

to be a Member of the Board of Directors of the Commodity Credit Corporation. **Pages S14858–59**

A motion was entered to close further debate on the nomination and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur on Tuesday, November 18, 2003. **Pages S14858–59**

**Point of Order Raised:** During Executive Session, Senator Gregg raised a point of order that a sign displayed on the minority side of the aisle violated provisions of Rule XVII of the Rules for Regulation of the Senate Wing of the United States Capitol and Senate Office Buildings. **Page S14529**

**Nomination—Agreement:** a unanimous-consent agreement was reached providing that at a time determined by the Majority Leader, with the concurrence of the Democratic Leader, Senate may proceed to executive session to begin consideration of the nomination of Maj. Gen. Robert T. Clark for appointment in the United States Army to the grade of Lieutenant General; that there be two hours equally divided between the Chairman and Ranking Member of the Committee on Armed Services; and that following the use or yielding back of time, Senate proceed to a vote on confirmation of the nomination; further, that following the confirmation vote, Senate proceed to the consideration of certain nominations en bloc, and the nominations then be confirmed. **Page S14920**

**Messages From the President:** Senate received the following message from the President of the United States:

Transmitting, pursuant to law, a periodic report relative to the national emergency with respect to Iran which was declared in Executive Order No. 12170; to the Committee on Banking, Housing, and Urban Affairs. (PM–56) **Page S14802**

**Nominations Confirmed:** Senate confirmed the following nomination (on the calendar day of Friday, November 14, 2003, during the continuous session of Wednesday, November 12, 2003):

Zalmay Khalilzad, of Maryland, to be Ambassador to the Transitional Islamic State of Afghanistan. **Page S14921**

**Nominations Received:** Senate received the following nominations (on the calendar day of Friday, November 14, 2003, during the continuous session of Wednesday, November 12, 2003):

Diane S. Sykes, of Wisconsin, to be United States Circuit Judge for the Seventh Circuit.

David C. Mulford, of Illinois, to be Ambassador to India. **Page S14921**

**Messages From the House:** **Page S14802**

**Enrolled Bills Presented:** **Page S14802**

**Executive Communications:** **Pages S14802–04**

**Executive Reports of Committees:** **Page S14804**

**Additional Cosponsors:** **Pages S14804–07**

**Statements on Introduced Bills/Resolutions:** **Pages S14807–19**

**Additional Statements:** **Pages S14798–S14802**

**Amendments Submitted:** **Pages S14819–48**

**Notices of Hearings/Meetings:** **Page S14848**

**Authority for Committees to Meet:** **Pages S14848–49**

**Privilege of the Floor:** **Page S14849**

**Record Votes:** Six record votes were taken today. (Total—452) **Pages S14493–94, S14495–96, S14518, S14777, S14783, S14785**

**Adjournment:** Senate met at 9:30 a.m., and adjourned at 3:06 p.m. until 12 noon on Monday, November 17, 2003. (For Senate's Program, see the remarks of the Majority Leader in today's Record on page S).

## Committee Meetings

(Committees not listed did not meet)

### ONGOING MILITARY OPERATIONS

*Committee on Armed Services:* Committee met in closed session to receive a briefing to examine ongoing military operations and areas of key concern around the world from Lieutenant General Norton A. Schwartz, USAF, Director for Operations, J–3, and Major General Ronald L. Burgess, Jr., USA, Director for Intelligence, J–2, both of the Joint Staff; William J. Luti, Deputy Assistant Secretary of Defense for Near East and South Asian Affairs; and Ruben Jeffrey, Representative and Executive Director of the Coalition Provisional Authority.

### FINANCIAL ACCOUNTING STANDARDS BOARD

*Committee on Banking, Housing, and Urban Affairs:* Subcommittee on Securities and Investment concluded a hearing on the Financial Accounting Standards Board and small business growth, focusing on establishing and improving general-purpose standards of financial accounting and reporting for both public and private enterprises, after receiving testimony from Senator Ensign; Robert H. Herz, Financial Accounting Standards Board, Norwalk, Connecticut; Peter A. Salg, QSC Restaurants, Inc., Fort Collins, Colorado, on behalf of the International Franchise Association; James K. Glassman, American Enterprise Institute, and Jeannine Kenney, National

Cooperative Business Association, both of Washington, D.C.; Richard E. Forrestel, Jr., Cold Spring Construction Company, Akron, New York, on behalf of the Associated General Contractors of America; Walter K. Moore, Genentech, Inc., San Francisco, California; and Mark Heesen, National Venture Capital Association, Arlington, Virginia.

### TOBACCO SETTLEMENT FUNDS

*Committee on Commerce, Science, and Transportation:* Committee concluded a hearing to examine State use of tobacco settlement funds, focusing on the growing number of non-participating tobacco manufacturers, the prevention and control of tobacco use, and cigarette taxes, after receiving testimony from Delaware State Representative Deborah Hudson, Dover, on behalf of the National Conference of State Legislatures; Mississippi Attorney General Mike Moore, Jackson; and Matthew Louis Myers, Tobacco-Free Kids, Raymond C. Scheppach, National Governors Association, and Cheryl G. Healton, American Legacy Foundation, all of Washington, D.C.

### BUSINESS MEETING

*Committee on Environment and Public Works:* Committee ordered favorably reported the following business items:

S. 1072, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, with an amendment in the nature of a substitute; and

The nomination of Rixio Enrique Medina, of Oklahoma, to be a Member of the Chemical Safety and Hazard Investigation Board.

### BUSINESS MEETING

*Committee on Finance:* Committee ordered favorably reported the nominations of Michael O'Grady, of Maryland, and Jennifer Young, of Ohio, both to be an Assistant Secretary of Health and Human Services, and Bradley D. Belt, of the District of Columbia, to be a Member of the Social Security Advisory Board.

### NOMINATION

*Committee on Governmental Affairs:* Committee concluded a hearing to examine the nomination of Scott J. Bloch, of Kansas, to be Special Counsel, Office of Special Counsel, after the nominee, who was intro-

duced by Senator Brownback, testified and answered questions in his own behalf.

### FEDERAL EMPLOYEE PROTECTION OF DISCLOSURES ACT

*Committee on Governmental Affairs:* Committee concluded a hearing to examine S. 1358, to amend chapter 23 of title 5, United States Code, to clarify the disclosure of information protected from prohibited personnel practices, require a statement in non-disclosure policies, forms, and agreements that such policies, forms, and agreements conform with certain disclosure protections, provide certain authority for the Special Counsel, after receiving testimony from Senator Grassley; Peter Keisler, Assistant Attorney General, Civil Division, Department of Justice; and Elaine Kaplan, Bernabei and Katz, PLLC, Thomas Devine, Government Accountability Project, Stephen M. Kohn, National Whistleblower Center, and William L. Bransford, Shaw, Bransford, Veilleux and Roth, P.C., on behalf of the Senior Executives Association, all of Washington, D.C.

### NOMINATIONS:

*Committee on the Judiciary:* Committee concluded a hearing to examine the nominations of Judith C. Herrera, to be United States District Judge for the District of New Mexico, who was introduced by Senators Domenici and Bingaman, F. Dennis Saylor IV, to be United States District Judge for the District of Massachusetts, who was introduced by Senator Kennedy, Sandra L. Townes, to be United States District Judge for the Eastern District of New York, who was introduced by Senator Schumer, and Domingo S. Herraiz, of Ohio, to be Director of the Bureau of Justice Assistance, Department of Justice, who was introduced by Senator DeWine, after the nominees testified and answered questions in their own behalf.

### TRANSPORTATION, TREASURY, AND GENERAL GOVERNMENT APPROPRIATIONS ACT

*Conferees* agreed to file a conference report on the differences between the Senate and House passed versions of H.R. 2989, making appropriations for the Departments of Transportation and Treasury, and independent agencies for the fiscal year ending September 30, 2004.