

The hearing will be held on Wednesday, February 4, at 2:30 p.m. in room SAD-366 of the Dirksen Senate Office Building.

The purpose of the hearing is to receive testimony on the following bills: S. 1354, to resolve certain conveyances and provide for alternative land selections under the Alaska Native Claims Settlement Act related to Cape Fox Corporation and Sealaska Corporation, and for other purposes; S. 1575 and H.R. 1092, to direct the Secretary of Agriculture to sell certain parcels of Federal land in Carson City and Douglas County, Nevada; S. 1778, to authorize a land conveyance between the United States and the City of Craig, Alaska, and for other purposes; and S. 1819 and H.R. 272, to direct the Secretary of Agriculture to convey certain land to Lander County, Nevada, and the Secretary of the Interior to convey certain land to Eureka County, Nevada, for continued use as cemeteries.

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 should send two copies of their testimony to the Committee of Energy and Natural Resources, United States Senate, Washington, D.C. 20510-6150.

For further information, please contact Frank Gladics at 202-224-2878.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on January 28, 2004, at 11:00 a.m., in open session to receive testimony on efforts to determine the status of Iraqi weapons of mass destruction and related programs.

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

COMMITTEE ON ARMED SERVICES

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on January 28, 2004, at 4:00 p.m., in open session to consider the following Nominations: Francis J. Harvey to be Assistant Secretary of Defense for Networks and Information Integration; Lawrence, T. Diritto to be Assistant Secretary of Defense for Public Affairs; and William A. Chatfield to be Director of Selective Service.

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

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. CORNYN. Mr. President: I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet on Wednesday, January 28, 2004, at 9:30 am on NASA'S Future Space Mission, in SR. 253.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Wednesday, January 28, 2003 at 10:30 a.m. to hold a hearing on Pakistan & India: Steps Toward Rapprochement.

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

COMMITTEE ON HEALTH, EDUCATION, LABOR AND PENSIONS

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet for a hearing on What's Driving Health Care Costs and the Uninsured? during the session of the Senate on Wednesday, January 28, 2004 at 10:30 a.m. in SD-430.

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

COMMITTEE ON THE JUDICIARY

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a hearing on Wednesday, January 28, 2004, at 10:00 a.m. on "Judicial Nominations," in the Dirksen Senate Office Building Room 226.

Witness List

Panel I: Senators.

Panel II: Franklin S. Van Antwerpen to be United States Circuit Judge for the Third Circuit.

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

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate immediately proceed to executive session to consider the following nominations on today's Executive Calendar: Calendar Nos. 536 through 543, and all nominations on the Secretary's desk.

For the information of Members, these are military promotions reported today by the Armed Services Committee.

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

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

The nominations considered and confirmed en bloc are as follows:

AIR FORCE

The following Air National Guard of the United States officers for appointment in the Reserve of the Air Force to the grades indicated under title 10, U.S.C., section 12203:

To be major general

Brigadier General Roger P Lempke, 0000

Brigadier General Albert P Richards, Jr, 0000
Brigadier General Albert H Wilkening, 0000

To be brigadier general

Colonel Terry L Butler, 0000
Colonel John A Caputo, 0000
Colonel Richard H Clevenger, 0000
Colonel Michael D Dubie, 0000
Colonel Jerald L Engelman, 0000
Colonel William H Etter, 0000
Colonel Edward R Flora, 0000
Colonel Rufus L Forrest, Jr, 0000
Colonel Richard M Green, 0000
Colonel Terry P Heggemeier, 0000
Colonel Vergel L Lattimore, 0000
Colonel Duane J Lodrige, 0000
Colonel Maria A Morgan, 0000
Colonel James K Robinson, 0000
Colonel Michael J Shira, 0000
Colonel James P Toscano, 0000

The following Air National Guard of the United States officer for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., section 12203:

To be brigadier general

Col. James E. Hearon, 0000

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Thomas L. Baptiste, 0000

The following named officer for appointment in the United States Air Force to the grade indicated under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Donald J. Wetekam, 0000

NAVY

The following named officer for appointment in the United States Naval Reserve to the grade indicated under title 10, U.S.C., section 12203:

To be rear admiral (lower half)

Capt. Ann D. Gilbride, 0000

The following named officers for appointment in the United States Naval Reserve to the grade indicated under title 10, U.S.C., section 12203:

To be rear admiral (lower half)

Capt. Jon W. Bayless, Jr., 0000
Capt. Jay A. Deloach, 0000
Capt. Edward NMN Masso, 0000
Capt. William H. Payne, 0000

The following named officer for appointment in the United States Naval Reserve to the grade indicated under title 10, U.S.C., section 12203:

To be rear admiral

Rear Adm. (lh) Fenton F. Priest, III, 0000

The following named officer for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

To be rear admiral

Rear Adm. (lh) Paul E. Sullivan, 0000

NOMINATIONS PLACED ON THE SECRETARY'S DESK

AIR FORCE

PN460 Air Force nominations (13) beginning Paul V. Bennett, and ending Victoria G. Zamarripa, which nominations were received by the Senate and appeared in the Congressional Record of March 26, 2003.

PN906 Air Force nominations (17) beginning Nelson * Arroyo, and ending Paul D. * Sutter, which nominations were received by the Senate and appeared in the Congressional Record of September 4, 2003.

PN907 Air Force nominations (38) beginning James J. * Baldock, IV, and ending Brian K. * Wyrick, which nominations were

received by the Senate and appeared in the Congressional Record of September 4, 2003.

PN908 Air Force nominations (75) beginning Kimberly L. * Arnao, and ending James M. Winner, which nominations were received by the Senate and appeared in the Congressional Record of September 4, 2003.

PN909 Air Force nominations (118) beginning David H. * Adams, Jr., and ending James A. * Young, which nominations were received by the Senate and appeared in the Congressional Record of September 4, 2003.

PN910 Air Force nominations (92) beginning Laurie A. Abney, and ending Deedra L. * Zabokrtsky, which nominations were received by the Senate and appeared in the Congressional Record of September 4, 2003.

PN911 Air Force nominations (1875) beginning John T. Aalborg, Jr., and ending William A. Zutt, which nominations were received by the Senate and appeared in the Congressional Record of September 4, 2003.

ARMY

PN1128 Army nominations (30) beginning Stephen G. Beardsley, III, and ending Patrick O. Wilson, which nominations were received by the Senate and appeared in the Congressional Record of November 17, 2003.

PN1149 Army nominations (2) beginning John R. Angelloz, Jr., and ending Michael C. McDaniel, which nominations were received by the Senate and appeared in the Congressional Record of November 20, 2003.

PN1150 Army nominations of James R. Ward, which was received by the Senate and appeared in the Congressional Record of November 20, 2003.

PN1165 Army nomination of Michael K. Vaughan, which was received by the Senate and appeared in the Congressional Record of November 21, 2003.

PN1177 Army nominations (11) beginning David S. Feigin, and ending John E. Hartmann, which nominations were received by the Senate and appeared in the Congressional Record of November 25, 2003.

PN1178 Army nominations (2) beginning Joseph L. Craver, and ending William Hann, which nominations were received by the Senate and appeared in the Congressional Record of November 25, 2003.

PN1179 Army nomination of Carol Ann Mitchell, which was received by the Senate and appeared in the Congressional Record of November 25, 2003.

PN1180 Army nominations (4) beginning Carol A. Bossone, and ending Curtis M. Klages, which nominations were received by the Senate and appeared in the Congressional Record of November 25, 2003.

PN1182 Army nominations (23) beginning Daniel G. Rendeiro, and ending Diane K. Patterson, which nominations were received by the Senate and appeared in the Congressional Record of November 25, 2003.

PN1183 Army nominations (11) beginning Michael T. Endres, and ending James A. Chervoni, which nominations were received by the Senate and appeared in the Congressional Record of November 25, 2003.

NAVY

PN1151 Navy nominations (2299) beginning Tab E. Austin, and ending Sabrina M. Stedman, which nominations were received by the Senate and appeared in the Congressional Record of November 20, 2003.

PN1167 Navy nominations (29) beginning Albert A. Alarcon, and ending Jeffrey W. Winters, which nominations were received by the Senate and appeared in the Congressional Record of November 21, 2003.

PN1184 Navy nominations (92) beginning Craig I. Abraham, and ending Sarah L. Wright, which nominations were received by the Senate and appeared in the Congressional Record of November 25, 2003.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will return to legislative session.

UNANIMOUS CONSENT REQUEST— S. 1072

Mr. FRIST. Mr. President, I have been in discussions with a number of Senators regarding next week's schedule. We had previously stated that it would be our intention to begin consideration of the highway bill on Monday.

I had hoped we could start with opening statements on the bill on Monday and limit Monday to debate only to allow the Finance Committee to complete their work on their section of the highway bill. Unfortunately, we were unable to reach a consent to begin; therefore, it will be necessary that I file cloture on a motion to proceed.

Having said that, I now ask unanimous consent that at 2 p.m. on Monday, February 2, the Senate proceed to the consideration of Calendar No. 426, S. 1072, the highway bill.

Mr. REID. Mr. President, on behalf of Senator GRAHAM of Florida, I object.

The PRESIDING OFFICER. The objection is heard.

SAFE TRANSPORTATION EQUITY ACT OF 2003—MOTION TO PROCEED

CLOTURE MOTION

Mr. FRIST. With that objection, I now move to proceed to the consideration of S. 1072, and I send a cloture motion to the desk on the motion to proceed.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We the undersigned Senators, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to Calendar No. 426, S. 1072, a bill to authorize funds for Federal-aid highways, highway safety programs, transit programs, and for other purposes:

Bill Frist, James M. Inhofe, John Cornyn, Susan Collins, Craig Thomas, Pat Roberts, Conrad Burns, Thad Cochran, Norm Coleman, Richard Shelby, Mike Crapo, Robert F. Bennett, George V. Voinovich, Ted Stevens, Lamar Alexander, Lindsey O. Graham.

Mr. FRIST. I now ask consent that the mandatory quorum be waived and that the vote on the motion to invoke cloture occur at 5:45 on Monday, February 2.

Mr. REID. Mr. President, reserving the right to object, let me just say that I am disappointed we are not going to move forward on the bill Monday. That is very valuable time. We are not going to have a lot of time to finish this bill. This is a bipartisan bill. This is my fourth highway bill, third or fourth

highway bill, and this is a most fair bill. We have every State that will get at least 95 percent of the money they pay in. Every State gets an increase of what they have gotten in the last bill. It is fair.

In the past, some States did extremely well and some States did poorly. Take the States of California and Texas, for example. At the end of this bill they will get 95 percent of the money they pay in. That is very costly. Therefore, that being the case, and it certainly seems fair to me that they should get 95 percent of what they pay in, their 5 percent that they are not getting pays for a lot of the States that do not have many people. These are bridge States. They still have the interstate going through them and there is a lot for maintenance.

The bill is far from perfect. We have done the best we can to try to make it a better bill than those in the past. We need to get to it. This is an extremely important bill. This is not a bill for the Democrats or a bill for the Republicans. It is a bill that will allow the construction to go forward on highways and transit for the next 5 or 6 years.

The reason that is important, we can come back and do a 1-year bill like we did last year. But there is no way—and the Presiding Officer was a Governor of a very large and important State—there is no ability to plan with a 1-year program.

I hope we can get this done. It is important to every State in the Union. I know some people are not happy with what is in the bill. We have done the best we can; if everyone wants their dollars back, we cannot. We will find a lot of States that will not be very happy. If we want everyone to get the average, there is no average.

We are happy to work with every State and are doing better than we had done in the bill. But the allocation will not be changed. It was done with a computer. The information was fed into the computer. It would be extremely difficult to start all over again and come up with a new allocation, especially in a timeframe when we will have to work on this bill.

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

Mr. FRIST. Mr. President, I very much appreciate the comments by the assistant Democratic leader. It is absolutely critical we get to this bill. I suspect this cloture vote on Monday will be overwhelming, probably 95 to 5 or 98 to 2 or 99 to 1. Maybe everybody will vote for it. But what it does, from a scheduling standpoint, on a bill that deserves debate, as good a bill as it is—and it is the most fair bill it could possibly be, as we have just heard it described—there is going to be debate. I think both the assistant Democratic leader and myself, and the leadership on both sides of the aisle, have agreed to bring this bill to the floor at the earliest possible date.

I am disappointed because I literally said 3 months ago we were going to go