

By 52 yeas to 43 nays (Vote No. 326), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 504 of H. Con. Res. 95, Congressional Budget Resolution, with respect to Daschle Amendment No. 1568 (to Amendment No. 1542), to provide funding for rural education. Subsequently, the point of order that the amendment would exceed discretionary spending limits and thus be in violation of section 504 of H. Con. Res. 95, Congressional Budget Resolution, was sustained, and the amendment thus falls. **Pages S11094–95**

A unanimous-consent agreement was reached providing that at 9:30 a.m., on Friday, September 5, 2003, Senate vote on or in relation to Clinton Amendment No. 1565 (to Amendment No. 1542) (listed-above), to be followed by a vote on or in relation to Harkin Amendment No. 1575 (to Amendment No. 1542). **Pages S11124–25**

A unanimous-consent agreement was reached providing for further consideration of the bill at 9:30 a.m., on Friday, September 5, 2003. **Pages S11124–25**

Energy Policy Act—Conferees: Pursuant to the order of the Senate of July 31, 2003, regarding H.R. 6, to enhance energy conservation and research and development, to provide for security and diversity in the energy supply for the American people, the Chair announced the appointment of the following conferees on the part of the Senate: Senators Domenici, Nickles, Craig, Campbell, Thomas, Grassley, Lott, Bingaman, Dorgan, Graham (FL), Wyden, Johnson, and Baucus. **Page S11109**

Nominations Confirmed: Senate confirmed the following nomination:

By 94 yeas 1 nay (Vote No. Ex. 327), Steven M. Colloton, of Iowa, to be United States Circuit Judge for the Eighth Circuit. **Pages S11095–96**

Nominations Received: Senate received the following nominations:

Routine lists in the Air Force, Army, Marine Corps. **Pages S11125–31**

Nominations Withdrawn: Senate received notification of withdrawal of the following nominations:

Miguel A. Estrada, of Virginia, to be United States Circuit Judge for the District of Columbia Circuit, which was sent to the Senate on January 7, 2003.

Kerry N. Weems, of Virginia, to be an Assistant Secretary of Health and Human Services, which was sent to the Senate on July 22, 2003. **Page S11132**

Messages From the House: **Page S11115**

Measures Referred: **Page S11115**

Executive Communications: **Pages S11115–17**

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Additional Cosponsors: **Pages S11118–19**

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Amendments Submitted: **Pages S11119–24**

Notices of Hearings/Meetings: **Page S11124**

Authority for Committees to Meet: **Page S11124**

Privilege of the Floor: **Page S11124**

Record Votes: Three record votes were taken today. (Total—327) **Pages S11077, S11094–95, S11095–96**

Adjournment: Senate met at 9:30 a.m., and adjourned at 8:20 p.m., until 9:15 a.m., on Friday, September 5, 2003. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S11125.)

Committee Meetings

(Committees not listed did not meet)

APPROPRIATIONS

Committee on Appropriations: Committee ordered favorably reported the following bills:

An original bill making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2004;

An original bill making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2004;

An original bill (S. 1583) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 2004; and

An original bill making appropriations for the Department of Transportation and related agencies, Department of the Treasury, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 2004.

TANKER AIRCRAFT

Committee on Armed Services: Committee concluded hearings to examine the proposed lease of 100 KC-767 aerial refueling tanker aircraft by the U.S. Air Force, after receiving testimony from James G. Roche, Secretary of the Air Force; Michael W. Wynne, Acting Under Secretary of Defense for Acquisition, Technology, and Logistics; Joel Kaplan, Deputy Director, Office of Management and Budget; Neal P. Curtin, Director, Defense Capabilities and Management, General Accounting Office; Robert

Sunshine, Assistant Director for Budget Analysis, Congressional Budget Office; and J. Richard Nelson, Assistant Director, Cost Analysis and Research Division, Institute for Defense Analyses.

NEW KIND OF SCIENCE

Committee on Commerce, Science, and Transportation: Subcommittee on Science, Technology and Space concluded hearings to examine certain scientific and technical implications of a new kind of science relative to the exploration of the computational world, after receiving testimony from Stephen Wolfram, Wolfram Research Inc., Champaign, Illinois, author of *A New Kind of Science*.

DOE POLYGRAPH PROGRAM

Committee on Energy and Natural Resources: Committee concluded hearings to examine the Department of Energy's current efforts and intentions regarding a new polygraph examination policy, after receiving testimony from Kyle E. McSlarrow, Deputy Secretary of Energy; and Stephen E. Fienberg, Carnegie Mellon University, Pittsburgh, Pennsylvania, on behalf of the National Research Council Committee to Review the Scientific Evidence on the Polygraph.

U.S.-CUBAN ECONOMIC RELATIONS

Committee on Finance: Committee concluded hearings to examine economic relations between the United States and Cuba, focusing on the embargo, travel, trade and investment, agricultural sales, communications, small enterprise, terrorism, and human rights, after receiving testimony from Alan P. Larson, Under Secretary of State for Economic, Business and Agricultural Affairs; Grant D. Aldonas, Under Secretary of Commerce for International Trade; Dennis K. Hays, Cuban American National Foundation, Wayne S. Smith, Center for International Policy, Mark Falcoff, American Enterprise Institute for Public Policy Research, Tom Malinowski, Human Rights Watch, and William A. Reinsch, on behalf of the National Foreign Trade Council and USA*Engage, all of Washington, D.C.; Richard Owen, Cenex Harvest States Cooperatives, Geraldine, Montana; William A. Messina, Jr., University of Florida Department of Food and Resource Econom-

ics, Gainesville; and Philip Peters, Lexington Institute, Arlington, Virginia.

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported the following business items:

S.J. Res. 1, proposing an amendment to the Constitution of the United States to protect the rights of crime victims; and

The nominations of 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, and Dana Makoto Sabraw, to be United States District Judge for the Southern District of California.

DEFENSE OF MARRIAGE ACT

Committee on the Judiciary: Subcommittee on the Constitution, Civil Rights, and Property Rights concluded hearings to examine what is needed to defend the bipartisan Defense of Marriage Act of 1996 (DOMA), focusing on marriage issues including family structure, legal trends and direct challenges to the constitutionality of DOMA, the Constitution's Full Faith and Credit Clause, and federalism, after receiving testimony from Reverend Ray Hammond, Bethel African Methodist Episcopal Church, Boston, Massachusetts; Maggie Gallagher, Institute for Marriage and Public Policy, New York, New York; Gregory S. Coleman, Weil, Gotshal, and Manges, Austin, Texas, former Texas State Solicitor General; Michael P. Farris, Patrick Henry College, Purcellville, Virginia; Dale Carpenter, University of Minnesota Law School, Minneapolis; and Keith A. Bradkowski, San Francisco, California.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to call.