

have reached the same conclusion. The tenth circuit explained in *Gaylor v. United States* that the national motto "through historical usage and ubiquity cannot be reasonably understood to convey government approval of religious belief." In cases such as *Lynch v. Donnelly*, the Supreme Court has indicated its approval of these rulings. Even Justice William Brennan, one of the most liberal Supreme Court Justices of the modern era and one of the most strident advocates for the separation of church and state, even indicated his support for this view, saying that Americans have "simply interwoven the motto so deeply into the fabric of our civil polity" as to eliminate constitutional problems.

The same reasoning applies to Breen Elementary's use of "God Bless America." Both of these phrases show the important role that religion plays in America, but they are not an establishment of religion or endorsement of religious belief.

It is also significant that even when the Supreme Court ruled that organized prayer in public schools was unconstitutional in *Engel v. Vitale*, it made it clear that the case did not apply to patriotic or ceremonial anthems that refer to God. While I have always viewed this case as misguided, and have for years introduced a constitutional amendment to reverse it, even this case supports Breen Elementary School.

The fact is that religion is central to our culture and our patriotic identity as a nation. As the Supreme Court said in *Lynch v. Donnelly*, there is an "unbroken history of official acknowledgment by all three branches of government of the role of religion in American life."

This is not something we should ignore or hide. I have never understood why some have desperately tried to remove any acknowledgment of religion from American life.

Just the opposite should be the case. It is only fitting that we would turn to these expressions in times of great difficulty.

I hope that my colleagues will join me in supporting the patriotism displayed in Rocklin, California. Throughout the history of this great Nation, we have invoked the blessings of God without establishing religion. From prayers before legislative assembly meetings and invocations before college football games to the national motto embedded on our currency, our Constitution has allowed references to God. During this time of national tragedy and recovery, we should not allow extreme interpretations of the Constitution to dampen our patriotism and resolve.

This is an important matter that deserves our attention during these difficult times. A resolution very similar to this one has been introduced in the House by my friend, Representative HENRY BROWN. We should support Breen Elementary School and others like it as they personify the spirit of America.

NOTICES OF HEARINGS/MEETINGS

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. HARKIN. Mr. President, I would like to announce that the Committee on Agriculture, Nutrition, and Forestry will conduct a business meeting on October 18, 2001, in SR-328A at 11 a.m. The purpose of this business meeting will be to discuss the new Federal farm bill.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Dr. DORGAN. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on Tuesday, October 16, 2001, to conduct a hearing on "The Failure of Superior Bank, FSB, Hinsdale, Illinois."

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

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. DORGAN. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet on Tuesday, October 16, 2001, at 10 a.m., to conduct a hearing to review the Federal Emergency Management Agency's response to the September 11, 2001, attacks on the Pentagon and the World Trade Center. The hearing will be held in SD-406.

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

COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. DORGAN. Mr. President, I ask unanimous consent that the Committee on Governmental Affairs be authorized to meet on Tuesday, October 16, 2001, following the first vote of the day for a business meeting to consider pending committee business, including the nomination of Mark Everson, to be Controller, Office of Federal and Financial Management, Office of Management and Budget.

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. DORGAN. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet in executive session during the session of the Senate on Tuesday, October 16, 2001, at 3 p.m.

Agenda: Markup of S. 1379, a bill to amend the Public Health Service Act to establish an Office of Rare Diseases at the National Institutes of Health, and for other purposes; S. 727, a bill to provide grants for cardiopulmonary resuscitation (CPR) training in public schools; H.R. 717, to amend the Public Health Service Act to provide for research and services with respect to Duchenne muscular dystrophy; an original bill dealing with mental

health and terrorism; and the nomination of Jean Scalia to be Solicitor General of the Department of Labor.

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

COMMITTEE ON SMALL BUSINESS

Mr. DORGAN. Mr. President, I ask unanimous consent that the Committee on Small Business and Entrepreneurship be authorized to meet during the session of the Senate for a confirmation hearing on the nomination of Thomas M. Sullivan to be Chief Counsel for Advocacy at the U.S. Small Business Administration on Tuesday, October 16, 2001, beginning at 10:15 a.m., in room 428A of the Russell Senate Office Building.

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

COMMITTEE ON VETERANS' AFFAIRS

Mr. DORGAN. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be authorized to meet during the session of the Senate on Tuesday, October 16, 2001, for a hearing on the Department of Veterans Affairs' Fourth Mission: Caring for Veterans, Servicemembers, and the Public Following Conflicts and Crises. The meeting will take place in room 418 of the Russell Senate Office Building at 2:30 p.m.

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

SUBCOMMITTEE ON COMMUNICATIONS

Mr. DORGAN. Mr. President, I ask unanimous consent that the Subcommittee on Communications of the Committee on Commerce, Science, and Transportation be authorized to meet on Tuesday, October 16, 2001, at 10 a.m., on Emergency 911.

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

SUBCOMMITTEE ON READINESS AND MANAGEMENT

Mr. DORGAN. Mr. President, I ask unanimous consent that the Subcommittee on Readiness and Management Support of the Committee on Armed Services be authorized to meet during the session of the Senate on Tuesday, October 16, 2001, at 2 p.m., in closed session to receive testimony on security of Department of Defense ammunition shipments.

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

SUBCOMMITTEE ON YOUTH VIOLENCE

Mr. DORGAN. Mr. President, I ask unanimous consent that the Committee on the Judiciary, Subcommittee on Youth Violence be authorized to meet to conduct a hearing on Tuesday, October 16, 2001, at 10:30 a.m., in Dirksen 226.

"Defending America's Transportation Infrastructure" panel: The Honorable Mike Parker, Assistant Secretary for the Army (Civil Works), Department of the Army, Washington, DC; Brian M. Jenkins, Senior Advisory to the President, RAND Corporation, Santa Monica, CA; Donald E. Brown, Chair of the Department of Systems Engineering, University of Virginia,

Charlottesville, VA; Jeffrey K. Beatty, President and CEO, Total Security Services International, Marietta, GA; and Tony Chrestman, President, Ruan Transport, Des Moines, IA.

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

NOTICE—REGISTRATION OF MASS MAILINGS

The filing date for 2001 third quarter mass mailings is October 25, 2001. If your office did no mass mailings during this period, please submit a form that states "none."

Mass mailing registrations, or negative reports, should be submitted to the Senate Office of Public Records, 232 Hart Building, Washington, DC 20510-7116.

The Public Records office will be open from 8 a.m. to 6 p.m. on the filing date to accept these filings. For further information, please contact the Public Records office at (202) 224-0322.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider Executive Calendar Nos. 452 through 463 and the nominations on the Secretary's desk; that the nominations be confirmed, the motions to reconsider be laid upon the table, any statements thereon be printed at the appropriate place in the RECORD, the President be immediately notified of the Senate's action, and the Senate return to legislative session.

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

The nominations, considered and confirmed, are as follows:

DEPARTMENT OF ENERGY

Linton F. Brooks, of Virginia, to be Deputy Administrator for Defense Nuclear Non-proliferation, National Nuclear Security Administration.

DEPARTMENT OF DEFENSE

William Winkenwerder, Jr., of Massachusetts, to be an Assistant Secretary of Defense.

AIR FORCE

The following Air National Guard of the United States officers 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. David F. Brubaker, 0000
Col. Michael W. Corbett, 0000

ARMY

The following named officer for appointment as the Assistant Judge Advocate General, United States Army and for appointment to the grade indicated under title 10, U.S.C. section 3037:

To be major general

Brig. Gen. Michael J. Marchand, 0000

The following named officer for appointment in the United States Army 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. John M. Le Moyné, 0000

The following named officer for appointment in the United States Army 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

Lt. Gen. Larry R. Jordan, 0000

The following named officer for appointment in the United States Army 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

Lt. Gen. Kevin P. Byrnes, 0000

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

To be general

Lt. Gen. Paul J. Kern, 0000

The following named officer for appointment in the United States Army 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. Joseph R. Inge, 0000

The following named officer for appointment in the United States Army 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

Lt. Gen. John P. Abizaid, 0000

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601, and to be a Senior Member of the Military Staff Committee of the United Nations under title 10, U.S.C., section 711:

To be lieutenant general

Maj. Gen. George W. Casey, Jr., 0000

NAVY

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 (lower half)

Capt. Richard K. Gallagher, 0000
Capt. Thomas J. Kilcline, Jr., 0000

AIR FORCE

PN1132 Air Force nominations (36) beginning Gino L. Auteri, and ending Jesus E. Zarate, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of October 10, 2001.

PN1133 Air Force nominations (2065) beginning Richard E. Aaron, and ending *Delia Zorrilla, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of October 10, 2001.

ARMY

PN1074 Army nominations (2) beginning George M. Gouzy, III, and ending Carrol H. Kinsey, Jr., which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of September 21, 2001.

PN1075 Army nominations (3) beginning Jeffrey E. Arnold, and ending Timothy L. Sheppard, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of September 21, 2001.

PN1101 Army nomination of Gregory A. Antoine, which was received by the Senate and appeared in the CONGRESSIONAL RECORD of October 2, 2001.

PN1124 Army nomination of Stephen C. Burritt, which was received by the Senate and appeared in the CONGRESSIONAL RECORD of October 9, 2001.

MARINE CORPS

PN1076 Marine Corps nomination of Henry J. Goodrum, which was received by the Senate and appeared in the CONGRESSIONAL RECORD of September 21, 2001.

NAVY

PN1077 Navy nominations (2) beginning Richard D. Anderson, III, and ending James P. Ingram, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of September 21, 2001.

PN1078 Navy nomination of Bradley J. Smith, which was received by the Senate and appeared in the CONGRESSIONAL RECORD of September 21, 2001.

PN1102 Navy nominations (2) beginning Richard A. Guerra, and ending Jeff B. Jordan, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of October 2, 2001.

PN1103 Navy nomination of Martin B. Harrison, which was received by the Senate and appeared in the CONGRESSIONAL RECORD of October 2, 2001.

PN1125 Navy nomination of Michael S. Speicher, which was received by the Senate and appeared in the CONGRESSIONAL RECORD of October 9, 2001.

PN1126 Navy nomination of Gary W. Latson, which was received by the Senate and appeared in the CONGRESSIONAL RECORD of October 9, 2001.

PN1127 Navy nomination of Robert S. Sullivan, which was received by the Senate and appeared in the CONGRESSIONAL RECORD of October 9, 2001.

PN1134 Navy nominations (1442) beginning Kevin T. Aanestad, and ending John J. Zuhowski, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of October 10, 2001.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will return to legislative session.

MEASURE READ THE FIRST TIME—H.R. 2646

Mr. REID. Further, I understand that H.R. 2646, which was received from the House, is at the desk. I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill by title.

The legislative clerk read as follows:

A bill (H.R. 2646) to provide for the continuation of agricultural programs through fiscal year 2011.

Mr. REID. Mr. President, I now ask for its second reading and object to my own request.

The PRESIDING OFFICER. Objection is heard.

The bill will receive its second reading on the next legislative day.

ORDERS FOR WEDNESDAY, OCTOBER 17, 2001

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until the hour of 10 a.m., Wednesday, October 17; that following the prayer and the pledge, the Journal of