

(1) disproportionate share hospital payments described in section 1923 of such Act (42 U.S.C. 1396r-4);

(2) payments under title IV or XXI of such Act (42 U.S.C. 601 et seq., 1397aa et seq.); or

(3) any payments under XIX of such Act that are based on the enhanced FMAP described in section 2105(b) of such Act (42 U.S.C. 1397ee(b)).

(d) DEFINITION OF STATE.—In this section, the term “State” has the meaning given such term for purposes of title XIX of the Social Security Act (42 U.S.C. 1396 et seq.).

NOTICES OF HEARINGS/MEETINGS

SUBCOMMITTEE ON PUBLIC LANDS AND FORESTS

Mr. CRAIG. Madam President, I would like to announce for the information of the Senate and the public that the Subcommittee on Public Lands and Forests of the Committee on Energy and Natural Resources will hold a hearing on September 11, 2003 at 2:30 p.m.

The hearing was originally scheduled to consider S. 432, S. 849, and S. 511. In addition to these bills, the Committee will now consider S. 1582, which would amend the Valles Caldera Preservation Trust Act.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Committee on Energy and Natural Resources, United States Senate, SD-364, Washington, D.C. 20510-6150 prior to the hearing date.

For further information, please contact Frank Gladics, Dick Bouts, or Meghan Beal (202-224-7556).

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. DEWINE. Madam President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on September 4, 2003 at 9:30 a.m., in open and closed session to receive testimony on the proposed lease of 100 KC-767 aerial refueling tanker aircraft by the U.S. Air Force.

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. DEWINE. Madam President, I ask unanimous consent that the Committee on energy and natural resources be authorized to meet during the session of the Senate on Thursday, September 4th at 10:00 a.m. The purpose of this hearing is to receive testimony on the Department on Energy Polygraph Program.

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

COMMITTEE ON FINANCE

Mr. DEWINE. Madam President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session on Thursday,

September 4, 2003, at 10:00 a.m., to hear testimony regarding U.S.-Cuba Economic Relations.

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

COMMITTEE ON THE JUDICIARY

Mr. DEWINE. Madam President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a markup on Thursday, September 4, 2003, at 9:30 a.m. in Dirksen Room 226.

Agenda

I. Nominations: Henry W. Saad to be United States Circuit Judge for the Sixth Circuit; Larry Alan Burns to be United States District Judge for the Southern District of California; Glen E. Conrad to be United States District Judge for the Western District of Virginia; Henry F. Floyd to be United States District Judge for the District of South Carolina; Kim R. Gibson to be United States District Judge for the Western District of Pennsylvania; Michael W. Mosman to be United States District Judge for the District of Oregon; Dana Makoto Sabraw to be United States District Judge for the Southern District of California; Mauricio J. Tamargo to be Chairman of the Foreign Claims Settlement Commission of the United States.

II. Bills: S.J. Res. 1, A joint resolution proposing an amendment to the constitution of the United States to protect the rights of crime victims [KYL, CHAMBLISS, CORNYN, CRAIG, DEWINE, FEINSTEIN, GRAHAM, GRASSLEY]; S. 1451, Runaway, Homeless, and Missing Children Protection Act [HATCH, LEAHY].

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. DEWINE. Madam President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on Thursday, September 4 at 2:30 p.m. to hold a closed hearing.

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

SUBCOMMITTEE ON THE CONSTITUTION, CIVIL RIGHTS AND PROPERTY RIGHTS

Mr. DEWINE. Madam President, I ask unanimous consent that the Committee on the Judiciary Subcommittee on the Constitution, Civil Rights and Property Rights be authorized to meet to conduct a hearing on “What is Needed to Defend the Bipartisan Defense of Marriage Act of 1996,” on Thursday, September 4, 2003, at 2:00 p.m. in SD226.

Witness List

Panel I: Rev. Dr. Ray Alexander Hammond II, Pastor, Bethel AME Church, Boston, MA; Mrs. Maggie Gallagher, President, Institute for Marriage and Public Policy, New York, NY; Mr. Gregory S. Coleman, Esq., Weil Gotshal & Manges LLP, Former Solicitor General, State of Texas, Austin, TX; Mr. Michael P. Farris, Esq., Chairman & General Counsel, Home School Legal Defense Association, President

and Professor of Government, Patrick Henry College, Purcellville, VA; Prof. Dale Carpenter, Associate Professor of Law, University of Minnesota Law School, Minneapolis, MN; Mr. Keith Braddockski, San Francisco, CA.

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

SUBCOMMITTEE ON SCIENCE, TECHNOLOGY, AND SPACE

Mr. DEWINE. Madam President, I ask unanimous consent that the Subcommittee on Science, Technology and Space be authorized to meet on September 4, 2003, at 3:30 pm on a new kind of science.

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

PRIVILEGE OF THE FLOOR

Mr. JEFFORDS. Madam President, I ask unanimous consent that Dan Crimmins, a fellow on my staff, be granted floor privileges during our consideration of the fiscal year 2004 Labor-HHS-Education appropriations bill.

ORDERS FOR FRIDAY, SEPTEMBER 5, 2003

Mr. SESSIONS. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:15 a.m., Friday, September 5. I further ask unanimous consent that following the prayer and pledge the morning hour be deemed expired.

I assume we will still be able to have a prayer and pledge in this body and that the courts will not have struck it down sometime in the interim.

I ask unanimous consent that 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.R. 2660, the Labor-HHS-Education appropriations bill, with the time until 9:30 a.m. equally divided between the two bill managers or their designees; provided that at 9:30 a.m. the Senate proceed to a vote in relation to the Clinton amendment No. 1565, to be immediately followed by a vote in relation to the Harkin amendment No. 1575; provided further that no amendments be in order to either amendment prior to the vote, and there be 5 minutes for debate equally divided in the usual form prior to the second vote.

The PRESIDING OFFICER. Is there objection?

Mr. REID. Madam President, reserving the right to object, I say through the Chair to the distinguished acting leader that as of this evening we have worked now for 2 days to come up with a finite list of amendments on our side. My friend, the manager of the bill, the Senator from Pennsylvania, Mr. SPECTER, has asked me about this. If he has asked me once, he has asked me 15 times. We came up with a list. And now

tonight we can't get approval from the majority that this is a finite list. I really do not understand that. I hope it is just some clerical problem or some Senator who maybe couldn't be contacted. But I hope after all we have been through that we would have an agreement tomorrow on a finite list of amendments on this most important bill.

I say that we are trying to help. We understand. I spoke to the two leaders today. As soon as we complete this bill, we will go to the energy and water appropriations bill, which is an extremely important bill. It is a \$25 billion bill which is all nondiscretionary money. It is money to fund the nuclear weapons program in addition to many other very important programs that are important around our country, including the Bureau of Reclamation, the Corps of Engineers, and other multibillion-dollar programs.

I hope we can move forward and conclude this legislation. It seems rather strange, as far as I am concerned, that the minority is talking about moving an appropriations bill, but that is the way it is.

We have said all week that we have one issue that we had to vote on next week for obvious reasons. We have to have four Democratic Senators who are running for President. We want to make sure they are all here. That has been recognized by Senator SPECTER and by the majority leader. We had a tentative time set up to do that.

I hope before we adjourn tomorrow that we can get the agreement that has been prepared by both staffs. I think it would move toward concluding this legislation. But also I think it sets the proper tone for what is going to be a most difficult remaining legislative session this year.

I have no objection to the request by the Senator from Alabama.

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

Mr. SESSIONS. Madam President, I note that Senator SPECTER certainly has been working our side to get that agreement. Without dispute, there will certainly be far fewer amendments pursued to vote on from the Democratic side. But that is all right. I know the Senator is close to having that done. I thank the Senator for working his side.

PROGRAM

Mr. SESSIONS. Madam President, for the information of all Senators, tomorrow the Senate will resume debate on the Labor-HHS-Education appropriations bill. At approximately 9:30 a.m., the Senate will begin two back-to-back rollcall votes. The first vote will be in relation to the Clinton amendment on bioterrorism workforce, which will be immediately followed by a vote in relation to the Harkin amendment on school renovation. Following those votes, Members are encouraged to remain in the Chamber to offer and debate their amendments. The chair-

man and ranking member will be here to accommodate those Members who are available to offer amendments tomorrow.

ADJOURNMENT UNTIL 9:15 A.M. TOMORROW

Mr. SESSIONS. Madam 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 8:20 p.m., adjourned until Friday, September 5, 2003, at 9:15 a.m.

NOMINATIONS

Executive nominations received by the Senate September 4, 2003:

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE AND FOR REGULAR APPOINTMENT UNDER TITLE 10, U.S.C., SECTIONS 624 AND 531:

To be major

STEPHEN W. HUMPHREY, 0000
DAVID B. ROYAL, 0000
RANDY J. YOVANOVICH, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE AND FOR REGULAR APPOINTMENT (IDENTIFIED BY AN ASTERISK (*)) UNDER TITLE 10, U.S.C., SECTIONS 624 AND 531:

To be major

NELSON * ARROYO, 0000
KENNETH R. * BEALE, 0000
DONNETTE A. * BOYD, 0000
BILL * BURRELL, 0000
HENRY E. * CLOSE III, 0000
MARK A. * CRUMPTON, 0000
MICHAEL L. * DANIEL, 0000
SHANE C. * GASTER, 0000
GLENN A. * HAWKINS, 0000
KENNETH M. * JENKINS, 0000
GASTON L. * JONES JR., 0000
DAVID L. * MANSBERGER, 0000
SHON * NEYLAND, 0000
MICHAEL S. * RASH, 0000
WARREN K. * ROBINSON, 0000
SCOTT L. * RUMMAGE, 0000
PAUL D. * SUTTER, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE AND FOR REGULAR APPOINTMENT (IDENTIFIED BY AN ASTERISK (*)) UNDER TITLE 10, U.S.C., SECTIONS 624 AND 531:

To be major

JAMES J. * BALDOCK IV, 0000
WENDY L. BARNES, 0000
DAVID M. * BERTHE, 0000
JOHN R. * BROOKS, 0000
KENNETH S. * BROWN, 0000
RICHARD T. * BROYER, 0000
SHELLI R. * CANNONDEKREEK, 0000
MELANIE C. * CARINO, 0000
MELISSA L. * CHECOTAH, 0000
JASON D. * EITUTIS, 0000
PATRICIA D. * FOWLER, 0000
SABINA C. * GARRETT, 0000
DOUGLAS A. * GIMLICH, 0000
JOHN F. * GINNITY JR., 0000
JERRY A. * HARVEY, 0000
RICHARD T. * HAWK, 0000
JEFFREY G. HENDERSON, 0000
KEITH A. * HIGLEY, 0000
JOSEPH G. D. * IBANEZ, 0000
RANDALL C. LAMBERT, 0000
GENE A. * LONG, 0000
CAMILLE R. * LOONEY, 0000
PATRICK A. * MARTINEZ, 0000
RICHARD L. * MAY II, 0000
MARK R. * MEERSMAN, 0000
JOSE LITO C. * MENESES, 0000
SEAN P. * MURPHY, 0000
MICHAEL A. * NIELSEN, 0000
MICHAEL C. * ORR, 0000
ROBERT M. * PAZ, 0000
KATHY * PFLANZ, 0000
KEVIN S. * SMITH, 0000
RICHARD K. * SMITH, 0000
SCOT S. SPANN, 0000
MARVIN W. * TODD, 0000
KEVIN J. WATSON, 0000
THOMAS E. * WILLIFORD, 0000
BRIAN K. * WYRICK, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR

FORCE AND FOR REGULAR APPOINTMENT (IDENTIFIED BY AN ASTERISK (*)) UNDER TITLE 10, U.S.C., SECTIONS 624 AND 531:

To be major

KIMBERLY L. * ARNAO, 0000
BRIAN L. * BENGIS, 0000
SCOTT D. * BOEHNE, 0000
JANE E. * BOOMEH, 0000
THERESA A. * BRUNO, 0000
JOSHUA T. * BURGESS, 0000
THOMAS E. * BYRON, 0000
JOHN A. CARR, 0000
OLGA M. * COINELL, 0000
DOUGLAS F. * CRABTREE, 0000
RICHARD L. * DASHIELL, 0000
JOSEPH F. * DENE, 0000
CHAD L. * DIEDERICH, 0000
PATRICK D. * DYSON, 0000
GINA M. * EAKER, 0000
JAMES S. * FLANDERS, 0000
MICHAEL J. * FREYERMUTH, 0000
GLEN L. * FUNKHOUSER JR., 0000
STEPHEN P. * GANTER, 0000
ROBERT M. * GERLEMAN, 0000
JOHN E. * GILLILAND, 0000
EDWARD D. * GRAY, 0000
MOISETTE INTONYA * GREEN, 0000
TOMMY E. GREGORY, 0000
STEVEN J. * GROCKI, 0000
JAMES J. * GROSS, 0000
ROBERT S. * HALL, 0000
KATHLEEN J. HARTMAN, 0000
MARTIN A. * HOFFMAN, 0000
JULIE J. R. * HUYGEN, 0000
JOSEPH S. IMBURGA, 0000
KIMBERLY M. * JOHNSON, 0000
STEVEN M. * KELSO, 0000
RICHARD H. LADUE JR., 0000
LUCAS J. * LANDRENEAU, 0000
BRADFORD U. * LARSON, 0000
MICHELLE M. * LINDO, 0000
TERESA G. * LOVE, 0000
DEBRA A. LUKER, 0000
ROBERT B. * LUTTRELL III, 0000
JENNIFER KLEIN * MARTWICK, 0000
RICHARD J. V. * MARTWICK, 0000
CHRISTOPHER * MCMAHON, 0000
CAREY A. * MERRILL, 0000
MARK A. * MICCHIO, 0000
SERGIO C. MUNIZ JR., 0000
THANH LAN BICH * NGUYEN, 0000
CHRISTOPHER J. * NOWICKI, 0000
MYNDA L. G. * OHMAN, 0000
BRUCE D. * PAGE JR., 0000
JOSEPH P. * PIAZZA, 0000
LYNDELL M. * POWELL, 0000
SLOAN M. P. * PYLE, 0000
KATHLEEN V. E. * REIDER, 0000
ERICA L. * RICHARDSON, 0000
LACHANDRA C. * RICHARDSON, 0000
RICHARD W. * ROCKENBACH II, 0000
ANGELA P. * ROSE, 0000
KENNETH W. * SACHS, 0000
SHELLY W. * SCHOOLS, 0000
STEPHEN E. * SEE, 0000
SHANNON L. * SHERWIN, 0000
KATHRYN E. * STENGELL, 0000
KEVIN P. * STIENS, 0000
BRIAN J. * SUCKMAN, 0000
JOHN G. * TERRA, 0000
JILL M. * THOMAS, 0000
MARK DANIEL * TRUJILLO, 0000
MATTHEW D. * VANDALEN, 0000
SHAWN E. * VANDENBERG, 0000
DANIEL L. * WARNOCK, 0000
DAVID J. * WESTERN, 0000
SANDRA K. * WHITTINGTON, 0000
KEVIN J. * WILKINSON, 0000
JAMES M. WINNER, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE AND FOR REGULAR APPOINTMENT (IDENTIFIED BY AN ASTERISK (*)) UNDER TITLE 10, U.S.C., SECTIONS 624 AND 531:

To be major

DAVID H. * ADAMS JR., 0000
TIMOTHY P. * ALLMANN, 0000
MICHELLE D. * AMBROSE, 0000
STEVEN M. ANDERSON, 0000
BARBARA J. * AUSTEN, 0000
VERONA * BOUCHER, 0000
DARRYN N. * BRYANT, 0000
DANE V. * CAMPBELL, 0000
BRETT R. * CARNER, 0000
LISA L. * CAULDER, 0000
CARLOS M. * CEBOLLERO, 0000
JOHN D. CHILDS, 0000
CHRISTOPHER D. * CLINE, 0000
JAMES R. * COKER, 0000
BRIAN L. * COSTELLO, 0000
ANTHONY S. * GUNNINGHAM, 0000
JAMES P. * CZARZASTY, 0000
LORA * DARBOPITZSAK, 0000
AMIE W. * DARYANANI, 0000
JAMES A. * DAUBER, 0000
BRYAN TERRI * DAVIS, 0000
DONALD P. * DORENKAMP, 0000
TAM T. * DUONG, 0000
DAVID O. * EDDINGTON, 0000
DAVID R. * ENGLERT, 0000
FRANK M. * FISCHER, 0000
GABRIEL P. * FLORIT, 0000
KRISTINE F. * FUMIA, 0000