

Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on May 22, 2003, at 10 a.m., to conduct an oversight hearing on "Jumpstarting the Economy: Increasing Investment in the Equity Markets."

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

#### PRIVILEGE OF THE FLOOR

Mr. GRAHAM. Mr. President, I ask unanimous consent that Mr. Robert Dean, a congressional fellow in my office, be granted the privilege of the floor now and for the duration of the debate on the tax bill.

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

Mr. HATCH. Mr. President, I ask unanimous consent that Patrick Shen, a detailee on my Judicial Committee staff, be granted the privilege of the floor for the duration of this session.

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

#### MEASURE READ THE FIRST TIME—S. 1104

Mr. FRIST. Mr. President, I understand that S. 1104 is at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 1104) to amend title 10, United States Code, to provide for parental involvement in abortions of dependent children of members of the Armed Forces.

Mr. FRIST. I now ask for its second reading and object to further proceeding on this matter.

The PRESIDING OFFICER. Objection is heard. The bill will be read for the second time on the next legislative day.

#### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following nominations on today's Executive Calendar: Calendar Nos. 90, 91, 178, 179, 180, 181, 182, 183, 184, 185, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198.

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

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

The nominations considered and confirmed are as follows:

#### UNITED STATES SENTENCING COMMISSION

Michael E. Horowitz, of Maryland, to be a Member of the United States Sentencing Commission for a term expiring October 31, 2007.

Ricardo H. Hinojosa, of Texas, to be a Member of the United States Sentencing Commission for a term expiring October 31, 2007.

#### DEPARTMENT OF JUSTICE

Mark Moki Hanohano, of Hawaii, to be United States Marshal for the District of Hawaii for the term of four years.

#### THE JUDICIARY

L. Scott Coogler, of Alabama, to be United States District Judge for the Northern District of Alabama.

#### DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Steven B. Nesmith, of Pennsylvania, to be an Assistant Secretary of Housing and Urban Development.

#### NATIONAL INSTITUTE OF BUILDING SCIENCES

Lane Carson, of Louisiana, to be a Member of the Board of Directors of the National Institute of Building Sciences for a term expiring September 7, 2004.

James Broaddus, of Texas, to be a Member of the Board of Directors of the National Institute of Building Sciences for a term expiring September 7, 2004.

Jose Teran, of Florida, to be a Member of the Board of Directors of the National Institute of Building Sciences for a term expiring September 7, 2005.

Morgan Edwards, of North Carolina, to be a Member of the Board of Directors of the National Institute of Building Sciences for a term expiring September 7, 2005.

#### EXECUTIVE OFFICE OF THE PRESIDENT

Nicholas Gregory Mankiw, of Massachusetts, to be a Member of the Council of Economic Advisers.

#### DEPARTMENT OF STATE

Jeffrey Lunstead, of the District of Columbia, 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 Democratic Socialist Republic of Sri Lanka, and to serve concurrently and without additional compensation as Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Maldives.

James B. Foley, of New York, 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 Haiti.

Steven A. Browning, of Texas, 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 Malawi.

Harry K. Thomas, Jr., of New York, 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 People's Republic of Bangladesh.

Richard W. Erdman, 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 People's Democratic Republic of Algeria.

Michael B. Enzi, of Wyoming, to be a Representative of the United States of America to the Fifty-seventh Session of the General Assembly of the United Nations.

Paul Sarbanes, of Maryland, to be a Representative of the United States of America to the Fifty-seventh Session of the General Assembly of the United Nations.

James Shinn, of New Jersey, to be a Representative of the United States of America to the Fifty-seventh Session of the General Assembly of the United Nations.

Cynthia Costa, of South Carolina, to be an Alternate Representative of the United States of America to the Fifty-seventh Session of the General Assembly of the United Nations.

Ralph Martinez, of Florida, to be an Alternate Representative of the United States of America to the Fifty-seventh Session of the General Assembly of the United Nations.

#### NOMINATIONS OF RICARDO HINOJOSA AND MICHAEL HOROWITZ

Mr. KENNEDY. Mr. President, I support the nominations of Ricardo Hinojosa and Michael Horowitz to the United States Sentencing Commission. The Sentencing Commission is responsible for developing guidelines for sentencing in Federal courts; collecting data about crime and sentencing; and serving as a resource to Congress, the White House, the Justice Department, and the judiciary on crime and sentencing policy. It is therefore critical that nominations to this commission continue to be made in a fair, cooperative, and bipartisan manner.

When Mr. Hinojosa's and Mr. Horowitz's nominations came up in the Judiciary Committee in March 2003, I voted "present" because I was concerned about the process by which the White House had selected them. In particular, I was concerned that instead of the bipartisan selection process by which previous nominees had been named, the White House had selected Mr. Horowitz as an ostensible "Democratic" nominee without any consultation with Senate Democrats.

Since that vote in committee, I have been informed that White House Counsel Alberto Gonzales has assured the ranking member of our committee, Senator LEAHY, that the White House is treating both Mr. Hinojosa and Mr. Horowitz as Republican nominees to the commission. I further understand that when the next three vacancies arise on the commission in October, the President will either reappoint all three commissioners now holding those seats—Ruben Castillo, William Sessions, and Michael O'Neill—or will consult in the traditional and appropriate manner with the Democratic leadership before announcing a replacement nominee for a current Democratic commissioner. Based on that understanding, I have decided to support these important nominations to the U.S. Sentencing Commission.

#### LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now return to legislative session.

#### ADDITIONAL PERMANENT JUDGESHIP IN THE DISTRICT OF IDAHO

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 102, S. 878.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows: