

[Rollcall Vote No. 346 Leg.]

## YEAS—52

Akaka	Feingold	Murkowski
Bennett	Feinstein	Murray
Biden	Harkin	Nelson (FL)
Boxer	Hatch	Nelson (NE)
Brownback	Hollings	Reed
Campbell	Hutchison	Reid
Cantwell	Inouye	Roberts
Clinton	Jeffords	Rockefeller
Coleman	Johnson	Sarbanes
Collins	Kennedy	Schumer
Corzine	Kohl	Shelby
Daschle	Landrieu	Snowe
Dayton	Lautenberg	Specter
DeWine	Leahy	Stabenow
Dole	Levin	Stevens
Domenici	Lincoln	Wyden
Dorgan	Mikulski	
Durbin	Miller	

## NAYS—43

Alexander	Breaux	Cochran
Allard	Bunning	Conrad
Allen	Burns	Cornyn
Baucus	Byrd	Craig
Bayh	Carper	Crapo
Bingaman	Chafee	Dodd
Bond	Chambliss	Ensign

Enzi	Kyl	Sessions
Fitzgerald	Lott	Sununu
Frist	Lugar	Talent
Graham (SC)	McCain	Thomas
Grassley	McConnell	Voinovich
Gregg	Nickles	Warner
Hagel	Pryor	
Inhofe	Santorum	

## NOT VOTING—5

Edwards	Kerry	Smith
Graham (FL)	Lieberman	

The PRESIDING OFFICER. On this vote, the yeas are 52, the nays are 43. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected. The emergency designation is stricken. The question is on agreeing to the amendment.

The Senator from Oklahoma.

Mr. NICKLES. Amendment No. 1522 by the Senator from Pennsylvania increases spending by \$1.5 billion. This additional spending would cause the underlying bill to exceed the subcommittee's section 302(b) allocation.

Therefore, I raise a point of order against the amendment pursuant to section 302 of the Budget Act.

The PRESIDING OFFICER. The Senator has raised a point of order.

Mr. REID. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

The Senator from Pennsylvania.

Mr. SPECTER. Mr. President, I now send a series—

The PRESIDING OFFICER. If the Senator will suspend, a point of order was raised against the amendment. The point of order is sustained. The amendment falls.

## NOTICE

*Incomplete record of Senate proceedings. Except for concluding business which follows, today's Senate proceedings will be continued in the next issue of the Record.*

ORDERS FOR THURSDAY,  
SEPTEMBER 11, 2003

Mr. MCCONNELL. Mr. President, I ask unanimous consent that at 1 p.m. on Thursday, September 11, the Senate proceed to the consideration of Calendar No. 269, S.J. Res. 17; I further ask that on Thursday there be 3 hours of debate equally divided between the two leaders or their designees with all other statutory limitations remaining in order.

I further ask unanimous consent that following the use or yielding back of the debate time during Thursday's session, the joint resolution be temporarily set aside and the Senate resume consideration of the resolution at 4:30 on Monday, September 15; provided further that there be 60 minutes remaining for debate equally divided; and that following that time the resolution be read a third time and a vote occur on final passage of the resolution with no further intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that following the FCC resolution on Thursday, the Senate proceed to the consideration of Calendar No. 218, H.R. 2754, the Energy and Water appropriations bill.

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

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today it adjourn until 8:30 a.m. Thursday, September 11; I further ask 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 begin a period of morning business until 11:45; that the Senate observe 4 moments of silence in observance of the anniversary of the September 11, 2001 tragedy at the following times: 8:46 a.m.; 9:03 a.m.; 9:38 a.m.; and 10:06 a.m.

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

Mr. MCCONNELL. For the information of all Senators, tomorrow the Senate will reconvene at 8:30 to observe the anniversary of the September 11 tragedy. As earlier ordered, there will be four moments of silence which will be denoted by the ringing of ceremonial bells outside the Senate Chamber. There will be other events throughout the day as a remembrance of this day and all Senators are invited to anticipate.

As announced by the majority leader, no rollcall votes will occur on Thursday or Friday. However, the Senate will conduct business on those days. Tomorrow, the Senate will consider the FCC resolution as well as the energy and water appropriations legislation. Any votes ordered will be sequenced to begin on Monday beginning at 5:30.

## ADJOURNMENT UNTIL TOMORROW

The PRESIDING OFFICER. If there is no further business, the Senate stands adjourned until tomorrow morning, Thursday, September 11, at 8:30 a.m.

Thereupon, the Senate, at 8:54 p.m. adjourned until Thursday, September 11, 2003, at 8:30 a.m.

## NOMINATIONS

Executive nominations received by the Senate September 10, 2003:

## FEDERAL RESERVE SYSTEM

BEN S. BERNANKE, OF NEW JERSEY, TO BE A MEMBER OF THE BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM FOR A TERM OF FOURTEEN YEARS FROM FEBRUARY 1, 2004. (REAPPOINTMENT)

ROGER WALTON FERGUSON, JR., OF MASSACHUSETTS, TO BE VICE CHAIRMAN OF THE BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM FOR A TERM OF FOUR YEARS. (REAPPOINTMENT)

## IN THE COAST GUARD

THE FOLLOWING NAMED INDIVIDUALS FOR APPOINTMENT AS PERMANENT COMMISSIONED REGULAR OFFICERS IN THE UNITED STATES COAST GUARD IN THE GRADE INDICATED UNDER TITLE 14, U.S.C., SECTION 211:

*To be lieutenant*

CHRISTINA M. SCHULTZ, 0000  
JAMES W. TEDTAOTAO, 0000  
KURT M. VAN HAUTER, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES COAST GUARD UNDER TITLE 14, U.S.C., SECTION 271:

*To be captain*

DANIEL B ABEL, 0000  
ELMO L ALEXANDER, 0000  
THOMAS F ATKIN, 0000  
VINCENT B ATKINS, 0000  
RICHARD D BELISLE, 0000  
LANCE O BENTON, 0000  
ANDREW J BERGHORN, 0000  
MATHEW D BLIVEN, 0000  
MARK E BUTT, 0000  
DAVID R CALLAHAN, 0000  
KARL H CALVO, 0000  
MARK M CAMPBELL, 0000  
STEVEN E CARLSON, 0000  
TIMOTHY M CLOSSE, 0000  
MICHAEL C COSENZA, 0000  
THOMAS M CULLEN, 0000  
MATTHEW E CUTTS, 0000  
MARK J DANDREA, 0000  
ROBERT L DESH, 0000  
WILLIAM T DEVEREAUX, 0000  
CHARLEY L DIAZ, 0000  
WILLIAM J DIEHL, 0000  
DAVID A DURHAM, 0000  
DAVID C ELY, 0000  
TODD GENTILE, 0000  
TERRY D GILBREATH, 0000  
DAVID H GORDNER, 0000  
EUGENE GRAY, 0000  
EDWARD W GREINER, 0000  
RICHARD T GROMLICH, 0000  
DAVID M GUNDERSEN, 0000  
GREGORY R HAACK, 0000  
MICHAEL A HAMEL, 0000  
MARK R HIGGINS, 0000