

JUDICIAL NOMINATIONS

Mr. KYL. Mr. President, on behalf of the leader, I announce that discussions are continuing to find a way to work through the judicial nominations that are pending on the Executive Calendar. We had hoped to begin scheduling the noncontroversial judges for votes by the full Senate. At this time, there are still objections to scheduling these votes and, therefore, it will be necessary to file cloture on one of these nominations today.

Having said that, the majority leader is still hopeful that an agreement can be reached and that this cloture vote will not be necessary.

EXECUTIVE SESSION

NOMINATION OF MARCIA G. COOKE, OF FLORIDA, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF FLORIDA

Mr. KYL. So, Mr. President, on behalf of the leader, I now move to proceed to executive session for the consideration of Calendar No. 606, Marcia Cooke.

The PRESIDING OFFICER. The question is on agreeing to the motion. Without objection, it is so ordered. The motion is agreed to.

The clerk will report the nomination. The assistant journal clerk read the nomination of Marcia G. Cooke, of Florida, to be United States District Judge for the Southern District of Florida.

CLOTURE MOTION

Mr. KYL. Mr. President, I send a cloture motion to the desk.

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

The assistant journal 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 the debate on Executive Calendar No. 606, the nomination of Marcia Cooke.

Bill Frist, Orrin Hatch, John Ensign, Gordon Smith, Mike Crapo, Thad Cochran, James Inhofe, Richard Shelby, Saxby Chambliss, Lindsay Graham of South Carolina, Chuck Hagel, Arlen Specter, George Allen, Jeff Sessions, John Cornyn, Charles Grassley, Mitch McConnell.

Mr. KYL. Mr. President, I ask unanimous consent that this vote occur at 2:15 p.m., on Tuesday, May 18, and that the mandatory quorum under rule XXII be waived.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. KYL. Mr. President, I ask unanimous consent that the Senate resume legislative session.

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

WORLD FOOD PRIZE DAY

Mr. KYL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 363 which was submitted earlier today by Senators COLEMAN and DAYTON.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant journal clerk read as follows:

A resolution (S. Res. 363) designating October 16, 2004, as "World Food Prize Day."

There being no objection, the Senate proceeded to consider the resolution.

Mr. KYL. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, and any statements relating to this matter be printed in the RECORD.

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

The resolution (S. Res. 363) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 363

Whereas Dr. Norman E. Borlaug founded the World Food Prize Foundation, an organization that honors people who have improved the quantity and quality of food worldwide;

Whereas Dr. Borlaug received his bachelor of science degree in forestry and his master's and doctorate degrees in plant pathology from the University of Minnesota;

Whereas Dr. Borlaug has received over 35 honorary doctorate degrees from institutions in the United States and abroad;

Whereas Dr. Borlaug is hailed as the "Father of the Green Revolution" for developing strains of high-yield, disease-resistant wheat that have increased food production and helped feed the hungry;

Whereas Dr. Borlaug received the Nobel Peace Prize in 1970 for expanding food production, reversing food shortages in India and Pakistan, and feeding hundreds of millions of people throughout the world;

Whereas Dr. Borlaug received the National Academy of Science's highest honor, the Public Welfare Medal, in 2002 for his work to fight hunger; and

Whereas Dr. Borlaug is believed to have saved more lives than any other person who has ever lived, thanks to his decades-long crusade to deliver millions from starvation and human suffering: Now, therefore, be it

Resolved, That the Senate—

(1) designates October 16, 2004, as "World Food Prize Day"; and

(2) commends the contributions made to the disciplines of agriculture and science toward the goal of eliminating world hunger.

ORDERS FOR MONDAY, MAY 17, 2004

Mr. KYL. Mr. President, on behalf of the leader, I ask unanimous consent that when the Senate completes its business today, it adjourn until 12 noon on Monday, May 17; 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 2:30 p.m., with the time equally divided between the two leaders or their designees; provided that at 2:30 p.m., the Senate begin consideration of Calendar No. 503, S. 2400, the Department of Defense authorization bill, as provided under the previous order.

The PRESIDING OFFICER. Is there objection? The Senator from Nevada.

Mr. REID. Mr. President, I will not object, but I do want to make a statement before the Senate adjourns for the day. The two leaders have been working the last several days to come up with some way to dispose of judges who are on the Executive Calendar. We believe we have done a credible job as a Senate. We have approved 173 judges. There have been five turned down by the minority. We now have the lowest vacancy rate in some 14 years.

There are two problems with going forward. Of course, I don't think it is any secret President Bush has defied the Senate with recess appointments. So we have to have some finality there as to what he is going to do in the future. The other problem is the judges we voted on multiple times before. There has to be some consideration to those issues and how we deal with them. I think with the conversations going on between the two leaders we should be able to do that. I am confident and hopeful we will not need the cloture vote set for Tuesday.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. KYL. I thank the Senator from Nevada.

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

PROGRAM

Mr. KYL. Mr. President, Monday the Senate will be in a period of morning business until 2:30 p.m. At 2:30 p.m., the Senate will begin consideration of the Defense authorization bill. The chairman and ranking member of the Armed Services Committee will be here on Monday to begin working through amendments to the bill. Chairman WARNER and Senator LEVIN have indicated they will have an amendment to be voted on at approximately 5:30 on Monday. Therefore, the next rollcall vote will be at 5:30 on Monday afternoon.

It is the leader's intention to complete action on this bill next week. Therefore, Senators who wish to offer an amendment are encouraged to contact the bill managers as soon as possible so they can schedule floor time for consideration of amendments.

Also on Monday we are hoping to consider the bioshield legislation under an agreement. Senators GREGG and KENNEDY will be here and available to begin consideration of that bill shortly

after noon, if that agreement is reached. If we are able to consider the bioshield legislation on Monday, we would delay passage of the bill until Tuesday.

Moments ago cloture was filed on the nomination of Marcia Cooke to be a district judge for the Southern District of Florida. If necessary, the cloture vote on the Cooke nomination will occur on Tuesday, May 18 at 2:15 p.m.

In addition, yesterday we locked in a short time agreement on H.R. 3104, providing medals to our soldiers participating in Operating Enduring Freedom and Operation Iraqi Freedom. The vote on passage of this bill will occur on Tuesday as well.

We have a very busy agenda for the next week, and the majority leader encourages all Members to plan for votes throughout the week.

ADJOURNMENT UNTIL MONDAY,
MAY 17, 2004

Mr. KYL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 11:50 a.m., adjourned until Monday, May 17, 2004, at 12 noon.