered into with a Federal agency under this subsection shall contain the name and signature of the president or chief executive officer of the contractor, certifying that the subcontracting data provided in the report are accurate and complete.

“(12) CENTRALIZED DATABASE.—The results of an evaluation under paragraph (10)(C) shall be included in a national centralized governmentwide database.

“(13) PAYMENTS PENDING REPORTS.—Each Federal agency having contracting authority shall ensure that the terms of each contract for goods and services includes a provision allowing the contracting officer of an agency to withhold an appropriate amount of payment with respect to a contract (depending on the size of the contract) until the date of receipt of complete, accurate, and timely subcontracting reports in accordance with paragraph (11).”.

On page 196, lines 17 and 18, strike “performance, or lack of performance of the subcontractor.” and insert “circumstances surrounding the failure to make the timely payment described in subparagraph (A).”.

On page 199, line 3, strike “(b)” and insert the following:

(b) HUBZONE STATUS TIMELINE AND COMMENCEMENT.—

(1) IN GENERAL.—A base closure area shall be treated as a HUBZone for a period of 5 years beginning on the date of final closure. A military base that was closed before the date of enactment of this Act shall not be considered a base closure area for purposes of this section.

(2) EFFECTIVE DATE.—This section and the amendments made by this section shall take effect on the date of enactment of this Act.

(c)

SA 1789. Mr. FRIST (for Mr. GRAHAM of South Carolina) proposed an amendment to the resolution S. Res. 219, to encourage the People’s Republic of China to establish a market-based valuation of the yuan and to fulfill its commitments under international trade agreements; as follows:

Strike the fourth clause of the preamble.

In the seventh clause of the preamble, strike “free fluctuation” and insert “market-based valuation”.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate immediately proceed to executive session to consider en bloc the following nominations on today’s Executive Calendar: Nos. 364 through 378 and all the nominations on the Secretary’s desk.

I further ask unanimous consent that the nominations be confirmed, the motions to reconsider be laid upon the table, the President be immediately notified of the Senate’s action, and the Senate then return to legislative session.

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

The nominations considered and confirmed en bloc are as follows:

DEPARTMENT OF DEFENSE

Gordon England, of Texas, to be Secretary of the Navy.

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 lieutenant general

Lt. Gen. Lance L. Smith, 7660

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 R. Looney, III, 5052

ARMY

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

To be brigadier general

Colonel Dennis P. Geoghan, 4365

The following named officer for appointment in the United States Army 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. Claude V. Christianson, 1982

The following named officer for appointment in the United States Army 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 E. Ward, 9000

NAVY

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

To be rear admiral

Rear Adm. (1h) Peter L. Andrus, 0199

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

To be rear admiral

Rear Adm. (1h) James M. McGarrah, 3828

The following named officer 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)

Capt. Richard E. Cellon, 1250

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

To be rear admiral (lower half)

Capt. Ben F. Gaumer, 1618

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. Henry G. Ulrich, III, 2552

The following named officer for appointment as Chief of Naval Reserve, United States Navy, and appointment to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., sections 601 and 5143:

To be vice admiral

Rear Adm. John G. Cotton, 6982

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. Timothy J. Keating, 8508

The following named officer 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)

Capt. Robert F. Burt, 9653

MARINE CORPS

The following named officer for appointment in the United States Marine Corps 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. Jan C. Huly, 6184

NOMINATIONS PLACED ON THE SECRETARY’S DESK

AIR FORCE

PN363 Air Force nominations (44) beginning MARK T. ALLISON, and ending FREDERICK M. WOLFE, which nominations were received by the Senate and appeared in the Congressional Record of February 25, 2003

PN871 Air Force nominations (2) beginning GEOFFREY H. HILLS, and ending JOHN B. STEELE, which nominations were received by the Senate and appeared in the Congressional Record of September 2, 2003

PN905 Air Force nominations (3) beginning STEPHEN W. HUMPHREY, and ending RANDY J. YOVANOVICH, which nominations were received by the Senate and appeared in the Congressional Record of September 4, 2003

PN875 Air Force nominations (5) beginning SCOTT G. BOOK, and ending SARAH K. SLAVENS, which nominations were received by the Senate and appeared in the Congressional Record of September 2, 2003

PN874 Air Force nominations (2) beginning TERI L. POULTON-CONSOLDANE, and ending SHELDON G. WHITE, which nominations were received by the Senate and appeared in the Congressional Record of September 2, 2003

PN873 Air Force nomination of Brian P. Olson, which was received by the Senate and appeared in the Congressional Record of September 2, 2003

PN872 Air Force nominations (2) beginning CRAIG H. MORRIS, and ending SHERICE D. YOUNG, which nominations were received by

the Senate and appeared in the Congressional Record of September 2, 2003

PN946 Air Force nomination of Gerilyn A. Posner, which was received by the Senate and appeared in the Congressional Record of September 17, 2003

ARMY

PN948 Army nomination of Timothy C. Kelly, which was received by the Senate and appeared in the Congressional Record of September 17, 2003

PN949 Army nominations (2) beginning PAUL D. HARRELL, and ending WILLIAM S. LEE, which nominations were received by the Senate and appeared in the Congressional Record of September 17, 2003

PN947 Army nomination of Gregory S. Johnson, which was received by the Senate and appeared in the Congressional Record of September 17, 2003

PN921 Army nomination of Andrew D. Stewart, which was received by the Senate and appeared in the Congressional Record of September 8, 2003

PN912 Army nomination of John B. Munozatkinson, which was received by the Senate and appeared in the Congressional Record of September 4, 2003

PN876 Army nomination of Kevin J. Chapman, which was received by the Senate and appeared in the Congressional Record of September 2, 2003

PN850 Army nominations (10) beginning MICHAEL J. BULLOCK, and ending PAUL A. TRAPANI, which nominations were received by the Senate and appeared in the Congressional Record of July 30, 2003

PN878 Army nomination of Charles A. Jarnot, which was received by the Senate and appeared in the Congressional Record of September 2, 2003

PN877 Army nomination of Mary M. McCord, which was received by the Senate and appeared in the Congressional Record of September 2, 2003

PN866 Army nominations (175) beginning SCOTT E. ALEXANDER, and ending WILLIAM H. WOODS, which nominations were received by the Senate and appeared in the Congressional Record of August 1, 2003

PN865 Army nominations (109) beginning BRYAN K. ADAMS, and ending JOSEPH M. YOSWA, which nominations were received by the Senate and appeared in the Congressional Record of August 1, 2003

PN864 Army nominations (142) beginning RICHARD K. ADDO, and ending VERONICA S. ZSIDO, which nominations were received by the Senate and appeared in the Congressional Record of August 1, 2003

PN863 Army nominations (950) beginning MADELFIA A. ABB, and ending X0007, which nominations were received by the Senate and appeared in the Congressional Record of August 1, 2003

PN744 Army nominations (39) beginning WILLIAM T. BARBEE, JR., and ending KENNETH W. YATES, which nominations were received by the Senate and appeared in the Congressional Record of June 16, 2003

PN929 Army nominations (1630) beginning TYRONE C.* ABERO, and ending X3713, which nominations were received by the Senate and appeared in the Congressional Record of September 10, 2003

PN879 Army nomination of Joseph T. Ramsey, which was received by the Senate and appeared in the Congressional Record of September 2, 2003

PN849 Army nominations (54) beginning STEPHEN W. AUSTIN, and ending NATHAN L. ZIMMERMAN, which nominations were received by the Senate and appeared in the Congressional Record of July 30, 2003

MARINE CORPS

PN880 Marine Corps nomination of Bryan D. McKinney, which was received by the Sen-

ate and appeared in the Congressional Record of September 2, 2003

PN881 Marine Corps nomination of Jon C. Rhodes, which was received by the Senate and appeared in the Congressional Record of September 2, 2003

PN913 Marine Corps nomination of Colin D. Smith, which was received by the Senate and appeared in the Congressional Record of September 4, 2003

NAVY

PN950 Navy nomination of Robert E. Stone, which was received by the Senate and appeared in the Congressional Record of September 17, 2003

PN851 Navy nominations (26) beginning STEPHEN M. SAIA, and ending DAVID A. TUBLEY, which nominations were received by the Senate and appeared in the Congressional Record of July 30, 2003

PN859 Navy nominations (25) beginning LEE A. AXTELL, and ending DENNIS W. YOUNG, which nominations were received by the Senate and appeared in the Congressional Record of July 30, 2003

PN858 Navy nominations (37) beginning LEANNE K. AABY, and ending MICHAEL J. ZUCCHERO, which nominations were received by the Senate and appeared in the Congressional Record of July 30, 2003

PN857 Navy nominations (64) beginning LINDA M. ACOSTA, and ending JOAN L. WRIGHT, which nominations were received by the Senate and appeared in the Congressional Record of July 30, 2003

PN856 Navy nominations (18) beginning RICHARD E. AGUILA, and ending SCOTT D. THOMAS, which nominations were received by the Senate and appeared in the Congressional Record of July 30, 2003

PN855 Navy nominations (117) beginning MICHAEL T. AKIN, and ending PETER G. WOODSON, which nominations were received by the Senate and appeared in the Congressional Record of July 30, 2003

PN854 Navy nominations (56) beginning JAMES J. ANDERSON, and ending JOHN F. ZOLLO, which nominations were received by the Senate and appeared in the Congressional Record of July 30, 2003

PN853 Navy nominations (16) beginning VIDA M. ANTOLINJENKINS, and ending DOMINICK G. YACONO, JR., which nominations were received by the Senate and appeared in the Congressional Record of July 30, 2003

PN852 Navy nominations (38) beginning ROLAND E. ARELLANO, and ending MARVA L. WHEELER, which nominations were received by the Senate and appeared in the Congressional Record of July 30, 2003

PN868 Navy nominations (2) beginning BRENT T. CHANNELL, and ending MATTHEW W. EDWARDS, which nominations were received by the Senate and appeared in the Congressional Record of August 1, 2003

PN867 Navy nominations (9) beginning EMMA J. M. BROWN, and ending MARCIA L. ZIEMBA, which nominations were received by the Senate and appeared in the Congressional Record of August 1, 2003

PN894 Navy nominations (11) beginning MARC E BOYD, and ending WENDY L SNYDER, which nominations were received by the Senate and appeared in the Congressional Record of September 3, 2003

PN895 Navy nominations (17) beginning OLIVIA L. BETHEA, and ending THERESA A TALBERT, which nominations were received by the Senate and appeared in the Congressional Record of September 3, 2003

PN896 Navy nominations (41) beginning JASON B BABCOCK, and ending TIMOTHY J ZINCK, which nominations were received by the Senate and appeared in the Congressional Record of September 3, 2003

PN897 Navy nominations (15) beginning REID B APPLEQUIST, and ending BRET A

WASHBURN, which nominations were received by the Senate and appeared in the Congressional Record of September 3, 2003

PN898 Navy nominations (30) beginning TRACIE L ANDRUSIAK, and ending ROBERT A WOLF, which nominations were received by the Senate and appeared in the Congressional Record of September 3, 2003

PN899 Navy nominations (16) beginning TIMOTHY A ANDERSON, and ending DOUGLAS T WAHL, which nominations were received by the Senate and appeared in the Congressional Record of September 3, 2003

PN900 Navy nominations (51) beginning SOWON S AHN, and ending SCOTT D YOUNG, which nominations were received by the Senate and appeared in the Congressional Record of September 3, 2003

PN901 Navy nominations (201) beginning LEON S ABRAMS, and ending CARL ZEIGLER, which nominations were received by the Senate and appeared in the Congressional Record of September 3, 2003

PN902 Navy nominations (864) beginning RAFAEL A ACEVEDO, and ending TODD A ZIRKLE, which nominations were received by the Senate and appeared in the Congressional Record of September 3, 2003

PN922 Navy nomination of Paul C. Bown, which was received by the Senate and appeared in the Congressional Record of September 8, 2003

PN923 Navy nomination of Paul H. Evers, which was received by the Senate and appeared in the Congressional Record of September 8, 2003

PN951 Navy nominations (3) beginning WILLIAM K. BANE, and ending ANDY J. LANCASTER, which nominations were received by the Senate and appeared in the Congressional Record of September 17, 2003

PN952 Navy nominations (31) beginning BRADLEY A APPLEMAN, and ending FLORENCIO J YUZON, which nominations were received by the Senate and appeared in the Congressional Record of September 17, 2003

PN953 Navy nominations (37) beginning ERSKINE L ALVIS, and ending RANDY E WILLIAMS, which nominations were received by the Senate and appeared in the Congressional Record of September 17, 2003

PN954 Navy nominations (44) beginning MICHAEL S AGABEGI, and ending REID J WINKLER, which nominations were received by the Senate and appeared in the Congressional Record of September 17, 2003

PN955 Navy nominations (57) beginning JOHN R ANDERSON, and ending NICOLAS D I YAMODIS, which nominations were received by the Senate and appeared in the Congressional Record of September 17, 2003

PN956 Navy nominations (73) beginning ALAN L ADAMS, and ending GEORGES E YOUNES, which nominations were received by the Senate and appeared in the Congressional Record of September 17, 2003

PN957 Navy nominations (135) beginning JAMES D ABBOTT, and ending ROBERT W ZURSCHMIT, which nominations were received by the Senate and appeared in the Congressional Record of September 17, 2003

PN958 Navy nominations (319) beginning TIM K ADAMS, and ending TIMOTHY P ZINKUS, which nominations were received by the Senate and appeared in the Congressional Record of September 17, 2003

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.