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## Senate

The Senate met at 9:30 a.m. and was called to order by the President pro tempore [Mr. STEVENS].

The PRESIDENT pro tempore. We are honored today to be led in prayer by Bishop Sumoward E. Harris, Bishop of the Lutheran Church in Liberia.

### PRAYER

The guest Chaplain offered the following prayer:

Lord be with us. Let us pray.

O Lord our governor, gracious Father, Your glory shines throughout the world. We give You thanks today for this Nation, which You have bountifully blessed in order to be a demonstration of freedom, opportunity, righteousness, truth, and justice for Liberia and the nations of the world.

We commend this Nation to Your merciful care, the lives of citizens and aliens, so that they may be guided by Your providence.

Give the men and women of this honorable Senate the wisdom, the courage, and strength to know Your will and to do it. Help them always to remember that they are called to serve their people through laws they make during this legislative session. Make them to be pure lovers of truth, freedom, justice, and righteousness.

Gracious God, in a time of competing global challenges when faith in You is questioned and threatened, empower the Senators as they seek Your wisdom, vision, and direction so that in all their works begun they will always know that *Righteousness exalts a Nation*.—Proverbs 29:2. Bless the Senators of this great Chamber. Grant them dynamic vision for leadership in this Nation and the world. In Your great mercy sustain them with Your grace for their daily deliberations.

O Lord, I offer this prayer on behalf of the Senators through Jesus Christ. Amen.

### PLEDGE OF ALLEGIANCE

The PRESIDENT pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

### SCHEDULE

Mr. FRIST. Mr. President, this morning the Senate will resume consideration of the Labor, HHS, and Education appropriations bill. Yesterday, two amendments were offered and debated during the pendency of the bill. The chairman and ranking member are here this morning and are prepared to work through these amendments as well as additional amendments that will be offered.

I expect a rollcall vote to occur on at least one of those amendments prior to the policy luncheons today. Therefore, Members should anticipate a vote around noon. We will alert all Senators when that vote is scheduled.

As I mentioned, the Senate will recess from 12:30 until 2:15 for the policy luncheons. I encourage Members who have amendments to the Labor-HHS bill to contact the managers of that legislation as soon as possible. It would be very helpful to have a list of amendments so that the chairman and ranking member will be able to work through those amendments in an orderly fashion.

I thank all Members as we go forward during the appropriations process. Most Members came back yesterday. We had a very good day and a very productive day with the introduction of those amendments. We are making progress on this very important bill, and I look forward to the participation of all Members.

### RESERVATION OF LEADER TIME

The PRESIDENT pro tempore. Under the previous order, leadership time is reserved.

### DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2004—Resumed

The PRESIDENT pro tempore. Under the previous order, the Senate will proceed to the consideration of H.R. 2660, which the clerk will report by title.

The legislative clerk read as follows:

A bill (H.R. 2660) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2004, and for other purposes.

Pending:

Specter amendment No. 1542, in the nature of a substitute.

Byrd amendment No. 1543 (to amendment No. 1542) to provide additional funding for education for the disadvantaged.

Akaka amendment No. 1544 (to amendment No. 1542) to provide additional funding for the Excellence in Economic Education Act of 2001.

The PRESIDENT pro tempore. The Senator from Pennsylvania.

Mr. SPECTER. Mr. President, while the majority leader is in the Chamber, it would be appropriate to comment about the colloquy which the majority leader and I had on August 1, the last day of session before the August recess. As the majority leader stated, this bill would be the first matter taken up on September 2, which we did take up, and gave everyone notice.

I made the comment at that time about the problems I have observed with quorum calls taking up so much time, and I stated that it was my hope as manager—and which was concurred in by my distinguished ranking member, Senator HARKIN—that we would have amendments prepared to go. We got off to a start yesterday with two

• This “bullet” symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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amendments. We were unable to find any more amendments. We have a couple lined up this morning.

It is my hope that Members will come to the floor with their amendments and be prepared to go and that we can work through orderly time agreements and proceed, with the hope of finishing up this bill—at least a major part of it—by the end of the week.

As I said on August 1, I would like to see the Senate proceed to a third reading when there are a lot of quorum calls and amendments which are not prepared to be offered, especially where there is adequate notice, as there has been for more than a month on this bill, and as matter of general Senate business of what I hope would be accomplished here.

I understand, after discussing the matter with the assistant leader for the Democrats, that there is one amendment where the Democrats may need to bring all of their people in who might otherwise be absent. That single amendment might have to go over to next week. If that is so, at least we should complete the bill with the exception of that amendment, or as much of it as we can.

Let me urge my colleagues to come to the floor with their amendments and notify the managers of the bill about amendments they have so we can proceed in an orderly way. It is my hope that we can work into the evening to debate amendments, subject to the decision of the majority leader, and stacking votes perhaps in the morning, if we are not to vote in the evening, with the same procedure available tomorrow night because there are some 40 amendments pending. It is obvious we are going to have considerable work to do and considerable debate to address these amendments.

In advance of the August recess, I conferred with the distinguished chairman of the full committee, the President pro tempore, the ranking member of the full committee, and many of the members of the Democratic caucus who I knew would have amendments to offer so that we ought to be in a position to move forward.

Again, I urge colleagues to come to the floor with their amendments.

The PRESIDENT pro tempore. The Senator from Nevada.

Mr. REID. Mr. President, while the majority leader is in the Chamber, having heard the distinguished manager of the bill on two separate occasions—yesterday and today—talking about his desire to complete the bill, all members of the Appropriations Committee want to complete this bill and I would like to finish this bill. The Democratic leader has indicated that he wants to cooperate in any way we can to move these bills along.

Having said that, we have some real problems. Today is Wednesday. Tomorrow is Thursday. That is my reason for asking the distinguished majority leader if he would respond. Does the leader

have an idea about what we are going to do on Friday? One of the problems we have, of course, is even when we have votes on Friday, it is on a relatively unimportant matter most of the time. If we are going to work tomorrow, there is not a chance we can complete this bill, no matter how late we work tonight and Thursday.

We have 40 amendments we have already identified. I said to the manager of the bill, the distinguished Senator from Pennsylvania, that probably 25 percent of those the managers could agree on. That still leaves 30 amendments. There are a number of them that are quite controversial. If we are going to leave here Thursday night, I just do not think we can do it. Miracles happen.

Mr. FRIST. Mr. President, through the Chair, in response, I wish to restate what our distinguished manager just said; and that is that 5 weeks ago, at the end of our session just prior to the recess, we did have a colloquy on the floor to state the importance but also the absolute necessity of having the time managed on the floor be disciplined and orderly to get the amendments and, as my request I made just a few minutes ago, to have our colleagues come forward.

So far that is progressing well. And we are going to stay here and stay on the bill to finish it, which means—and we will have more to say on that, and I talked to the Democratic leader last night—I expect we will be voting on Mondays and Fridays.

I think the votes we have this Friday will be important votes. We have a lot of people traveling, on both sides of the aisle, maybe more on your side of the aisle than ours. But for many different reasons it is absolutely critical that we recognize, as a body, that our responsibility is to complete this important piece of legislation, which means being here, and we will be here Friday. Later, as we talk, and people are back—I don't know how late we will be here Friday, but we will be voting on substantive amendments on Friday.

It is critical we move ahead. I know the same discussion went on a little bit yesterday, and it went on for the week or 2 weeks on the Energy bill, that we have so much to do there is no way we are going to be able to finish it. So now I am getting used to it. It is true, we have to debate these amendments. Whether there are 40 or 50—and I know there are some very important ones—I want to share with my colleagues that we do need to stay here, although hopefully we will not have to vote at night too much because I know people have plans. We need to stay here, and the managers have expressed a willingness to stay here at night in order to continue that business as we go forward.

As I told the Democratic leader yesterday, we will probably be voting on Mondays and Fridays not just this week but over the next several weeks. Then if there are certain days we come to an agreement that we don't need to

vote, we can continue the business. And we will share that with both sides of the aisle. Just one final matter: the energy conferees. I will hopefully have more to say about that later. But we were prepared to appoint energy conferees before we left. On the Democratic side of the aisle the request was made not to quite yet appoint those. I did mention to the Democratic leader yesterday that we are ready to go and do those appointments as soon as possible. I am very hopeful that the leadership on your side of the aisle and our side of the aisle can announce that today.

We are ready to go. We have our conferees in line, so I would like to do that. I would like to make clear that we have been ready to go for the last 5 and a half weeks with our conferees. People come forward and say this is a hugely important issue, so I hope we can address that.

The PRESIDENT pro tempore. The Senator from Nevada.

Mr. REID. Mr. President, through you to the distinguished majority leader, I was in a meeting yesterday with the Democratic leader, and I think we are at a point where those conferees can be appointed. I am very confident it can be done today.

Mr. President, has the bill been reported this morning?

The PRESIDENT pro tempore. Yes, it has.

Mr. REID. Mr. President, I ask unanimous consent that the pending amendment be set aside.

The PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

AMENDMENT NO. 1547 TO AMENDMENT NO. 1542

Mr. REID. Mr. President, I send an amendment to the desk.

The PRESIDENT pro tempore. The clerk will report.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 1547.

Mr. REID. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To increase funding for certain education and related programs)

At the end of title III, insert the following: SEC. 306. (a) In addition to any amounts otherwise appropriated under this Act, there are appropriated, out of any money in the Treasury not otherwise appropriated—

(1) an additional \$20,000,000 to carry out part H of title I of the Elementary and Secondary Education Act of 1965 (dropout prevention);

(2) an additional \$85,000,000 to carry out title III of the Elementary and Secondary Education Act of 1965 (language instruction);

(3) an additional \$6,449,000 to carry out part A of title V of the Higher Education Act of 1965 (Hispanic-serving institutions);

(4) an additional \$4,587,000 to carry out part C of title I of the Elementary and Secondary Education Act of 1965 (migrant education);

(5) an additional \$11,000,000 to carry out high school equivalency program activities under section 418A of the Higher Education Act of 1965 (HEP);

(6) an additional \$1,000,000 to carry out college assistance migrant program activities under section 418A of the Higher Education Act of 1965 (CAMP);

(7) an additional \$12,776,000 to carry out subpart 16 of part D of title V of the Elementary and Secondary Education Act of 1965 (parental assistance and local family information centers); and

(8) an additional \$69,000,000 to carry out migrant and seasonal Head Start programs: *Provided*, That such sum shall be in addition to funds reserved for migrant, seasonal, and other Head Start programs under section 640(a)(2) of the Head Start Act.

(b) Of the funds appropriated in this Act for the National Institutes of Health, \$150,000,000 shall not be available for obligation until September 30, 2004.

(c) The amount \$6,895,199,000 in section 305(a)(1) of this Act shall be deemed to be \$7,105,011,000 and the amount \$6,783,301,000 in section 305(a)(2) of this Act shall be deemed to be \$6,573,489,000.

Mr. REID. Mr. President, this amendment relates to programs that help Hispanic children. This is more than just numbers, statistics; it deals with real people, kids who can be helped by special programs.

What does this mean? Does it mean we are spending more money to be spending more money? What it means is we will be spending more money to save money. For every \$1 we spend in our country for these programs, we save \$10 in welfare costs, educational costs, costs to the criminal justice system. These programs deal with children, I repeat.

One of the programs is a program called the High School Equivalency Program which assists students of migrant parents who have dropped out of high school to earn their GED.

Here is what Tedrel Eubanks said:

[The high school equivalency program] exposed me to college life. This was something beyond my wildest dreams. I had never given any real thought to finishing high school, not to mention going to college. The more I attended GED classes, the more excited I became. The more time I spent on the University campus taking part in various activities, the more determined I became about getting my GED certificate and graduating and enrolling at [Mississippi Valley State University].

And that is what he did.

Mr. President, I ask unanimous consent that the amendment I just offered be on my behalf and on behalf of the Senator from New Mexico, Mr. BINGAMAN.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. REID. Another program that is a tremendously important program that is greatly affected in an adverse way by this bill we have before us is a program called the College Assistance Migrant Program, referred to as CAMP, which assists migrant students in their first year of college with personal academic counseling and stipends. These programs have been enormously successful. But rather than talk about, again, statistics, let me talk about a person by the name of Maria de Lurdes Reynoso.

Maria said she went to the Boise State University CAMP. She said:

[The] Boise State University's CAMP scholarship has been a stepping-stone in my college career. CAMP is much more than a scholarship. From academic support to career opportunities, CAMP helps its students become successful individuals. One of the most important goals of my life was to receive a college education. But more than anything, I have always wanted to travel and see new places. CAMP placed me on the right track and assisted me with a career and extracurricular opportunities. This summer I will be traveling out of the country to do an internship in Guadalajara, Mexico with the Department of Commerce and the Department of Agriculture. This Spring I will be graduating with a degree in International Business and minors in Finance and Spanish, thanks to the guidance and support of the people who make up the . . . CAMP program [at Boise State University].

Mr. President, this isn't a statistic that is a throwaway. This is a statistic that deals with a young lady who would have never, ever been able to go to college and then complete college.

We have another program called the Migrant Education Program. These funds are used to identify and recruit migrant students, to provide screening for health problems, and to provide resources to enable the children to receive appropriate medical care.

As to this program, I would like to take just one case history of a young person who said:

At my new school, I was identified for the Migrant Education Program.

Oscar Guzman said:

The teacher who was in charge of my class helped my mother with all of the paperwork and records transfer. He also arranged for a health check up for me, which I continued to get every year through the eighth grade. The Migrant Education Program had a special reading group for migrant students, which helped me with my English.

I am the first person in my family to go to college. My parents are very proud of my decision to go to college and expect me to go far. My dad always tells me that I am going to [be able to] work in an air-conditioned office with a secretary. My aunts and uncles are also very proud of me and use me as an example for my cousins. I hope to be in a position where I can make a difference in education and agriculture in order to improve the lives of families like my own.

I would not be here today if it were not for the Migrant Education Program in fifth grade that put me on a path of academic achievement and the other migrant programs that helped me succeed.

"Because of these programs," Oscar said, "my life was made easier and my parents' dream of a better life for me and my brother will come true."

That is what these amendments are about. These amendments are about improving the lives of young people. I think we all learn a culture by listening to its native language, its native tongue. Every time I hear someone speak Russian, I think of my deceased father-in-law who was born in Russia. He came as a little boy. I am confident that he didn't speak a word of Russian but I do know that his parents spoke extremely broken English. I didn't know his parents, my wife's grandparents. I think of a series in public radio recently about trying to bring

back people who have written books in Yiddish. Of course, both of my in-laws used to speak Yiddish when they didn't want me to know what was going on. I think we learn a lot about a culture by listening to people's languages.

Among Latino Americans, "aspirar" has special meaning. It is similar to our verb "aspire" but it carries a greater sense of urgency. It invokes dreams of a better life, striving for a better future, among people who work hard just to make ends meet.

Children are the hope of every culture, and it is no different for Latino Americans. They are the youngest demographic group in our country and the fastest growing. More than one-third of Latino Americans are under 18 years of age.

So the great aspiration of Latino Americans, as all immigrants who have come to our country, is a good education for their children. We recognize that with this wave of immigrants, as with previous waves of immigrants, the parents are the ones who are uneducated and doing the menial work. They have aspirations, desires, wishes, and prayers for their children to be able to become educated so they don't have to do the menial work that they are doing.

We recognize that there is an unacceptable gap in academic achievement between Latino students and the overall student population. We have agreed that it should be this Nation's policy to leave no child behind. Now it is time to live up to those words.

That is why this amendment I have offered with Senator BINGAMAN—the Hispanic education opportunity amendment—to help Latino students achieve dreams is important.

This amendment would invest an additional \$210 million in our Nation's future by strengthening these programs. I have talked about the programs—not all of them—such as the Hispanic-serving institutions, the high school equivalency program, the College Assistance Migrant Program, the local family information centers, dropout prevention, bilingual education, and Head Start for children of migrant workers.

These programs give Latino students a step up the ladder of education so they can realize their aspirations. The 252 Hispanic-serving institutions which have at least 25 percent Latino enrollment are the main bridge between Hispanic communities and higher education. Despite appropriations under title V, these institutions still haven't reached Federal funding parity with other degree-granting institutions. This amendment adds \$6.4 million to help address this inequity.

The high school equivalency programs provide academic instruction, counseling, computer-assisted teaching, and career awareness to migrant students studying for the GED. The Senate's bill—the one before us—slashes funding for these programs by

43 percent and would eliminate 23 programs to achieve a combined GED completion rate of almost 73 percent.

The proposed budget also cuts the College Assistance Migrant Program by \$400,000. As I indicated with the example I gave earlier, these recruits are important. They are talented migrant high school graduates and GED recipients, and this mentors them through their first year of college. Before CAMP was created, there was no record of a migrant child having completed college. Since its inception, almost three-quarters of all CAMP students received baccalaureate degrees.

The existing HEP and CAMP programs serve approximately 15,000 students. Of these 15,000 students, the vast majority—about 75 percent—will graduate from college. They will not be welfare dependent and will not have problems with the criminal justice system. And, of course, they won't be creating problems in the educational system. Over the next years, about 170,000 migrant children will become eligible for HEP, while 140,000 will qualify for CAMP. Funding for these programs should be increased, not cut. That is why this amendment adds \$11 million for HEP programs and \$1 million for CAMP.

We also need to make the Head Start Program available to more children of migrant workers so they have a fighting chance to do well in school.

In Nevada, we have probably a thousand migrant students, and they make up more than half the students in Amargossa in Nye County, where my brother lives. These children have hard lives, and if any child ever deserved a head start in school, they do. Yet we have not had a single migrant Head Start Program in all of Nevada. People think of Nevada only as a place where you have the bright lights of Las Vegas and Reno but we have farming communities.

In the Amargossa Valley, there are very large dairy farms. In Lyon County, we have the largest producer of white onions in America. Migrant farm workers come there in waves. Yet we don't have a single program in Head Start for these children. They are left behind even before they begin school. We need to offer Head Start to 10,000 new migrant children. My amendment would move us toward that goal.

We know parental involvement is a crucial factor in a child's school success. That is why the local family information centers were created by the No Child Left Behind Act. These are community-based centers that provide parents of title I students with information about their children's schools so they can get involved in their education. An additional investment will strengthen the ties between Latino families and their children's schools. This is good for the whole community.

This amendment also addresses the programs for dropout prevention and bilingual education. Senator BINGAMAN and I have worked for years together

on the dropout programs. We believe there should be a dropout czar in the Department of Education that works on nothing but doing something to prevent dropouts in our country.

In Nevada, we have 50,000 students with limited proficiency in English. And Latinos have the highest dropout rate of any demographic group in our State. These programs will help Nevada, and many other States, too, with growing Hispanic populations.

In the past, we have received Federal grants for two dropout programs, at Pyramid Lake High School, a Paiute Indian school, and the Washoe County School District. But now the Senate HHS budget would eliminate all funding for these programs. The amendment I have offered would restore \$20 million for dropout prevention.

None of these programs by themselves might seem that important, but taken together they give Latino Americans a better chance of realizing their hopes and dreams. Just as important, these measures will strengthen the American economy by building a more productive workforce.

Already, one-third of the new workers who join our labor force are Latino. In 20 years, it will be half. These are the workers who will pay taxes to keep our military strong, to educate our children, grandchildren and great-grandchildren, and provide our Social Security in the future. So, you see, our future depends on the hopes and dreams of our Latino neighbors.

Aspirar—to hope. No matter what language we speak, we all understand what that means. We all have a stake in making it possible.

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

The PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. GRAHAM of South Carolina). Without objection, it is so ordered.

Mr. SPECTER. Mr. President, after conferring with the distinguished assistant Democratic leader, we have agreed upon a time for the vote.

I ask unanimous consent that at noon today, the Senate proceed to a vote in relation to the Reid amendment No. 1547 with no amendments to the amendment in order prior to the vote.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Mr. President, I ask my friend to modify that request following the word "vote," that at 11:45 a.m., the amendment recur and that the time until 12 o'clock be equally divided and controlled between Senators REID and BINGAMAN and Senator SPECTER. In effect, we will debate the matter from 11:45 a.m. until 12 o'clock and vote at 12 o'clock.

Mr. SPECTER. Mr. President, I agree.

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

Mr. SPECTER. Mr. President, before the distinguished Senator from Nevada leaves the floor, and I know he has other commitments and will not hear my reply to his presentation, the question that I would address to the Senator from Nevada is how he picks a figure of \$210 million? As I will outline in the course of my presentation, there are quite a number of programs which are directed to this issue.

The appropriations subcommittee has considered many programs. We have increased some 26 programs and decreased some 6 programs, what we consider to be a balance. I ask my colleague from Nevada how he comes to a figure of \$210 million when comparing it to all the other programs in this bill which are directed to this generalized effort?

Mr. REID. Mr. President, what we have done is meet with educators, we have met with members of the Hispanic community, and we have come to the conclusion that the programs that are included in this amendment are vital and should be increased and not decreased, and that these programs are, we think, programs that, as I indicated briefly in my statement, will not cost this country money but will save the country money in the long term.

While the figure we have come up with may not be magically correct—I would like to have had more, but in working with the minority staff, we recognize there is a limit to what we can do, but we believe this is a small enough number that people should simply vote to waive the Budget Act. And I am confident there will be a budget point of order raised against this amendment on a bill such as this bill.

I say to my friend that a few months ago we were going to give Turkey \$6 billion to help us in Iraq. Maybe we should say that \$200 million to help people here who are going to help our country is just as important as that gift we were going to make to the people of Turkey.

I do apologize for being rude to my friend because I always appreciate his efficacy. I am sure not everyone in the Senate has read his book. I have. I know what a fine lawyer he is and the work he has done. But probably not listening to his response will make my day easier because I will then not realize all the inadequacies in my amendment and I would have to come back and respond to that argument. This way I can just speak from the high level and not have to worry about his—I will not say nitpicking but his really good debate. In this way, I will have one of my staff tell me some of the high points of his debate, and I will just hit the high points when I return.

Mr. SPECTER. Mr. President, I thank my colleague from Nevada for those charming, complimentary remarks. He exits the Chamber with grace. He has to present a judge from his State. We will miss him. I would

prefer his being here so all of the contentions I will make will be presented directly to him. There are many demands on every Senator. I understand why Senator REID cannot be present.

When the Senator from Nevada advanced this amendment for \$210 million additionally for education programs for Hispanic students, I asked him how they came up with this figure. I do so in the context of chairing this subcommittee which has had many hearings and has analyzed the needs of Hispanic students in the context of many other needs this subcommittee has to fund.

Without going through the entire list, I had referenced the fact that the bill contains increases for some 26 programs and decreases for some 6 programs. In making an evaluation as to what are the needs of the Hispanic community, we have taken into account that there are many other programs which have been funded which are directed to the Hispanic community or programs where the local education agency has funding which can be directed to the Hispanic community, depending upon the needs for that community in a given area. The needs for the Hispanic community may vary materially in San Antonio, TX, which is more heavily populated with Hispanics than, say, my hometown of Russell, KS, a small community on the plains of Kansas with 5,000 people where the need is different.

One of the major education allocations of this bill is \$12,350,000,000 on Title I grants to local education agencies. This is directed to take care of the achievement gap between students in low- and high-poverty schools. This covers to a very material extent communities where these funds can be allocated for Hispanics.

Our bill also includes some \$300 million for the Gear Up program originated by a distinguished Member of the House of Representatives from Philadelphia, Congressman Chaka Fattah, who coordinated the program with me, with the thrust coming from the House but most of the funding thrust coming from this subcommittee, where we now have some \$300 million in this GEAR UP Program, and 70 percent of the 1.3 million students served by this program are minorities, including almost 30 percent who are Hispanics. I point to this GEAR UP Program as illustrative of a program which can accommodate the kinds of concerns which the Senator from Nevada is talking about.

Our bill also has some \$665 million for the English Language Acquisition State Grant Program, which is designed to help students who have limited English proficiency. Here again, this funding is already available for Hispanics on the line where the Senator from Nevada seeks to add additional funding.

There are many other programs in this bill. For example, \$13 million in this bill is being directed to the high school equivalency program which can

be used for Hispanic students; some \$15 million directed to college assistance migrant programs, which again can be used for Hispanic students.

On the English Language Acquisition Grant State, which was already identified, there is some \$665 million, and with respect to Hispanic-serving institutions, more than \$93 million is being directed to colleges and universities which have 25 percent or more Hispanics.

In the context of these appropriations, it was the conclusion of the subcommittee, and then the conclusion of the full committee, that the interests of Hispanic students were adequately taken care of.

When I asked the Senator from Nevada how he picked a figure of \$210 million, his response was, it is not excessive but it would be helpful; that it might be good to have even more money.

That might be said about any program which is on the agenda, to add more money.

The Senator from Nevada said we were considering giving substantial money to Turkey. Well, why not give a portion of that money to Hispanic students? That is a very frequently advanced argument. If we took the cost of the B-2 bomber, how many items in some other line could that accommodate?

The reality is that the Federal budget is gigantic. It is \$2.2 trillion. Does anybody know how much money that is? Not really. It is a staggering amount of money. It is said that if one took a large hall like the Senate Chamber there would be insufficient space to stuff \$10,000 bills for that sum of money.

The Congress of the United States has, as a principal function, the job of appropriating, figuring out where the money goes. There may be some disagreement about how much money should have been offered to Turkey to aid in the Iraq war, and we will hear a great deal of talk in this Chamber about Iraq, not Iraq's educational program but how much money is being allocated to Iraq. I submit that the long-range interests of the United States are very well served, and when we are successful—and we will be successful—in establishing order in Iraq and establishing, I think, a democracy in Iraq. Democracies are contagious.

The only democracy in the Mideast today is Israel. The Saudis' leadership are in fear of democracies becoming popular, as are the ruling elites in all of the other Mideast countries.

I do not intend to prolong a debate about Iraq. It is my hope that the President's efforts to bring in other nations, which is the banner headline in this morning's press, will reach fruition. I hope there will be people from other countries, especially Muslim countries, Pakistan and Turkey, to share in the responsibility and to give the Arab world confidence so that the United States will not carry that bur-

den and our own personnel will not be subjected to the casualties which are currently present.

I mention Iraq in response to what the Senator from Nevada says about the money which we have proposed to give to Turkey. So we are trying to make an allocation of a gigantic sum of money, \$2.2 trillion. It comes to this subcommittee to make an allocation on discretionary funding of \$137.6 billion. I think we have exercised real care and thoughtfulness in making these allocations.

I would like to see additional money for many items in the line, but there has to be an evaluation and an assessment of priorities. I am aware of the political impact on having my vote, and the votes of other individual Senators, be against expanding this Hispanic education program. It is worth a brief comment on the so-called 30-second commercial, where individual votes are picked out and are featured at election time to say to one group or another, and in this case Hispanics, why Senator X or Senator Y ought to be defeated because there was a vote against a specific matter. That does not tell even a part of the story as to how that vote is cast in the context of other programs which are devoted to this very important issue, as I think this record shows, which I have explained, and why it is with reluctance that I oppose the amendment offered by the distinguished Senator from Nevada.

Yes, it would be good to have more funds here and more funds in many other places, but it is an overall evaluation which we have to take into account. I believe a fair analysis of this program overall shows that there are adequate funds being directed for this important purpose. How you pick \$210 million in this amendment as opposed to \$310 million or \$410 million or \$10 million remains an open question, when we add up the millions of dollars which are devoted to programs and items in this appropriation bill which are directable to this important objective.

I am advised other Senators will be coming to speak on this amendment. The chairman of the Appropriations Committee has asked that all Republican members of the committee be available for a meeting at this time. So in the absence of any other Senator wishing to speak and in the instance of my own presence being required at another meeting, I suggest the absence of a quorum.

**THE PRESIDING OFFICER.** The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

**THE PRESIDING OFFICER.** Without objection, it is so ordered.

**MR. SPECTER.** Mr. President, we are awaiting other Senators to speak on the pending amendment of the Senator

from Nevada, Mr. REID. In the interim I ask other Senators to come to the floor to offer amendments. Procedurally, as is well known, we can set aside the Reid amendment and proceed to debate other amendments.

The majority leader has already expressed his intention to vote through Friday, so the sooner we address these issues the sooner the Senate will conclude its business. I urge my colleagues to come to the Senate floor to offer amendments.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. BINGAMAN. Mr. President, I want to take a few minutes to speak in favor of the amendment that Senator REID of Nevada has offered relating to funding for various programs in this appropriations bill that are of particular importance to the Hispanic community. I strongly support Senator REID's amendment and believe that it would be a very important step for us to take in keeping the commitment that we have made to the people of this country when we passed the No Child Left Behind Act.

I have just completed spending 4 weeks in my State, most of the time in my State, and much of that time I was talking to people who were involved in education and were preparing for the new school year. It is clear that one message comes through in those discussions. That message is, What is the Federal Government going to do to keep its share of the bargain?

The Federal Government has imposed all sorts of new requirements on States and school districts about how they are to reform education, how they are to improve instruction in the schools, how they are to improve student performance in the schools. Unfortunately, when those educators see that the administration, first, in its request to Congress, and then the Congress itself, does not put forward the money which was committed in the No Child Left Behind Act, the cynicism on the part of many people working in education is understandable.

The amendment the Senator from Nevada has offered is an effort to correct some of that. I strongly support it. Let me talk about one particular aspect of it that I know better, perhaps, than I know some other parts. That relates to the dropout prevention program. This is a subject that has been debated and discussed and talked about in Washington and at the national level for a great many years. I remember when President Bush senior, the former President Bush—not this President Bush but this President Bush's father—convened all the Governors of the country to have a first and only, as

far as I know to this day—first and only national summit on education. That was in Charlottesville, VA. It was in 1989, I believe. At that time the Governors and the President committed the country to a series of goals in education, things that we would all agree, jointly, to work on and accomplish over the coming 10 years. That was in 1989. That 10 years has come and gone. But one of those goals was that we would ensure that at least 90 percent of the students who started high school actually completed high school; that we would reduce the dropout rate very substantially in this country. That was one of the goals the President and the Governors signed onto.

I should say one of those Governors was former President Bill Clinton. Of course, there were many others who are still in key positions in our Government who were part of that group. The unfortunate reality is that after we adopted that set of goals, national education goals, there was no strategy to achieve them.

There was absolutely nothing done here in Washington and in many States, I fear, to actually get us to where we had committed to travel. Particularly in this area of dropout prevention, there was no Federal money committed. The first Federal money that was committed was a demonstration program in fiscal year 2001. I believe we committed \$10 million to a demonstration program so that for the first time the Department of Education at the national level would have some funds available to help local school districts reduce the number of students who were leaving school without graduating, and to reduce the number of students who were dropping out.

This is of particular importance in my State because in my State we have a very high dropout rate. Unfortunately for everyone involved, that dropout rate is concentrated in the Hispanic community. Over 40 percent of the students in my State are of Hispanic background, and a great many of those students—particularly young Hispanic males—leave school without graduating from high school. That is not only unfortunate for them, but it substantially reduces their ability to be productive citizens, to earn a good income, to raise a family, and to do the things we all aspire to do. But it also is an unfortunate reality for our State's economy.

We do not have the ability to generate the wealth because we lack some of the skilled workforce we need, and that we could have if we keep those people in school longer.

In fiscal year 2001, the Congress stepped forward. This was before the No Child Left Behind Act was enacted. We stepped forward and said, OK, we will commit \$10 million nationally to try to deal with this problem. That funding can be used to help school districts that have strategies which they want to pursue to reduce the dropout rate. That was an appropriate thing to

do. When we had the debate and the hearings and the markup on the No Child Left Behind Act, we talked long and hard about this problem of the dropout rate and how to come to grips with it. In the final bill, I was very pleased to see the administration agreed with the Congress, and that we authorized \$125 million a year to be spent to reduce the dropout rate. That bill was signed in January of 2001. Since then, we have had two budget requests from this President. In both of those budget requests—in 2001, and again this year—in each of the budget requests we have received, there has been zero funding proposed for dropout prevention. Absolutely nothing was requested for dropout prevention at the Federal level. The Congress stepped in last year and corrected some of that. Instead of putting in \$10 million, the Congress put in \$10.9 million. I appreciate that. That was a step the Congress took in spite of the fact there was zero funding requested by the administration.

This year, there are zero funds requested by the administration for dropout prevention. Unfortunately, this year, the bill we are considering on the Senate floor today follows the administration's recommendation and contains zero funds. The House bill follows the administration's recommendation and contains zero funds.

We are going from a situation where we committed \$10 million to this program before we passed the No Child Left Behind Act to a situation where we are committing zero funds now that we have passed the No Child Left Behind Act. Understandably, people in the education community doubt the sincerity of those of us in Washington who keep talking about how important it is to reduce the dropout rate.

Why is this dropout rate issue relevant to a discussion, or particularly relevant to a discussion of No Child Left Behind? The main thrust of the No Child Left Behind Act was to increase accountability, raise standards, require more of teachers, and require more of students. The great concern which I heard in my State, and which I think lots of us heard, was if we are going to do that—which is a good thing because we all favor higher standards, we all favor better performance, we all favor better trained teachers and better performing students—but if we are going to do that, let us not kid ourselves and allow the students who are not keeping up to just go away and forget about it. That is the concern. That is why we also put a provision in the No Child Left Behind Act for some funding for dropout prevention. It is not a major amount. It is \$125 million a year. But it was at least a commitment at the Federal level to help deal with the problem. It was a commitment that the Hispanic community—at least leaders of the Hispanic community who focus on education issues in my State, and virtually all the leaders of the Hispanic community in my State who focus on

education issues because they understand the importance that education holds for their community—all of those leaders would know this was a priority and that we would be able to move ahead and begin to deal with it systematically.

I hope very much we can adopt Senator REID's amendment so we can add some funding and do something. I am not of the view that we are going to add \$125 million. Senator REID's amendment proposes to add \$20 million. That is inadequate, but it certainly is much better than nothing, which is what we are now proposing.

There are other provisions in Senator REID's amendment which I think are also very meritorious. He indicated in his description of the amendment funding for the Hispanic-serving institutions. That is important funding as well. Clearly, I support the effort to add some reasonable increase to that. There are 157 Hispanic-serving institutions which have received money from title V. A third of those institutions that are eligible have received no assistance. These grants are made on a competitive basis, and there are not enough funds to award grants to each of the institutions that meet the criteria.

The migrant program: Again, this is an area in which I think the Federal Government has a peculiarly important responsibility. You cannot expect each local State to have in place the kind of support system for migrant children of migrant families which is needed.

We are requiring in the No Child Left Behind Act that school districts raise the performance and the achievement level of all students. That includes those students who are students of migrant families who come into that school district for a few months, perhaps, and then leave. But the school district is held accountable for the performance of those students, as it should be held accountable for the performance of those students.

The number of those students is increasing. It has grown from 624,000 in fiscal year 1999 to over 800,000 this year. That growth, combined with the new mandates from this No Child Left Behind Act, will require that additional funding be made available. So I urge all Senators to support the amendment by my colleague from Nevada.

These are important programs. They need to be adequately funded. We have committed to fund these programs at an adequate level and, unfortunately, the bill before us does not do that. I hope very much this amendment will be adopted. It is a very modest amendment, frankly, compared to the size of the budget we are dealing with, compared to the size of the appropriations in this bill itself. So I hope this modest amendment to assist those most in need of educational services in our country can be supported.

Mr. REID. Will the Senator yield for a question?

Mr. BINGAMAN. I am very pleased to yield for a question.

Mr. REID. Mr. President, through you to the distinguished Senator from New Mexico, the Senator from New Mexico has worked on these issues for many years, and he keeps referring to this as the Reid amendment. This is the Reid-Bingaman amendment. It is offered in that way, and it was meant to be offered in that way because of the work he has done for the many years prior to this.

The question I would like to ask the Senator: One of the provisions in this amendment calls for more money for afterschool programs for Hispanic children. Does the Senator from New Mexico have the same problems in New Mexico that we have in Nevada with respect to Hispanic children dropping out at larger numbers than non-Hispanic children?

And would the Senator also agree, for every child we are able to keep in school, we save the Government—State, local, and the Federal Government—money as a result of these children being able to be educated rather than being out on the streets, so to speak?

Mr. BINGAMAN. Mr. President, in response to the question, let me say, I do very much agree we have the problem in New Mexico of way too many of our students leaving school before they graduate. Unfortunately, a disproportionately large portion of those students who leave school are Hispanic students.

Now, on the second point the Senator raised, that every time one of those students leaves school before he or she graduates, it may, in fact—and probably does—cost the Government something in various ways, the main thing that I see it does is it robs the society of the benefit of having a better educated citizen and a more productive citizen for the rest of that person's life because each of those people, if they will stay in school and complete high school, has a much greater ability to earn, a much greater ability to provide for their families. And all of that, of course, inures to the benefit of the entire society. They pay more taxes. They are able to contribute more to their community.

It is a very well-chosen investment of public funds to keep these students in school. That is all we are trying to do, to say that the Federal Government should do something to assist school districts which want to work on that problem. That is all we are saying.

The Federal Government cannot take the place of the school district, and should not be trying to, but it can, in some small way, assist local school districts which want to deal with the problem.

This last year, with the \$10.9 million which was appropriated—this is in the current year, I should say—with the \$10.9 million that was appropriated, my understanding is the Department of Education was able to make 24 grants

to individual school districts in 19 different States to try to help them reduce the dropout rate. Two of those grants went to school districts in my home State of New Mexico. These are grants to assist those districts which have come up with a plan, a way to reduce the dropout rate, that they want to try to implement in their own district.

There are some proven strategies that have been shown to work. We need to give school districts more opportunities to implement those strategies. And that would be a major thrust of the amendment the Senator from Nevada has proposed. So I again urge my colleagues to support it.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SPECTER. Mr. President, at the outset, I agree with the argument made by the distinguished Senator from New Mexico about the importance of school dropout and combating that problem. This is an issue which has concerned me for many years. When I was district attorney of Philadelphia, the dropout problem was a major factor and a major cause of juvenile delinquency. When a child is not in school, not only is the child not getting the education, but the child is likely to be engaged in not only no productive activity but in counterproductive activity, frequently crime.

So this is an issue that I think has to be addressed. I think the committee has addressed it through the funding which we have made available in this bill, although not on a categorical grant. The categorical grants are where the Government makes a specification as to saying a given amount of money is to be used for a specific purpose.

It is true we had a program called the Dropout Prevention Program for slightly under \$11 million in the current fiscal year. But we have in Title I a requirement that 1 percent of the total funding be allocated for dropout or related activities, and that 1 percent amounts to some \$80 million. So there is a very considerable sum of money which is available under Title I.

There is also a considerable sum of money which can be used for dropouts under the \$345 million for innovative educational programs. What we are trying to do is put funding at the local education agency. So in Title I they have a very substantial sum of money—\$12.3-plus billion—but not to tell them exactly what to use for each specific item but to leave it to the local school district.

When I addressed the amendment of Senator REID earlier today, I made a comment about the needs in San Antonio of Hispanics would be considerably different than the needs of say Russell, KS, my hometown, a small town of 5,000 on the plains of Kansas, where it is a very different issue. And where the Senator has Albuquerque, which has a much higher Hispanic proportion of population, it would be very different.

So the thrust of what the subcommittee has done in this bill is to try to provide funding which leaves discretion in the local districts to use money for dropouts. When the Senator from New Mexico says that \$20 million is a start, but inadequate—if I can get his exact language—that really is a characterization which might apply to so much of the funding anywhere in this Education bill. There is always more that can be added. It is hard to find a figure which is generally regarded as adequate, education being such a high priority.

But in structuring this bill, the Senator from Iowa and I, as managers, have tried to make the allocations within a budget and within our 302(b) allocations. I think we have made an allocation which addresses the needs which the Senator from New Mexico expresses. The Senator from New Mexico said \$20 million was inadequate but better than nothing. Well, that characterization, I think, might be applied just about anywhere in this bill or in so many other bills.

When the Senator from New Mexico talks about the afterschool programs, that is an item of special concern to this Senator as well. Again, during that lull between 3 o'clock and 7 o'clock, we find so much delinquency occurring. The subcommittee increased the allocation on afterschool programs to \$1 billion. The figure that had been in the President's budget was \$600 million. We had extensive hearings.

It might be of some interest that Arnold Schwarzenegger had a longstanding interest in this and he made a very compelling argument. I don't want to get involved in the California primary, but there was a very protracted hearing devoted to this subject.

We took the figure of \$600 million, which was in the President's budget, and I don't have to tell the Senator from New Mexico that finding \$400 million over and above what the President asked for was very difficult. We recognize the things we agree on—afterschool programs and dropout. I believe we have made an appropriate allocation of funds. It is true that \$210 million is modest when you are looking at a \$53 billion education budget. But we have tried to make allocations on many, many lines—for student loans, Pell grants, and many other items. I think we have taken into account the concerns the Senator from New Mexico has articulated.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. BINGAMAN. I thank my colleague from Pennsylvania and assure him that I appreciate his commitment to trying to do what is right in this area. I know he has been substantially supportive on a lot of these efforts over many years. I very much appreciate that.

Let me try to be clear as to my understanding, and he can correct me if I am wrong. He has indicated that, yes,

there is no money for the program that we authorized for dropout prevention—the \$125 million per year authorization; there are zero funds in there for that. Although there was nearly \$11 million in the current year funding, there is nothing in this upcoming year.

He has indicated that there are a couple of other places where school districts can use funds for this purpose if they choose to. One is that they can spend up to 1 percent—or they are required to spend 1 percent on either failing schools or dropout prevention, as I understand it.

Mr. SPECTER. The 1 percent is for dropout, and the term used is related activities. So it is focused on dropouts. Some \$80 million is available for dropouts.

Mr. BINGAMAN. Mr. President, I do not doubt that there is funding available for this if a school district can find it within its budget to use it for that purpose. The problem we have in my State—and I think all over the country—is that these school districts are under greater and greater pressure to increase their test scores, to demonstrate improved student performance. That is where the pressure is. That is where the money is going to be spent, unless we have some funds cordoned off that are available only for this kind of purpose—this dropout prevention.

Clearly, everyone is well-intentioned here. A school superintendent or a school board will decide, OK, we have a lot of needs but the pressure we are feeling is to get these test scores up; we have to concentrate on getting these test scores up. Once that is done, a few years down the road we will be able to give more attention to the kids who are dropping out.

In the No Child Left Behind Act, we tried to say, no, we are going to cordon off some portion of the Federal funding that can only be used for this purpose. That doesn't mean every school district has to take that money or even has that need. If Russell, KS, doesn't have a dropout problem, they don't need to apply for one of these grants. A lot of communities in New Mexico have that problem and would love to be able to get one of these grants so they can deal with that problem. If it is left to them to take some of the funds they get under title I, or some other basket of funding, and devote it to that purpose alone, it is much less likely to happen.

So that is why we made provisions for dropout prevention as a part of the No Child Left Behind Act. That is why this Senate and this Congress were persuaded to add nearly \$11 million to that line item last year and in the current year, even though the President requested nothing. I think the least we can do is do something similar in this Congress—perhaps \$20 million is the right figure—to ensure that this program at the Department of Education level, the Federal level, does not just die at the very time we are going

around giving speeches about what a great thing No Child Left Behind was. That seems to me contrary to logic, and it is also contrary to what we told the American people we were about.

I see the manager wishes to speak again. I yield the floor.

Mr. SPECTER. Mr. President, as I understood the comment of the Senator from New Mexico, it was that the money would be available in title I if the local school board wanted to use it for dropout. That isn't precisely the statutory construction. The Department of Education, in delineating its 2004 budget request, specifies that States would reserve approximately \$88 million from their allocations that are title I, part A, to support dropout prevention programs in local education agencies. So the figure, more precisely, according to their budget request, is \$88 million. It is to be directed to the dropout program.

So that is money for this specific program. That is why the administration, in submitting the budget request, did not include the slightly under \$11 million for a categorical grant because it is taken care of in other places. The Department of Education budget request also specifies the dropout funding availability innovative programs, which I mentioned earlier, of some \$345 million. In the innovative programs for \$345 million, there is not a direction for dropouts, as there is a direction for dropouts for \$88 million under title I.

Mr. BINGAMAN. Will the Senator yield for a question?

Mr. SPECTER. I will.

Mr. BINGAMAN. My understanding is that this funding—in reference to students who have dropped out—contemplates what many States are doing, which is to use some of their title I funds for students who are in the criminal justice system. This is not dropout prevention; this is taking students who have dropped out. Maybe they have dropped out because they have been thrown in jail, but whatever the reason, they are no longer in the school system.

My understanding was that essentially the administration was saying you are required to use at least 1 percent of the title I funds that we provide to you to deal with these students who have left the system and are in the criminal justice system primarily. That is what States are doing.

What we were trying to do in the provision I am arguing for and Senator REID is arguing for here in the No Child Left Behind Act is to get ahead of the problem and say we don't want these students leaving the school system. We want to help the school district to keep those students in school.

That is what we wanted to see funds devoted to, dropout prevention rather than assisting students who had already left the school system. Am I confused about that? Let me ask that question.

Mr. SPECTER. I will be glad to respond to the question, which was in the

nature of a debate, but I understand our processes here. I say to the distinguished Senator from New Mexico, these funds are not for students who have left the education program and entered the criminal justice system. There are other funds for people who are out of the education system and in the criminal justice system.

These funds specifically are directed to dropout prevention programs. That is the language which is included in the budget request for the Department of Education which supports their request for \$13 billion plus for title I and has the requirement for 1 percent, and the language prevention programs is specifically here. They are using these funds, as the Senator from New Mexico appropriately says, to get ahead of the program.

The long and short of it is that these are funds to prevent dropouts.

Mr. BINGAMAN. May I ask one additional question, Mr. President?

Mr. SPECTER. Sure.

Mr. BINGAMAN. The chairman of the subcommittee has indicated that these are funds which, in the request from the Department of Education, are to be allocated for this purpose. Is there language in the bill before us which specifies that a portion, some percent, is to be used for dropout prevention? I am just not aware of that. If there is language to that effect, I have not seen it.

Mr. SPECTER. The bill does not duplicate the requirements which have been set forward in the budget request. We could put in additional language. If the Senator would like to have that language, I would certainly consider that, but I think it would be duplicative and unnecessary. Under existing law, under title I, the 1-percent requirement is present for dropout prevention. That is the law.

Mr. BINGAMAN. Mr. President, I will review this language and then perhaps be in a position to discuss further with the chairman what the language of the bill ought to provide to ensure that funds can be made available in grants to school districts in a way that they would actually use them for this purpose.

My concern is, the way the bill now stands, I do not see the opportunity being there for school districts to pursue these strategies. For that reason, I would like to review it a little further and then get back in touch with the Senator.

Mr. SPECTER. Mr. President, I will be delighted to work with the Senator from New Mexico to provide whatever assurances he would like, additional assurances, that the \$88 million will be for dropout prevention. That is the law, but, again, I will be glad to work with my distinguished colleague to satisfy the concerns he has raised.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Mr. President, while the two Senators have been discussing this amendment, we should not be diverted

from the fact that this amendment is related to specific programs that help Hispanic children in America today. Dropout prevention, of course, is one of those programs. We cannot lose the goal we are attempting to accomplish in this amendment, and that is that we help people, and there are various programs I discussed earlier today that are set forth in detail in the amendment before the Senate. There is nothing more important than the dropout prevention program, but there are programs that are just as important to which this amendment is directed.

We are talking about, of the tens of billions of dollars in Federal programs that go to education, \$200 million that will be directed to specific programs that will save our country huge amounts of money. It is estimated by some groups that for every dollar we spend in these programs which are the subject matter of this amendment, the Government will save up to \$10.

I appreciate the discussion that has been held this morning between the Senator from Pennsylvania and the Senator from New Mexico dealing with dropouts, but this amendment deals with far more than just that program.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SPECTER. Mr. President, by way of brief recapitulation, the thrust of the amendment by the Senator from Nevada on Hispanics I think has been covered by the enumeration of programs I outlined earlier during the course of this debate. There are very substantial funds available in the bill, as it stands now, which can provide assistance for Hispanics.

I concur with the Senator from Nevada that this is an important item, but I do believe the Education appropriations accommodate this very key interest for the specified reasons given earlier in the course of this debate.

I yield the floor.

The PRESIDING OFFICER. The Democratic leader.

Mr. DASCHLE. Mr. President, I come to the floor to commend the distinguished Senator from Nevada for his sponsorship of this amendment. There has been some discussion already about the importance that we as a country need to put on the extraordinary challenges we face with regard to the education of Hispanic children.

The number of school-age Hispanic children has actually grown by 61 percent in the last 2 years, a rate faster than any other American community. One out of every 6 children who attends public school today is Hispanic.

Hispanic children continue to perform below their non-Hispanic peers in reading, math, and science. By age 9, more than one-third of Latino students in high school are enrolled at below grade level today. Hispanic youths suffer from the highest dropout rate of any group. Hispanics over the age of 16 are more than twice as likely to drop out of school as African American students and four times as likely to drop out today as white students.

In the Nation's 17 largest Hispanic-serving school districts, Hispanics lag behind white students in reading achievement by an average of 30 points and in math achievement by an average of 27 points. Yet the bill before us cuts \$21 million in bilingual education, \$11 million in dropout prevention programs, \$10 million in high school migrant education, and \$15 million in college migrant education.

What Senator REID has done is simply propose to reverse these proposed cuts and enhance English instruction for non-native speakers, dropout prevention, and migrant education funding.

This really sets the tone for a series of amendments that I know my colleagues will be offering over the course of the next several days. It is important for us as a country to make the investment in education perhaps more than in any other endeavor in Government. If we empower our youth—Hispanic, African American, Asian American, Native American, in addition to European American—we give them the opportunity to be the productive, capable, and contributing citizens we know they can be.

It is so much easier to build a child than to repair an adult. We are talking about building children. The only way we are going to build those children is to give them opportunities in education by funding these programs at a level that will allow us to meet the expectations and, I would say, the obligations our country holds today.

This is a very good amendment, and I hope the Senate will support it on a bipartisan basis.

I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SPECTER. Mr. President, I agree with much of what the Democratic leader has said about the importance of education. In fact, I agree with all of what he has said about the importance of education. But again, for the reasons which have been advanced during the course of this debate yesterday and today and on this amendment specifically, I believe we have accommodated a good balance.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I am proud to be a cosponsor of the Reid-Bingaman amendment which addresses Hispanic educational opportunities. This is an extremely important measure.

Over the August recess, I had the opportunity to put together a summit of Hispanic elected officials, families, interested people, in my home State. There was an overwhelming turnout that day. We had everyone from elected officials to people who are active in the community or members of the Hispanic community who just wanted to come and find out what we were doing at the Federal level on issues that affected them. The No. 1 issue people talked

about that day was education and opportunity for the young Hispanic students in our schools, in their communities, and across the country.

I was astounded to listen to leaders in the community, elected school board members, city council members, who told me that when they were growing up, very few people, if any people, looked at them and said: You can be a success. You can pass first grade—many of them had flunked first grade. You can go on to college. You can become something in this country.

I think it is so important that this amendment pass so we can put the education in place that says to these young students in our country today that we need them, we need them to be the next generation of engineers; we need them to be the next generation of teachers; we need them to be the next generation of CEOs. We are missing out on an entire young population and what they can give back to this country someday in leadership, in economics, in paying taxes, in being viable members of this community, if we do not fund opportunities for them today.

So I am very proud to be a sponsor of the Reid-Bingaman amendment and I encourage my colleagues to support it. It is really critical.

AMENDMENT NO. 1543

Mr. President, I also want to talk about the Byrd amendment that was offered yesterday. As we all know, children across the country this week are returning to school. We in the Senate now have a choice to make that will determine whether they are successful in school and, ultimately, in life. The choice is, really, will our country's most vulnerable children get the education they need? When we vote on the Byrd amendment, that is really what we are going to be voting on: Are we going to help low-income children succeed in school or are we going to leave them behind?

I thank Senator BYRD for his leadership on this amendment and on so many other important debates. This particular fight is one that will impact many children across the country. I am not talking about a few kids in a few classrooms. I am not talking about kids who are well off. I am talking about millions of children who are growing up in poverty today. These are kids who are in the most danger of falling behind right now, and they are the kids who most need our help.

Today, it is estimated that there are 9 million needy children in America. For many of them—in fact, for all of them—education is the only way out of the poverty they see before them. Often these children need extra help before and after school. They might need tutoring or mentoring or one-on-one attention from somebody who cares, from somebody who looks at them and says: You can be somebody; you can succeed in school; you can go on and be a success in this country. That kind of tutoring and mentoring and one-on-one attention needs to

come from somebody they see in their everyday lives, and that is why this amendment is so important.

Fortunately, in this country today we try to provide that one-on-one help with a program called title I. That is a program that targets funding directly to disadvantaged children and to low-income schools, and it makes such a critical difference for so many of our vulnerable children today.

Unfortunately, this year, once again, the President has offered a budget that falls exceedingly short of what these kids need. The budget that has been proposed by the President and is now before the Senate would serve only 4.1 of those 9 million needy students in our country. That means we are helping fewer than half of those kids who need help in this country today. I think we can do better. I think we must do better, and the Byrd amendment provides \$6.15 billion in additional funding for title I.

Let me help put that number into context for everyone. The Byrd amendment is going to help 6.2 million children. That is a huge improvement over the President's plan. If we just go with the President's budget, 2.1 million disadvantaged kids are going to be left behind. So I ask all of my colleagues, how do we leave behind 2 million children in this country? Do they not deserve a road out of poverty? Do they not deserve an education that will help them rise above tough circumstances? Of course they do. These kids will get the support they need if we pass the Byrd amendment.

The Byrd amendment is not asking us to do something new or extraordinary. It is asking us to do what Congress and this President said they would do nearly 2 years ago when we passed the No Child Left Behind Act.

That education act was passed on two related ideas, two promises: First, that we would hold schools accountable for their progress; secondly, we promised we would provide schools with the resources to meet those new requirements we were putting in place.

Both accountability and funding are needed to make progress. Since that act was passed 2 years ago, the second part of that promise has simply been abandoned.

I have been across my State, as I know all Senators have over the August recess, and I have talked with educators and visited classrooms. It is really clear that schools need help meeting these requirements. I think it is important to not forget that our States today, in this economy, are in no position to provide the extra funding that Congress promised but has not delivered. Most of our States, including mine, are facing huge deficits and are cutting back on education and other priorities. So it is clear that the Federal Government needs to step in and provide this funding for our most vulnerable kids. It is not something new. It is something we said 2 years ago we would do.

I should also point out that this debate in the Senate is taking place as many schools are now getting the results of their State tests. In Washington State, a number of schools have been labeled as failing because of these test results. These schools need the resources now to improve. They want to improve. They want to be held to high standards. They want to meet the accountability standards we have put in place, but they cannot do it with the resources that have been provided.

Before I conclude, I commend Senator BYRD for the way he has chosen to fund this amendment. The Byrd amendment uses the exact same funding method that our Republican colleagues have used to fund their priorities. So if anyone criticizes the Byrd amendment, I do not see how they could argue against the funding source because it is exactly what has been done already.

With no real challenge on the funding size, that leaves us to debate the substance of this amendment. I do not see how anyone could vote to prevent millions of low-income children from getting the help they need in school.

So let me make the choice before us as simple as possible. A vote against the Byrd amendment is a vote to leave 2 million poor kids behind. A vote for the Byrd amendment will help those 2 million poor kids get a great education and lift them out of poverty. So I urge my colleagues to hear the voices of more than 2 million children who are depending on us as their lives hang in the balance.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SPECTER. Mr. President, by way of reply, the amendment offered by the Senator from Nevada as to Hispanic students is adequately covered in other specific programs.

For the reasons which I have specified earlier in the course of this debate, and the issue raised by Senator BYRD, seeking to move the funding for title I to the fully authorized amount, is characteristically not a matter of the appropriations process to meet the full authorization.

Yesterday, in response to the Senator from West Virginia, I had referenced the appropriations bill for the year 2002 when Senator BYRD chaired the Appropriations Committee and the appropriated amounts were less than the authorized amount. In title I, the authorization was \$13.5 billion. The appropriation was \$10.35 billion, \$2.850 billion under. Similarly, the appropriation for improving teacher quality education was \$325 million under the authorized amount and the century community learning centers was \$250 million under the authorized amount.

In the analysis as to the increases requested by President Bush, on the 3 years of his budget request, increases have been made from \$40 billion to some \$53 billion for a 33-percent increase. That contrasts very fairly with the 3 years of President Clinton's budget increases for fiscal years 1996, 1997,

and 1998 which went up from \$26 billion to \$32.5 billion or 23 percent. Picking a higher sequence, the budget requests for 1999, 2000, and 2001 went from slightly under \$30 billion to slightly over \$40 billion, here 33 percent.

I believe on the record it is demonstrable that the support in the budget increases requested by President Bush have been at least as good as or better than the years of President Clinton and no one ever said that President Clinton had shortchanged the education budget. Similar credit is due to President Bush that his budget requests have not shortchanged the education budget.

To repeat what I said yesterday, my preference would have been to have had a larger allocation for this subcommittee. I would like to have had more money. I would like to have seen more funds in title I, but on the allocation which this body passed, the Congress passed on the budget resolution, the allocations which we have received on the so-called 302(b) allocations, an appropriate appropriation has been made in these accounts.

Again, I urge my colleagues to come to the floor. We will be voting on the Reid amendment at noon. The plan is to vote on the Byrd amendment shortly after we reconvene from the policy luncheons. It is our hope Senators will come to offer amendments and advise us where they stand on the amendments. More than 40 amendments have been listed for possible argument. If we are to complete this bill in a timely manner, again, it is necessary for Senators to come to the floor to offer their amendments with the intent, at least of the managers, this manager, to proceed to third reading and not to sustain long-term, long-range time-consuming unproductive quorum calls.

In the absence of any Senator on the floor seeking recognition, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. REID. Mr. President, the amendment we will vote on at 12 noon that has been offered by the Senator from Nevada and the Senator from New Mexico has the support of many groups around America. I will mention just a few: National Hispanic Leadership Agenda, National Council of La Raza, Hispanic Association of Colleges and Universities, League of United Latin American Citizens, LULAC, Migrant Legal Action Program, National Association for Bilingual Education, National Association of Latino Elected and Appointed Officials, National Association of State Directors of Migrant Education, National Migrant and Seasonal Head Start Association, National Puerto Rican Coalition, Inc., National HEP-CAMP Association, ASPIRA Association, Inc.

These are just a few of the groups. I would say when this matter is voted on at 12 noon today, there are no excuses. In effect, what has happened is the President has recommended these programs to be eliminated in general, dropout programs specifically. This is the opportunity for the Senate to speak that this is wrong. This is the opportunity for the Senate to recognize that there are programs that are important to the safety and salvation and security of this country other than those addressing things that explode.

One of the things that is important to protect the security of this Nation is an educated population. That means educating all young people, no matter their background, their ethnicity, their religion, where they come from, because it is better for us all when that occurs.

We will shortly begin the final 15 minutes of debate on this matter, and I ask that everyone realize that there are groups who believe this amendment is important. They believe it is important because their sole function is to protect children. This amendment will help children.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. REID. Mr. President, it is my understanding we are now in the time where there will be 15 minutes equally divided for the proponents and opponents of this amendment; is that true?

The PRESIDING OFFICER. That is correct.

Mr. REID. I would reserve the final 3 minutes, in that we are the movers of this amendment, for Senator BINGAMAN. That would be 3 minutes before the hour that Senator BINGAMAN have the final 3 minutes.

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

Mr. REID. When my time is up, which would be in 4½ minutes, would the Chair so advise me?

The PRESIDING OFFICER. Yes, I will.

Mr. REID. Mr. President, some of my distinguished colleagues have asked whether we can afford to give this helping hand to a select group of students, namely Hispanic students. I say we cannot afford to ignore them. Take, for example, Clark County, which is in Las Vegas, in Nevada. In the Clark County School District, which is the fifth or sixth largest school district in America with more than a quarter of a million students, about 30 percent of the students are Latinos. This amendment would apply to those students. We need to give a helping hand to the Clark County School District through additional moneys.

It is unfair that the President of the United States has recommended elimi-

nating the dropout prevention program for Hispanic students—eliminated it. He has cut other programs to which this amendment applies. It is simply not right. People in Nevada will suffer as a result of that.

Latino children have the highest dropout rate of any ethnic group in America. It is nothing they are proud of; it is something they are trying to work on. Hispanic leaders talk about education. For the Latin Chamber of Commerce in Las Vegas, and it is a huge organization, that is their No. 1 priority: What are we going to do to keep our children in school? They have a scholarship program to send kids to a community college, to our colleges in Nevada. It is working well. But we need to do something to help the public school system keep these children in school.

We know for every dollar spent on preventing dropouts, we save more than \$9 in the future. Today, one in every three new workers in our labor force is Hispanic. In 20 years, half of our new workers will be Hispanic. That means the money to pay for Social Security in the future, and our national security in the future, will come from Hispanic workers who are starting in school today. If we shortchange these children, we shortchange ourselves and our children in the future. But if we invest in these children, we invest in our future.

This amendment, offered by Senator BINGAMAN and this Senator, would provide a helping hand to Hispanic children by investing an additional \$210 million in Head Start, dropout prevention, bilingual education, college assistance for children, and other programs. The fact is, there is an unacceptable gap in academic achievement between Latino students and the overall student population. We have made a promise to all children in America that we will leave no child behind. It is time to live up to those words.

I spoke today about this being more than statistics and numbers, more than cuts and percentages of cuts, but of programs that actually help children. I, today, spoke about Maria de Lurdes Reynoso, who is a better person today as a result of these programs. I spoke about another young person by the name of Oscar Guzman, who is now in a program so that he is going to graduate from college. That is what this is all about—helping children.

Tedrel Eubanks of Mississippi Valley State University—one of these programs allowed her to get a high school diploma and then go to college, something her family never dreamed that any one of them could do.

We have learned this morning from actual cases about one child in the family is not only making a tremendous impression on his siblings but on all of his cousins.

For every dollar spent here, we save our country \$10. We are talking about spending \$200 million and saving the country \$2 billion. My math may be a

little bit wrong there, but you get the point.

Mrs. BOXER. Mr. President, the Reid-Bingaman amendment would provide an additional \$210 million for Hispanic education. I am pleased to support it.

Since 1990, the number of school age Hispanic children has grown by 61 percent. This means that one out of every six children who attends public school is Hispanic. Yet, only about 60 percent of them graduate from high school. Hispanics over the age of 16 are more than twice as likely to drop out of school than African-American students and four times more likely to drop out of school than white students. In the Nation's 117 largest Hispanic-serving school districts, Hispanics lag behind white students in reading achievement by an average of 30 points and math achievement by an average of 27 points. And according to the 2000 census, only 8.5 percent of Hispanics between the ages of 25 and 34 had earned a bachelor's degree.

These statistics are troubling, and we need to address them. After all, education gives individuals the tools that they need to succeed. But education programs are underfunded, and the bill before us cuts \$21 million from bilingual education, \$11 million from dropout prevention programs, \$10 million from high school migrant education, and \$15 million from college migrant education.

The Reid-Bingaman amendment would reverse these proposed cuts and would increase funding for English instruction for non-native speakers, dropout prevention, and migrant education.

I urge my colleagues to vote for this very essential and worthwhile amendment.

The PRESIDING OFFICER. Who yields time?

If no one yields time, the time will be charged equally.

Mr. REID. Mr. President, the manager of the bill isn't here. I have asked unanimous consent that Senator BINGAMAN be recognized for the last 3 minutes. No one is here for the majority to respond, and I ask unanimous consent that the time run against the majority.

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

Mr. REID. Mr. President, are we in a quorum call?

The PRESIDING OFFICER. No.

Mr. REID. Mr. President, if the distinguished manager of the bill and others need additional time, I will be happy to agree to that. I just want to make sure there is no time wasted.

I suggest the absence of a quorum under the previous condition.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. BINGAMAN. Mr. President, how much time is reserved for me?

The PRESIDING OFFICER. Three minutes.

Mr. BINGAMAN. Mr. President, let me use my 3 minutes to make the point that this is a very important amendment which the Senator from Nevada put forward to provide some additional funding for the programs that are most important in assisting Hispanic students and school districts that are serving Hispanic students around our country.

I believe very strongly that we need to adopt this amendment. One of the key provisions in it, which I spoke about earlier this morning, would add \$20 million for dropout prevention. That is \$20 million out of the \$125 million that is authorized in the No Child Left Behind Act. The President asked for zero funds for that dropout prevention initiative.

I believe we in Congress should add something in the current year. We are providing nearly \$11 million. I believe this amendment would allow us to provide at least \$20 million, which is a start and which is a help. I hope very much it will be adopted.

In my home State, the Farmington public schools received a grant under the funding this last year for dropout prevention. It is funding they are using to assist students through individualized school reentry support activities, an alternative for remediation, transition-based life skills and career awareness, adult advisory and intensive mentoring services. They are working with these individual students who are at risk of dropping out.

My colleague from Pennsylvania, the chairman of the subcommittee, said, Well, there are already funds in the bill that can be used for these purposes. The funds he is referring to are funds which are allocated on the basis of the percentage of children and youth residing in locally operated correctional facilities. This is funding which is used by school districts to deal with this element that winds up in correctional facilities or are at risk of winding up in correctional facilities.

What I am advocating, and what I think the Senator from Nevada is advocating, is that we get out ahead of the problem and assist students who are at risk of leaving school. We try to help school districts keep those students in school and not wait until they get involved with the correctional system. We do not think it should be simply said, OK, if a kid gets thrown in jail or gets in trouble with the Department of Justice or the judicial system, then we will come to assist in some respects.

This is a very meritorious amendment. I hope my colleagues will support the Reid amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator's time has expired.

Who yields time?

The PRESIDING OFFICER (Ms. MURKOWSKI). The Senator from Missouri.

Mr. BOND. Madam President, I raise a point of order under section 504 of the concurrent resolution on the budget for fiscal year 2004 that the amendment exceeds discretionary spending limits specified in this section and is not in order.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Madam President, pursuant to the Budget Act, I move to waive the applicable sections of that act for purposes of the pending amendment, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the motion.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. MCCONNELL. I announce that the Senator from Oklahoma (Mr. INHOFE) is necessarily absent.

Mr. REID. I announce that the Senator from Florida (Mr. GRAHAM), the Senator from Massachusetts (Mr. KENNEDY), the Senator from Massachusetts (Mr. KERRY), the Senator from Connecticut (Mr. LIEBERMAN), and the Senator from Georgia (Mr. MILLER) are necessarily absent.

I further announce that, if present and voting, the Senator from Massachusetts (Mr. KERRY) would vote "yea."

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 46, nays 48, as follows:

[Rollcall Vote No. 322 Leg.]

YEAS—46

Akaka	Dorgan	Lincoln
Baucus	Durbin	Mikulski
Bayh	Edwards	Murray
Biden	Feingold	Nelson (FL)
Bingaman	Feinstein	Nelson (NE)
Boxer	Harkin	Pryor
Breaux	Hollings	Reed
Byrd	Hutchison	Reid
Cantwell	Inouye	Rockefeller
Carper	Jeffords	Sarbanes
Clinton	Johnson	Schumer
Corzine	Kohl	Smith
Daschle	Landrieu	Stabenow
Dayton	Lautenberg	Wyden
Dodd	Leahy	
Domenici	Levin	

NAYS—48

Alexander	Craig	McCain
Allard	Crapo	McConnell
Allen	DeWine	Murkowski
Bennett	Dole	Nickles
Bond	Ensign	Roberts
Brownback	Enzi	Santorum
Bunning	Fitzgerald	Sessions
Burns	Frist	Shelby
Campbell	Graham (SC)	Snowe
Chafee	Grassley	Specter
Chambliss	Gregg	Stevens
Cochran	Hagel	Sununu
Coleman	Hatch	Talent
Collins	Kyl	Thomas
Conrad	Lott	Voivovich
Cornyn	Lugar	Warner

NOT VOTING—6

Graham (FL)	Kennedy	Lieberman
Inhofe	Kerry	Miller

The PRESIDING OFFICER. On this vote, the yeas are 46, the nays are 48.

Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected. The point of order is sustained and the amendment falls.

Mr. SPECTER. Madam President, I move to reconsider the vote.

Mr. REID. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. I know the hour is 12:30 and we will recess for the weekly caucuses. I ask unanimous consent that the Senator from Michigan, Mr. LEVIN, be recognized to speak for up to 5 minutes.

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

The Senator from Michigan.

UNITED NATIONS SECURITY COUNCIL  
RESOLUTION

Mr. LEVIN. Madam President, this morning's newspapers brought the welcome news that the administration is finally waking up to the need to seek greater international support for and participation in our stabilization and reconstruction efforts in Iraq by seeking a new U.N. Security Council resolution. There has been a tragically long overdue recognition of the importance of doing so.

While this welcome news was attributed to an unnamed administration spokesman, hopefully some named spokesman will soon confirm it. The delay in arriving at this new approach, along with too much lone-ranger, bring-them-on rhetoric, will make the effort to internationalize the situation in Iraq more difficult and perhaps more costly in terms of the conditions exacted by the international community for its participation.

The word games that have been played by administration officials who have stated that they would "welcome" the participation of troops of other nations but refused to request that participation have also not been helpful.

While the need to internationalize this effort and obtain a U.N. mandate has been apparent to many of us from the beginning, the recent report of the Congressional Budget Office, requested by Senator BYRD, concerning the difficulty of sustaining a large U.S. military force in Iraq reinforces the need to reach out to the U.N. for support in this effort. There will not and should not be any need to compromise with respect to command and control of U.S. troops. There is ample precedent for the nation that provides the bulk of military forces to provide the senior military commander and for the senior military commander to exercise overall command of all the troops participating in a U.N.-mandated mission.

A recent example of that approach was the case of East Timor, where Australia led a coalition of the willing pursuant to a U.N. resolution and provided

the senior military commander for the operation. Once circumstances permitted it, the Australians turned over control to a U.N. blue helmeted peace-keeping force. The first gulf war was an earlier example where one nation, the United States, led a coalition of the willing with U.N. sanction. There will, however, be a need for compromise with respect to the control of civilian reconstruction and political development of Iraq. We should be willing to agree to a reasonable sharing of decisionmaking with respect to the physical and political reconstruction of Iraq. If we are willing to do so, Germany and Russia will proudly go along and France would then have little choice, I believe, but to go along as well.

Statements by administration officials, when we went to the U.N. before the war, which denigrated the importance of U.N. support and the work of U.N. inspectors, were counterproductive to acquiring U.N. backing at that time. We must avoid a repetition of that attitude. Given the pressures that have been brought to bear that were necessary to get the administration to seek support from the international community, I am afraid it will be necessary to keep the pressure on the administration to make the appropriate compromises to work out a new U.N. resolution.

Yesterday, three more U.S. soldiers lost their lives in Iraq, two due to hostile action and one in an accident. While internationalizing the effort in Iraq will not prevent all loss of life in the future, it should help to reduce the risks and ease the burdens on U.S. forces and will help convince Iraqis of international backing and support for our military presence there, and hopefully will increase the sharing of intelligence that is so critical to stopping terrorists in other attacks.

I yield the floor.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m. today.

Thereupon, the Senate, at 12:36 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mrs. DOLE).

DEPARTMENTS OF LABOR,  
HEALTH AND HUMAN SERVICES,  
AND EDUCATION, AND RELATED  
AGENCIES APPROPRIATIONS  
ACT, 2004—Continued

The PRESIDING OFFICER. The assistant Democratic leader.

Mr. REID. Madam President, we just completed a very important vote prior to the break. Senator BINGAMAN and I offered an amendment to increase funding for programs relating to Hispanic children. There was a point of order raised and that amendment was defeated.

I understand that. But I have trouble understanding a communication re-

leased today from the White House. On this very day we were voting on important issues relating to Hispanic children in America, they released this communication that talks about an historic partnership to improve educational opportunity for Hispanic children. This is nothing but fluff, big piles of fluff.

When it comes to putting the programs where their mouth is, nothing ever happens. We had an opportunity this morning to vote to help Hispanic children, and what do we get from the White House? We get a press release talking about an opportunity to sit down and talk. Here is the statement: The partners will work with local communities to reinforce positive expectations.

The positive expectations were the programs that have been cut and eliminated by this White House.

I hope the American public sees what is happening. What we have from the White House is nothing but piles of paper, nothing to help the children about whom I spoke earlier today, including Ted Eubanks, Mississippi Valley State University, or Maria de Lurdes Reynoso, who talked about programs that changed her life, or Oscar Guzman, who talks about programs that have given his family dignity as the first person in his family to attend college.

I repeat for the third time in these few minutes, I am willing to understand the defeat that has just occurred where, with rare exceptions, the majority voted against the amendment offered by the Senator from New Mexico and me to help Hispanic children. I understand that. However, to have the hypocrisy, the same day, issuing this release, "Historic partnership to improve education for Hispanic Americans," is absolutely ridiculous.

AMENDMENT NO. 1552 TO AMENDMENT NO. 1542

Ms. MIKULSKI. Madam President, I rise to join with my colleague from Maine, Senator COLLINS, to introduce a bipartisan amendment to increase the funding for nursing programs. I send this amendment to the desk.

The PRESIDING OFFICER. Without objection, the pending amendments are set aside. The clerk will the report the amendment.

The assistant legislative clerk read as follows:

The Senator from Maryland (Ms. MIKULSKI), for herself, Ms. COLLINS, Mr. KERRY, Mr. JEFFORDS, Mrs. CLINTON, Mrs. MURRAY, Mr. DASCHLE, Mr. LIEBERMAN, Mr. BIDEN, Mr. LAUTENBERG, Mr. SARBANES, Mr. KOHL, Mr. LEAHY, Mr. SCHUMER, Mr. EDWARDS, Mr. CORZINE, Ms. LANDRIEU, Mr. BAUCUS, Mr. DURBIN, and Mr. DODD, proposes an amendment numbered No. 1552 to amendment No. 1542.

Ms. MIKULSKI. I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To increase funding for programs under the Nurse Reinvestment Act and other nursing workforce development programs)

On page 61, between lines 14 and 15, insert the following:

SEC. \_\_\_\_ In addition to any amounts otherwise appropriated under this Act for programs and activities under the Nurse Reinvestment Act (Public Law 107-205) and for other nursing workforce development programs under title VIII of the Public Health Service Act (42 U.S.C. 296 et seq.), there are appropriated an additional \$63,000,000 for such programs and activities: *Provided*, That of the funds appropriated in this Act for the National Institutes of Health, \$80,000,000 shall not be available for obligation until September 30, 2004: *Provided further*, That the amount \$6,895,199,000 in section 305(a)(1) of this Act shall be deemed to be \$6,958,199,000: *Provided further*, That the amount \$6,783,301,000 in section 305(a)(2) of this Act shall be deemed to be \$6,720,301,000.

Ms. MIKULSKI. Madam President, I rise to offer this amendment so that we can really get behind our nurses in this country and deal with the critical nursing shortage facing acute care facilities and other important facilities that need nurses. This is a bipartisan amendment to the Specter substitute amendment. I am joining with Senator COLLINS to offer this amendment, along with the other cosponsors.

Let me tell you what this amendment would do. It would provide \$63 million to fund programs that recruit and retain nurses by helping them pay for becoming nurses. This was created by last year's bipartisan effort to pass something called the Nurse Reinvestment Act and also other important programs to educate nurses. The Nurse Reinvestment Act was an important bipartisan accomplishment in which we came together across party lines to deal with the nursing shortage. This is a crisis that affects patient care across the country.

So, what did we do? We created scholarship programs and we created loan forgiveness programs to bring more nurses into the profession. But while the legislation, the Nurse Reinvestment Act, created the authorizing framework, it did not put money in the Federal checkbook. That is our job in appropriations. We salute Senator HARKIN and Senator SPECTER for trying to fund this, but they are funding it at \$15 million. You cannot keep nurses, you cannot get nurses, and you cannot educate nurses to be nursing faculty on \$15 million. We need more money. Where there is the wallet, there is a will on the part of many women and men who want to come into nursing.

We are in a crisis. There are 125,000 nurse vacancies in hospitals nationwide. This does not even deal with nursing homes, home health agencies, schools, and other sites.

The Senator from Maine and I have been champions of home health care. She has the rugged terrain of Maine and I have the mountain counties of Maryland, where we know our nurses get on snowmobiles to get out there to visit patients who need them. There

are just not enough of them, and we need to make sure we deal with this. In my home State of Maryland, there is now a 13 percent hospital nursing shortage; 2,000 full-time nurses are desperately needed, not only in the bustling metropolitan area of the Baltimore-Washington corridor but in our rural communities. The nursing shortage will only get worse and we expect it will double by 2010, to 275,000 nurses.

While we have people who want to come into nursing, we have a nursing faculty shortage because nurses have so much student debt that they really do not have the wherewithal to go on to the master's and doctoral levels to do this.

I note the Senator acting as the Presiding Officer, Madam President, is from North Carolina. She knows we have the wonderful urban areas of Raleigh and Duke University, but I have talked to her about going out to those rural communities. They just do not have what they need in the way of nurses. Yet we teamed up to make sure they could use the community college programs to get people into nursing and to stay in those communities. What we are talking about is helping people who will come into nursing. We will provide either scholarships or loan incentives if they will come into those critical shortage areas. Isn't this terrific?

What we know is many young women and even young men are coming into nursing later in life and they have other responsibilities. This is why we need to help them by making nursing education more affordable, providing scholarships in exchange for 2 years, and also financial assistance to obtain advanced degrees in order to be able to get our people ready for nursing education. Our amendment funds other important nursing programs to educate and train advanced-education nurses, such as nurse practitioners, and also in other areas.

Our chairman and ranking member of the subcommittee faced a very tight allocation. They did a fantastic job. What we need to do, though, is get the Senate behind them and increase the funding for these nursing education programs. We have all of the nursing groups behind us. We have groups such as the Susan G. Komen Breast Cancer Foundation, the Men's Health Network, the Federation of American Hospitals, and AARP. Why? Because we know behind every great doctor there is an outstanding nurse.

We need it for patient care. Where there is a nursing shortage, there is going to be an impact on patient care. Our patients need it. The baby boomers are getting older. The need for nurses is only going to expand, and certainly by making a public investment to make nursing education more available and more affordable, we are helping not only to educate the nurse but I believe we are making an investment in saving lives, in preventive health care, and home health care.

I hope my colleagues will join in supporting this amendment and I yield the floor so others may speak about it.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Madam President, I am very pleased to join my friend and colleague from Maryland in offering this important amendment to the appropriations bill. Senator MIKULSKI and I have teamed up on many health care issues, ranging from home health care, ensuring adequate reimbursements to diabetes research, to helping draft the Nurse Reinvestment Act as members of the Health, Education, Labor, and Pensions Committee.

Today we team up once again to increase the funding for the Nurse Reinvestment Act and other nursing workforce development programs by \$63 million. I join my colleague from Maryland in saluting the efforts of Senator SPECTER and Senator HARKIN in providing some significant funding for nursing education programs. Our amendment, however, would bring the total level of funding for these vital programs up to \$175 million in fiscal year 2004. That is not up to the full authorized level, but it is an amount that we believe would allow us to make real progress in remedying the extreme nursing shortage facing our Nation.

In fact, the United States is facing a nursing shortage of critical proportions. Moreover, this shortage is only expected to worsen as the baby boom generation ages and their need—for health care grows. According to the American Hospital Association, there currently are more than 126,000 nursing vacancies in hospitals alone. The Department of Health and Human Services estimates that by the year 2010, there will be a shortage of 275,000 registered nurses, more than double the current number. In Maine, almost 1 out of 10 nursing positions at hospitals across our State is vacant.

We also face persistent shortages of certified nursing assistants and other front-line health care workers in our hospitals, home health agencies, nursing homes, and other health care facilities.

The current nursing shortage poses a significant threat to the ability of our health care system to deliver quality care. The New England Journal of Medicine published a disturbing study last year which found that nursing shortages in hospitals are associated with a higher risk of complications and even death. The study reported in the New England Journal of Medicine found that patients in hospitals with fewer registered nurses were more likely to suffer from complications such as urinary infections and pneumonia; they were more likely to stay in the hospital longer; and they were more likely to die from treatable conditions such as shock and gastrointestinal bleeding.

The fact is that nurses are the eyes and ears of our hospitals. They often serve as an early warning system when complications begin to develop. But

the problems cannot be detected and treated early if nurses do not have sufficient time to spend with their patients.

Another study reported in the *Journal of the American Medical Association* last year found that each additional patient in a nurse's workload meant an increase of about 7 percent in the likelihood that the patient would die within 30 days of admission.

This is literally a matter of life and death. If there are more nurses, if hospitals, nursing homes, and other health care facilities are adequately staffed with nurses, the quality of care provided to patients and the likelihood of a successful outcome are much higher.

While the situation is grave today, we face even greater threats and crises in the future. Our current nursing workforce is aging. In Maine, 61 percent of our registered nurses are at least 40 years old. As a consequence, many of them will be retiring just as we aging baby boomers begin to place additional demands on our health care system. The nursing shortage therefore is sure to worsen if we do not make the critical investments today—now. We need to act more to support our current nursing workforce and to encourage more young people to choose nursing as their profession.

Last year, Congress passed the Nursing Reinvestment Act to do just that. This legislation had overwhelming bipartisan support. It authorizes scholarships to nursing students who agree to provide at least 2 years of service in a health care facility with a critical nursing shortage. It creates career ladders to help nurses and other health professionals advance in their careers. It provides loan cancellation for nurses with advanced degrees in exchange for teaching at schools of nursing.

Let me expand on that point.

Last year, I had the privilege of meeting with the nursing deans of Husson, the University of Maine, and what is now Eastern Maine Community College. They told me that they are being overwhelmed with applications from students who are eager to study nursing, but they simply cannot accommodate the qualified applicants who wish to enter the nursing program. The reason: A shortage of nursing professors.

There is a very important provision in this bill that encourages nurses with advanced degrees to teach at schools of nursing to help close that gap and lessen that shortage so that we can start training more nurses. It is not only a matter of encouraging more people to go into nursing but also to make sure that we have the nursing faculties available to educate these young students.

The Nursing Reinvestment Act builds on existing title 8 nursing education programs that provide loan repayments to nurses, improves the diversity of the nursing workforce, and expands opportunities for nursing education at all levels. All of these programs play a

vital role in recruiting nurses and making sure that they have the training required to effectively and compassionately care for their patients.

The promise of this new law and other nursing educational programs will not be kept without an adequate investment of funds. That is why I felt so strongly about joining with my colleague from Maryland in this amendment. Increasing the funding level for these important programs to \$175 million in fiscal year 2004 will allow them to expand to address nursing shortages in communities across the country.

I urge all of our colleagues to join us in supporting this vital amendment.

Thank you, Madam President.

Mrs. CLINTON. Mr. President, I am pleased to support the amendment of Senators MIKULSKI and COLLINS that would bring the total funding in the bill for these programs to \$175 million, the amount requested by over 30 bipartisan Senators and groups ranging from AARP to cancer patient groups to nursing and provider groups.

The Bureau of Labor Statistics projects that more than one million new nurses will be needed by the year 2010. Yet in my State of New York, the number of undergraduate nursing program graduates has dropped each academic year since 1996.

Even as the workforce shrinks, the patient population is projected to grow. Baby boomers across the Nation are aging, and their healthcare needs will put an extra burden on the system. In New York State, the population over 80 will double by the year 2020.

As I travel across New York State, every type of community—urban, suburban, rural—and every type of provider—hospitals, nursing homes, home health agencies, hospices is affected by this shortage. All around the State, nurses are facing an emergency of their own. That is why last Congress I worked so hard to pass the Nurse Reinvestment Act which will provide scholarships, public service announcements, and other provisions to encourage people to enter the profession. But the current nursing shortage exists not only because fewer individuals are entering the nursing profession, but also because the healthcare industry is having trouble retaining the nurses already on staff.

This amendment will help fund important nurse retention programs that we authorized last year in the Nurse Reinvestment Act, based on proven workplace principles, such as promotion of patient-centered care and nurse leadership, that are shown to improve retention. The amendment does not take any funding from other programs in the bill.

As so many studies have shown, our nursing care can often be the difference in medical outcomes. For all the new technologies, talented surgeons, and breakthrough drugs, I want people to remember that nursing care is essential in keeping our healthcare system the best in the world. Study after study

has cited a direct link between the type and quality of nursing care that is delivered and patient outcomes. We trust nurses. In fact in a CNN/USA Gallup poll our Nation's nurses rank second for their honesty and integrity, with 84 percent of Americans rating them "high" or "very high." If you are interested in who was ranked first—it was firefighters, for their selfless acts of bravery after the September 11 attacks.

We too admire nurses for their self-sacrifice, as individuals who embark on a caregiving profession and found themselves on September 11 on the front lines of the battle against terrorism and bioterrorism. Nurses were on the frontlines when anthrax first appeared, when SARS hit, and nurses rose to the challenge and continue to rise to the challenge.

This is why I am so concerned about the nursing shortage. Nurses are more vital than ever, and that is why we must fund these programs and make good on the promise of the Nurse Reinvestment Act.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. DAYTON. Madam President, I rise to speak on another matter related to health care. I commend the distinguished Senators from Maryland and Maine for their legislation which I will be proud to cosponsor.

It is a matter I wish to address regarding the health and safety and well-being of thousands of people in the area of my State of Minnesota surrounding the Minneapolis-St. Paul International Airport.

The Federal Aviation Administration reauthorization conference report which was signed before the recess by 24 Republican conferees and none of the 14 Democrat conferees from either the Senate or the House contains some very significant measures that were not provided for in either the Senate or the House legislation. One of those which directly affects my State very adversely would prohibit the use of airport improvement program funds for the insulation of homes and apartments surrounding the metropolitan airport that is in a DNL decibel range of 60 to 64 DNL. That is a technical term. But it basically means that those who are most severely impacted, most of whom have received some mitigation over the last few years through a pool of funds, including airport improvement funds, passenger facility funds, as well as the Metropolitan Airport Commission's own fees and the like, achieved a certain measure of mitigation. But there are many thousands—over 8,000 homeowners and an estimated 3,200 apartment dwellers—who are in the next phase scheduled to be insulated. And since the airport's location decision was made, the Federal Aviation Administration, as a matter of its record and decision, insisted that this program continue.

At the last minute, in a measure that was not considered by or voted on by

either the House or the Senate in this conference report, a Senate conferee reportedly inserted this language into the report. Now it comes back and is scheduled to come at some near date before this body to be voted up or down, which is, of course, the purpose of these circumventions of the legislative process. They do not go through committee for up-and-down votes nor a public debate back and forth. They don't go to the Senate floor for debate back and forth and a vote up or down. Instead, they are stuck in at the last minute in secret proceedings with not even all of the conferees present—certainly not all of the Senators present—and then it comes back in a matter that adversely affects thousands of people in my home State; a measure inserted without any notification to me, without any discussion by a Member of this body at the behest of a lobbyist for Northwest Airlines, which opposes this mitigation measure, and has done so and is within its rights to do so but is responsible for altering an agreement that has been reached; a record of decision made by the FAA as part of the approval of this airport expansion which, if Northwest Airlines wants to alter or eliminate, as they say they do, it is responsible for doing so in a public process before a public body, and not by sneaking in an amendment or language into a conference report that was not considered or voted on by either the Senate or the House.

I find it highly objectionable that a Senator from another State would act in such a way as to adversely affect, to cause potential harm, if this were to go through, to thousands of constituents in my State without consultation, without discussion or forewarning.

Regretfully, this is not the only instance in this legislation of matters that were added to it in conference that received no consideration in either the House of Representatives or in the Senate, language that runs directly contrary to what the Senate adopted. I speak specifically of the Senate adopting the Lautenberg amendment which prohibited privatization of our air traffic control system.

Despite that amendment being added to the Senate bill, being the official position of the Senate, despite the fact that the House did not consider the matter, as the House bill was silent on it, out of this conference committee comes a report which would immediately, upon enactment, provide for partial privatization, for the privatization, first, of smaller airports around the country.

Curiously enough, certain States, those that are proponents of this measure, were exempted from inclusion because I suspect they recognized that this is a highly speculative, highly risky, highly irresponsible action, taken with no debate or forethought but simply to fit some groups' rigid ideological biases that the private sector does everything right and the public sector does everything wrong.

The trouble is, when they get elected with that ideology, they then go about running Government so as to prove themselves right, and they systematically dismantle functions, such as air traffic control, which in this country is about as perfect as a human system can be, which has a nearly impeccable record of performance over the years, by far and away the best, most safety conscious, life-protecting, life-preserving air traffic system anywhere in the world.

Yet this administration wants to start to dismantle it for no cause whatsoever other than, as I said, to fit its own ideology. Rather than coming to this body and having that debate, rather than going to the House of Representatives and having that debate, they would rather wait and have conference committee time where they can sneak back in with 24 of their caucus Representatives and Senators and put this matter before 535 elected representatives of the people, myself being one, who don't have then any opportunity to delete it but simply to vote it up or down.

I find this to be an egregious abuse of the legislative process, one that consistently excludes Members such as myself who don't have the necessary years of seniority to be appointed to these conference committees. It is bad enough that the process is so skewed in favor of those who simply, by the basis of having been here for more years than others, get to dominate that critical phase of the process. But it is intolerable to me, to this Senator—it is intolerable—when that authority is abused and those conferees contrive to write legislation that supersedes the legitimate authority of 100 Senators to decide upon—by voting, by majority rule decisionmaking—what will and what will not become part of those reports which then, if they are passed and signed by the President, become law.

That is fundamentally a violation of the trust that the American people put equally in each 1 of the 100 Members of this body. The people of Minnesota, who sent me here, and who sent my colleague from across the aisle, have the same rights to full representation from us as do the constituents of the Senators from any other State regardless of whether they have been here a longer or lesser time than I.

For my constituents' own vital interests to be harmed by a contrivance of the process that has nothing to do with its integrity but simply is a reflection of who has the power, who has the money, who has the ability to hire full-time lobbyists to hang around these Chambers and to slip into conference committees, at the last second, where no one else is looking or can do anything about it, measures that abrogate the public process in my State—I think in any State, but certainly in my State—that is unacceptable and intolerable.

With all due respect to this institution, I cannot and will not allow that

measure to proceed. As I stated just before the beginning of the August recess, I will do whatever I must do to prevent the proceedings of this body leading up to the consideration of that measure. I hope we can find 41 Members of the Senate who will oppose the conference report for the 2 reasons I have just cited here and other measures that were also added in conference that have an adverse effect, such matters as regional airline operations.

It also adversely affects one city, Thief River Falls, in my State of Minnesota. It imposes an additional \$70,000-a-year funding requirement on them. Again, it is not something that this body adopted. It is not something that the House adopted. It is something that somebody else decided they wanted to add for whatever reasons.

If this bill is not sufficient reason for the Senate to stand up and put a stop to this kind of legislative freelancing through conference committees, then I think the fundamental premise of equal representation and the equal rights of each one of us as Members has been fundamentally decimated, if not nearly destroyed—in some instances is destroyed. And I, for one, am not going to be able to go back and explain to the people of Minnesota why I sat quietly by while their rights in this process were abrogated by somebody else usurping that power and abusing it.

So, Madam President, I will be heard from on this matter again. I don't know when the majority leader intends to bring this matter, the conference report, to the Senate, but prior to that time, if this matter is not satisfactorily resolved, then I am going to have to continue to assert the rights of my constituents to the process that this body established and should be following rather than some kind of legislative freelancing, at the last split second, which totally abrogates their rights and my responsibilities to protect those rights.

I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SPECTER. Madam President, I see my colleague, Senator GREGG, in the Chamber and I yield to him.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. GREGG. Madam President, I wish to speak to this bill, and in a moment I will have supportive charts to discuss this bill's efforts in the area of education.

Let me begin by congratulating the chairman of the committee, Senator SPECTER, for bringing to the floor a bill which has made major strides every year since President Bush has been President, but especially this year, under Chairman SPECTER's leadership, major strides on the issue of educational funding. In the context of that funding, relative to what was done when the Democratic membership controlled this Senate, or when the President was a member of the Democrat Party, the difference is startling.

President Bush and the Republican Senate have made spectacular strides in assisting and supporting education in this country while, at the same time, doing so during a very difficult period of America's history, a period when we are fighting a war, a war which has required huge resources, and a war which has required extreme attention by the administration, and at a time that we have been in a period of economic recession, in a period when the revenues to the Federal Government have been dropping precipitously because of that recession. Even in the context of those two very severe restraining events relative to domestic program activity, this President has been willing to step forward and focus on the issue of education, try to improve the education of America's children and support that effort with dollars.

I think before we get into a discussion of the dollars, because that is critical to the pending Byrd amendment, I will begin by saying this goes beyond the issue of dollars, this goes into the question of the attitude and approach to education.

What President Bush has said is we can no longer afford an educational system which, year in and year out, in generation after generation, leaves behind especially low-income children, takes those children and runs them through the educational system and, at the end of their schooling period, leaves them without the skills they need in order to compete for and participate in the American dream. President Bush has sounded a call to end that system and do something about the failures of that system.

There are a lot of good-faith people, a lot of hard-working people in the educational community in this country. A lot of teachers spend an extraordinary amount of hours, time, and extra effort to try to make sure their students succeed. Unfortunately, the fact is that, even though we have radically increased the dollars in education over the last 20 years, the performance of our children has not improved—especially the performance of low-income children.

So President Bush said let's try a different way. That is where the bill, the No Child Left Behind Act, came in. It says, rather than controlling the input of legislation, rather than telling local school districts how to run their schools, let's take a different look at this and say, what are the children learning? Let's find out what they are learning; let's shine a light on it. If they are not learning enough to be competitive with their peers, or with what they need to be successful in society, then let's put in the remedial efforts to try to correct those problems.

It is an unusual approach in our educational system because, basically, it calls on the educational community to be accountable, to actually have to look at what a child is learning and determine whether what they are learn-

ing is what the community expects them to learn. The President's program, as passed by the Congress in a bipartisan initiative, doesn't set a Federal standard for what a child in the fourth grade in Epping, NH, knows; it rather says to the people in Epping, you set the standard for what your children should know in the fourth, fifth, and sixth grades. Once you have set that standard, you are going to have to determine whether your children are learning to that standard, and especially whether your low-income children, who have historically been left behind, are learning to that standard. If they are not, you are going to have to tell the parents they are not. You will have to disclose to the community at large that a certain percentage of the children are not reaching the standards the community set for those children.

It is a radical idea for education to be held accountable, but it is an idea whose time has come. So far, the response of the educational community has been very positive. Most teachers understand this is a law directed not in a negative way toward their efforts but in a supportive way, trying to make sure school systems are more accountable—especially in those areas where you have schools that have not made the grade, where a majority of low-income kids are failing. In other words, they are not reaching the standards of ability a fifth grader should know in math or in English. In those schools, we are going to try to improve their efforts.

There is a lot of remedial activity to accomplish that. The President not only set out this new initiative in the concept and the way we approach education—when somebody comes up with a good idea for smaller classrooms, more computers, and throws out ideas without any accountability as to whether it produces results, instead of taking that input approach, but an output approach, where you actually expect kids to learn and you find out if they are learning, and if they are not, you do something about it, especially with low-income kids, not only did he initiate that approach but he was willing to put the dollars into the programs that succeed in this area.

I think it is important to understand, as we view the debate of this amendment specifically before us—the Byrd amendment—that the dollars the President has proposed, and which the Congress passed under the Republican Congress, at least, have been a radical increase in funding for education at the Federal level.

The most significant reflection is that, as a function of the Federal Government, education has received more funding in the way of increases than any other function in the Federal Government. You would not believe that if you listened to the other side of the aisle. You would think it was actually being cut or not maintained. But, in fact, what the President has proposed,

and what we have passed as a Republican Congress, has been a dramatic increase in funding in education.

This chart reflects that. It shows that in 1996, when the Republicans took control of the Congress, but most of the burst occurred in the last 3 years since President Bush has come into office. The increase in education has been 145 percent, whereas the increase in health and human services is 100 percent. And in defense funding, if you ask a person on the street what part the Federal Government expanded fastest in the last 5 years, they would probably say defense because that is all you hear about—especially from the other side of the aisle. But that is not true. Defense funding increased only a third as fast as education funding.

That really tells only part of the story. The story is what has happened in the context of this President's efforts versus that of the prior administration, this Republican Congress's efforts versus the prior Democratic Congress's efforts, because we are now hearing all these amendments being thrown at us from the other side about how we are underfunding this or that and not doing enough funding here or there.

But you have to ask yourself, what did they do when they were in charge? Did they make the type of commitments they are now asking be made by the Congress or did they maybe do substantially less and come forward today because it is politically enticing to do so and claim these accounts are underfunded and, therefore, we have to add these additional moneys?

Well, I think there are a couple of facts that need to be addressed right now. The first is President Bush's funding in comparison with President Clinton's funding. In the last year of the Clinton administration, \$42 billion was spent on education in this country. This year, after 3 years in office, President Bush will have increased education funding by 60 percent over the last Clinton budget, to \$67 billion. That is a huge increase and a huge commitment.

It goes beyond that. If you look at it by accounts, you will see what President Bush has done is stand behind his words, especially in comparison to what the prior administration did. For example, in the entire period when the Democrats controlled the Congress and had a Democratic President, their increases in title I spending were \$286 million. Since the Republicans have controlled Congress—and primarily since President Bush has come into office—it has gone to \$1.2 billion. If you total these in special education and also Pell grants—and we have heard a lot of misrepresentation on the issue of Pell grants on this floor—the difference is that in the period of a Republican-controlled Congress—especially since President Bush has become President—the average annual increase has been \$4 billion. That compares to about half a

billion dollars during the period President Clinton was in office and when there was a Democratic Congress.

A Republican Congress and a Republican President have basically made the commitments not only in the area of policy improvement but also in the area of dollars to back up that new policy.

It is instructive, for example, to take a look at some of the percentage differences between what the Republicans have done and what our colleagues on the other side of the aisle did when they were in control.

In the area, for example, of title I, our increases are 320 percent higher than the increases of the Democratic membership. In the area of IDEA grants, our increases are 770 percent higher than the increases when the Democratic Party controlled Congress. In the area of Pell grants—actually during the Clinton administration, Pell grants were cut; they fell in funding—under this administration, the increases have been on an annual basis about 10 times higher than what the Democrats did during their period. It is dramatic.

Overall, if you were to put it into gross terms, that \$4.1 billion annual increase in educational funding, which has come about as a result of the commitment of this President to improving education and backing up those improvements with dollars, represents about an 858-percent increase on an annual basis over what happened when our predecessors were controlling the Congress and we had a different administration.

The practical effect of this has been that we have created so much more money flowing into the educational accounts at the Federal level, unlike what is represented across the other side of the aisle that more money is needed. In fact, what is happening is that we have put so much money into these accounts so fast under President Bush and the Republican Senate that we now have a situation where a large percentage of the dollars which we have already appropriated cannot be spent and have not been spent. In fact, of the \$31 billion which has been appropriated under title I or the No Child Left Behind Act, \$9 billion remains unspent. It is sitting at the Department of Education waiting for the States to get to a position where they are able to draw down those dollars. And this is not just from last year, this is from 2 to 3 years back, the whole period of President Bush's Presidency.

It is not an issue of lack of dollars. In fact, it is just the opposite. We are putting so many dollars into the educational accounts at the Federal level so fast that, to make sure they are spent correctly, it has made it difficult for the money to actually be spent. We, obviously, do not want to throw the money out there. It has to be spent pursuant to a plan. Every State has to file a plan. But as a result of the increased spending coming through the

Bush initiatives, as supported by this Congress and especially by the chairman of this committee, Chairman SPECTER, who has been funding these accounts, we now find there is approximately \$9 billion of funds which has not been drawn down.

Today we have before us an amendment proposed by the ranking member of the Appropriations Committee—a man whom I greatly respect and who I think all Senators respect because of his extraordinary history in the Senate—which is proposing to add \$6 billion of spending on to the educational accounts. But how is it paid for? I think we need to address that, too, because, of course, all these kids we are educating and trying to make ready to participate in the American dream are going to have to pay the bills we run up on them if we run them up as a deficit.

So we put in place this year a budget. It was an idea that has been brought back, so to say, because when the colleagues across the aisle controlled the Senate last year, they did not put in place a budget. Why? Because a budget requires fiscal discipline and there were, I suspect, some who did not want fiscal discipline, did not want rules which drive fiscal discipline to be put in place so that spending could be controlled through budget points of order.

We had no budget last year. It was sort of a shock really. Here is the Government of the United States functioning without a budget. It was chaos—in fact, such chaos that not only did we not have a budget, we did not have any appropriations passed under the leadership of the last Congress, my colleagues across the aisle.

The first order of business when we took responsibility for this Chamber, under the leadership of Senator FRIST, was to pass all the appropriations bills from the prior year—almost all of them, 11 of the 13 had to be passed in this year rather than last year when they should have been passed. At any rate, we produced a budget this year, and we passed it.

What is the purpose of the budget? The purpose of the budget is to put in place some reasonable fiscal controls so that in a time when we are obviously running very high deficits as a result of a number of factors—primarily the slow economy which has slowed revenues, the war in Iraq, and the war against terrorism—in that context where we are driving, unfortunately, large deficits, not historically extraordinary deficits but still very large deficits—we need to control the rate of growth in those deficits by having in place a budget which at least in some accounts gives fiscal discipline. So we put in place a budget.

The budget allocates to each area a certain amount of money to be spent. Even in the context of the very severe deficit which we have—and it is significant—the Budget Committee, under the leadership of Senator NICKLES, agreed to significantly increase the

funding for education to try to meet the goals set out by the President.

In the area of special education, we increased funding by over \$1 billion; in the area of title I, we increased funding by over \$1 billion in the budget; and in the area of Pell grants, we increased funding by almost three-quarters of a billion dollars in the budget even though that meant that other accounts had to be reduced because to get the budget in place and have it be fiscally responsible, that required, if we were going to increase some accounts, we were most likely going to have to reduce others. We did a budget, and we passed it in the Senate, and it was passed by the House.

We have in place a budget for this country, finally. We renewed the concept of fiscal discipline through a budget after having abandoned it for a year under the prior leadership of the Senate.

That budget sets out these spending goals, these spending limits which are called caps, the amounts which should be spent in these accounts. The leadership of this committee, Senator SPECTER, met those caps and significantly increased by over \$1 billion the spending on special education, over \$1 billion the spending on title I, low-income kids, and almost \$1 billion in spending on Pell grants.

Now we see these amendments coming from the other side saying: Even though we have a budget, we should ignore it and we should fund all these programs, not at the level that has been set by the budget or the level that has been set by the Appropriations Committee, but at the level set by the authorizing committee outside of the budget.

They are using a gimmick of classic proportions, advance funding, to claim that they are really doing it in a fiscally responsible way. Let me explain what advance funding is.

When a Senator offers an amendment which increases spending by \$6 billion over what the budget allows, and then that person claims it is paid for because they borrow the \$6 billion from next year's budget, that is not fiscal responsibility. That is a game. Anybody sees that as a gimmick. What happens next year? You are \$6 billion in the hole. So next year you not only have to pay that \$6 billion, you have to pay on top of that whatever you are going to pay for the increase in those accounts.

As a practical matter, it is doubling up the deficit. It would probably be better from a practical standpoint if you did not advance fund and you just said: All right, we are going to add to the deficit \$6 billion outside the budget, and we are not going to advance fund.

Advance funding is the worst of both worlds because it takes money from next year, which creates havoc with next year, and at the same time it aggravates the budget deficit issue. So as a practical matter, the \$6 billion that

is proposed in this amendment will add \$6 billion to the deficit, if not this year, next year.

Who pays for that? Who pays for going outside the budget? Well, deficits are paid for by the folks who come here to work, who are students in high school, who are pages. When they get out of college—and I presume most of them will want to go to college—they are going to get a job and that job is going to have a tax burden tied to it. That tax burden is going to be directly related by how much we increase the deficit today, because they are going to have to pay that bill down the road. It is going to come to them, not to us, not to my generation, most likely, but to my children's generation and to my children's children's generation.

So every time we break the budget, we are adding costs to our children. These are the same children we are trying to help. These are the same people we are trying to help as they move through their educational experience. How are we going to help them when we first—well, unless we follow the President's program, we will not give them a great education but, more importantly, when you pass on to them a debt that is outside the discipline which is put in place to live by.

We put this budget in place so we would have fiscal discipline, so we would not be passing on more of a deficit to our kids than is reasonable. Yet these amendments keep coming at us, one after another, saying just add to the deficit, if not this year, next year; don't worry about it; it does not matter; it is for education.

I think it is ironic because the kids who are supposedly going to benefit are the kids who are going to have to pay the costs, and as a practical matter it is not going to benefit them that much. Why is it not going to benefit them that much? Because we already have \$9.3 billion of unspent money in these accounts. We have increased them so fast that they cannot be drawn down effectively.

Now let's go to another issue, this concept that the authorized level has to be funded. This is a very unusual concept for Congress, because for all intents and purposes Congress does not fund anything to authorized levels.

Authorized levels are statements of intent, purpose, goodwill. What Congress funds is a budget and appropriated levels. But now we hear, almost as a matter of sanctity, from the other side of the aisle that we have to reach the authorized level or we have abandoned the children of America.

That is a very interesting concept, but they did not subscribe to that concept when they were in control of the Senate. Last time the Democratic membership controlled this body, which happened to be a year ago, they brought forward an appropriations bill under Labor-HHS, which is the bill we are dealing with today, and they funded education. Did they fund to the authorized level? No, they did not. They

did not even come close to funding to the authorized level.

This is the difference. This is the authorized level, the black line. This is what the Democratic budget proposed. It is a pretty big gap, about \$4 billion. This was what was actually funded in the Democratic bill, which never passed, by the way, nor did the budget because they decided they did not want a budget and they could not pass their bill.

Suddenly there has been an epiphany on the other side of the aisle. Suddenly, the authorized levels are sacrosanct and we must fund the authorized level. Well, I suggest there is a touch of inconsistency, especially in light of the track record we confront when we look at the facts.

So we are turning to the basic underlying point, and that is this: For the first time in at least a decade, and really longer, we have a President who even in a period of extreme national difficulty—war against terrorists who are set on destroying our Nation and killing Americans, and have already done so—and a difficult economic period, although we are coming out of it, hopefully, a President who even during those hard times, where his attention has obviously been drawn off, and appropriately so, to defending America and trying to get us back to work, has continued his focus on making sure children are properly educated in this country, and he is especially focused on low-income kids. That is the uniqueness of what he has done.

Most of us understand that a child from a better-off family is probably going to be taken care of in the educational system, but the low-income child, who comes mostly from broken homes and disproportionately lives in urban areas, has been left behind for generation after generation.

Now we have a President who has said no longer and who is willing to make this his purpose, even during these very difficult times when his attention might and has been drawn off otherwise. He has supported that purpose with huge increases in funding. In fact, in the first 3 years of the Bush administration, he increased funding more for title I in 3 years than the prior administration did in 8 years by a factor of almost 70 percent. The same is true in the special education accounts, and to a lesser extent but to a significant point in the Pell accounts. This is a President who has not only put forward creative and imaginative policy to try to finally get a handle on the fact that so many kids are not learning what they need to know in order to compete for the American dream, has not only put together that policy but has backed it up with real, hard dollars. In the budget this Congress passed, we backed up the President.

Today, the issue is whether we are going to hold that budget, which has these very significant increases in education, or whether we are going to dra-

matically expand the deficit in what seems to me to be a bit of inconsistency in relationship to what was proposed when our colleagues across the aisle were in control.

This committee, under the leadership of Senator SPECTER, this President, has done the work that needs to be done, lifted the weights that need to be lifted in the area of funding education, and we should be supporting this committee's mark in this area.

I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SPECTER. I thank the distinguished Senator from New Hampshire for those comments.

Before replying to Senator MIKULSKI and Senator COLLINS, we have another amendment which is ready to be offered. I ask unanimous consent that the pending amendment be set aside so there may be an amendment offered by Senator INHOFE and Senator DORGAN.

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

AMENDMENT NO. 1553 TO AMENDMENT NO. 1542

Mr. DORGAN. I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from North Dakota [Mr. DORGAN], for himself, Mr. INHOFE, Mr. LAUTENBERG, Mr. CONRAD, Mr. KERRY, Mrs. MURRAY, Mr. DASCHLE, Mr. NELSON of Nebraska, Mr. JOHNSON, Mr. ALLEN, Mr. HAGEL, and Mr. CORZINE, proposes an amendment numbered 1553 to amendment No. 1542.

Mr. DORGAN. Madam President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To provide additional funding for the Impact Aid Program)

On page 76, between lines 10 and 11, insert the following:

SEC. \_\_\_\_ . In addition to any amounts otherwise appropriated under this Act for Impact Aid programs, there are appropriated an additional \$26,000,000 for Federal property payments under section 8002 of the Elementary and Secondary Education Act of 1965, an additional \$160,000,000 for basic support payments under section 8003(b) of such Act, and an additional \$1,000,000 for payments for children with disabilities under section 8003(d) of such Act: *Provided*, That of the funds appropriated in this Act for the National Institutes of Health, \$595,000,000 shall not be available for obligation until September 30, 2004: *Provided further*, That the amount \$6,895,199,000 in section 305(a)(1) of this Act shall be deemed to be \$7,082,199,000: *Provided further*, That the amount \$6,783,301,000 in section 305(a)(2) of this Act shall be deemed to be \$6,596,301,000.

Mr. DORGAN. Madam President, I offer this amendment, along with my colleague Senator INHOFE of Oklahoma. We do so on behalf of our other cosponsors: Senators LAUTENBERG, CONRAD, KERRY, MURRAY, DASCHLE, BEN NELSON, JOHNSON, ALLEN, HAGEL, CORZINE, AKAKA and CLINTON.

I will yield to my colleague, Senator INHOFE, to make his statement, following which I will make a statement about the amendment we just offered.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Madam President, our amendment adds \$187 million to the Impact Aid Program. If it is accepted, that will only put us at two-thirds funding. It is important to understand what this is because it seems as if we have come back every year since 1997 and had some success increasing the percentage of a program that was put on the books in the 1950s.

First, I agree with most everything the Senator from New Hampshire stated. When you come up with something like this, you have to look at it in the context of fairness and the overall budget. In this case, a program came along in the 1950s that replenishes money that was to go to our schools, that the Government has taken away from our schools. It is as simple as that. They federalize land—perhaps in conjunction with an Army post or Indian lands or in conjunction with a military base of some kind—and when that happens, that takes the land off of the tax base. So the money that would have gone from that tax base to the schools is no longer there. However, the kids still have to be educated.

In the wisdom of Congress in the 1950s they said: It is not fair. We will have to at least treat these kids the same as other kids have been treated.

There is an insatiable propensity for politicians to take from programs and nobody will notice. This program started in the 1950s. It was fully funded. It was fully funded up to 1969. In 1969, they started dropping down. In 1996, it was down to 50 percent. In other words, money that would have been there for the benefit of the children being educated, only 50 percent was getting to the kids.

In my State of Oklahoma, in Lawton, since 1966 the impact aid for Fort Sill, which is located adjacent to Lawton, OK, has dropped substantially, down to one-half in 1996 compared to 1969. This amendment would slowly bring this up to the point where we would be at two-thirds funding.

Let me describe what has happened since 1996. In 1996, we were at 50-percent funding. Until 1969, we were 100 percent, and people left the program alone. But in 1969 that changed and it went to 50-percent funding. We have been successful since then, and I commend my friend, the Senator from North Dakota. We do not always agree on issues. We have disagreed on national missile defense. We have disagreed on AmeriCorps and many other issues. This issue is fairness, an issue on which conservatives, liberals, Republicans, and Democrats can agree.

Due to our efforts primarily, it has gone up from 50-percent funding in 1996 to 51 percent the next year, 57 percent the next year, 58 percent 2 years later and, if adopted, it will go up to two-

thirds. The kids will still not be treated fairly, nor will the school districts. They still will suffer from the fact that the land went off the tax base. However, at least we are on the right trend line, and we should, in another 3 or 4 years, get to 100-percent funding.

I will relentlessly pursue this in any way we have to in order to get to that point.

Fort Towson public schools in southeastern Oklahoma will gain \$51,000 of impact aid if fully funded. This would bring it only to two-thirds funding. As a result, they are having serious problems in these school districts.

Oklahoma is not that much different from other States. In the State of North Carolina, my information is that North Carolina actually has more impacted students than the State of Oklahoma. I don't know where North Dakota stands; I am sure we will hear in a moment. However, it is a fairness issue. Oklahoma is not treated more unfairly than any other State but equally unfairly. The students are not getting the education they need because of one thing, and that is they have had the federalized land taken off their tax base.

I join my friend from North Dakota in trying to pass this amendment. In doing this, a lot of kids throughout America will be treated more fairly. Down the road, in 5, 6, or 7 years we will find this program will be 100-percent funded.

I thank the Senator from North Dakota for the time he has given me and assure him I join him fully in getting this amendment passed for the kids of Oklahoma, North Dakota, and throughout the United States.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. I am pleased to work with my friend from Oklahoma, Senator INHOFE. As he indicated, this is an issue that brings support from a bipartisan group of Senators.

I ask unanimous consent to have printed in the RECORD a letter sent on April 14, 2003, to Senator SPECTER and Senator HARKIN, signed by a wide variety of Members of the Senate from virtually every political persuasion and every corner of the philosophical structure around here. It shows the widespread support for the Impact Aid Program and for the funding for this program that was originally promised.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,

Washington, DC, April 14, 2003.

HON. ARLEN SPECTER,

Chairman, Subcommittee on Labor, Health and Human Services and Education, Committee on Appropriations, U.S. Senate, Washington, DC.

HON. TOM HARKIN,

Ranking Member, Subcommittee on Labor, Health and Human Services and Education, Committee on Appropriations, U.S. Senate, Washington, DC.

DEAR CHAIRMAN SPECTER AND RANKING MEMBER HARKIN: As you know, the Senate Impact Aid Coalition was formed in 1996 to

promote and improve the Impact Aid Program. Our coalition has grown from just four Members of Congress in 1995, to its current membership of 45.

Our goal for Fiscal Year 2004 is to increase funding for the Impact Aid Program to \$1.375.4 billion, a 15 percent increase over last year's conference report funding level. This increase will help local school districts, which have lost tax revenue as a result of the federal presence in their district, to serve their communities and provide a quality education. This increase is also an important step toward fully funding this program, which currently receives less than half of its authorized funding.

In a time of budget constraints, we understand that you have difficult decisions ahead, but it is our firm belief that as our service men and women set out to defend our country, we must not forget or ignore the children they leave behind. While the focus on national security and homeland defense is necessary to ensure that the well being of the citizens of our great country, we also believe that Congress must fulfill its federal obligation.

As you know, Impact Aid helps to ensure that military children, children residing on Indian lands and in federally-owned, low-rent housing facilities, and dependents of the federal government receive a quality education. We believe that Congress' commitment to Impact Aid is more important than ever. In addition to the funding increase of 15 percent, we ask that you maintain the eligibility of all students to the Impact Aid Program as defined in the No Child Left Behind Act.

We stand committed to the Impact Aid Program and are ready to work with you and your subcommittee on this very important issue. Thank you for your thoughtful consideration of our request.

Sincerely,

Tim Johnson, Chuck Hagel, Jack Reed, John Warner, Max Baucus, Jeff Bingaman, Byron L. Dorgan, James Inhofe, John Kerry, Daniel Akaka, Pat Roberts, Mike Crapo, Jim Bunning, Ben Nelson, Kent Conrad, Hillary Clinton, Frank Lautenberg, Tom Daschle, Charles Schumer, Barbara Boxer, Russell Feingold, Patty Murray, Jon Corzine, Barbara Mikulski, Dick Durbin, Edward Kennedy, Maria Cantwell, George Allen, Carl Levin, and Jeff Sessions.

Mr. DORGAN. Madam President, my colleague has well described this issue. This is not some extraordinary grant program, some program that will deliver something for nothing to some school district in the country. This is keeping a promise. What is the promise? The promise was made in 1950 that when the Federal Government comes in and takes land or has property that is tax exempt, the Federal Government will make a payment to local school districts in lieu of local property taxes. That is what the impact aid is about. We have other similar programs—PILT, or payments in lieu of taxes—but essentially Impact Aid is a promise to our local schools who still have to educate children despite their smaller tax base. Impact Aid says where we have property, and that property is tax-exempt because it belongs to the Federal Government—in most cases, for example, a military base—we will provide impact aid to offset those costs. That is what this is, impact aid.

In 1950, both President Truman and the Congress said let's do this. It is not fair for the Federal Government's actions to adversely impact a local school district's financial situation. So they created the Impact Aid Program to directly reimburse school districts for the loss of revenue caused by the Federal Government.

There are 1,400 school districts nationwide eligible for impact aid payments serving 15 million children. Let me describe just one of them. I toured a school one day in North Dakota some few years ago. It was a school on the edge of an Indian reservation, a public school district but a school district whose property base was largely tax exempt. So it had very little property on its tax rolls, and therefore it could not bond because it had such a small property base. It could not raise a great amount of tax revenue, as well.

This is a school district that was in great difficulty. It had roughly 150 children, two toilets, one water fountain. In the classroom you saw children sitting 30 in a classroom with desks an inch apart. Many were Native-American children. And one little girl named Rosie Two Bears looked up at me and asked: Mr. Senator, are you going to build us a new school?

Regrettably, I could not build a new school for them, but it was an impact aid school. And the question of impact aid funding bears directly on how many children are in a classroom, how many lavatories exist, what the condition of the building is in which they are going to school. In this particular building, they were holding classes in the lower level of the building, but some days they could not hold the classes because sewer gas was backing up on that level. Part of the building was already condemned.

The question for us is, When a young child walks through that classroom door, are they disadvantaged by having to go to a school that is not in good repair? Having to go to a school where classrooms are crowded? The answer is yes, of course.

I wish I could have told this little third grader, Rosie Two Bears, Yes, I am going to build you a new school, but I couldn't do that. I don't build schools. But I do come here with my colleague from Oklahoma to fight for adequate funding for the impact aid program, to say this Government has a responsibility to keep its promise—yes, to Rosie Two Bears, but to other young children across this country.

I indicated we have 15 million children in these schools that are eligible for impact aid. My colleague just told the Senate that if we pass the amendment we have offered we will still only be providing two-thirds of the money we had originally promised years ago as a Federal Government to make up for the lost revenue in these local school districts.

Some say it is a matter of choice. Yes, it is a matter of choice. There are unlimited needs and limited resources.

I understand all that. We propose an amendment that adds \$187 million.

Let me mention one other fact. The President proposed a cut to Impact Aid that was very significant, as all of us know. The cut was restored back to level funding by my colleagues, Senator SPECTER and Senator HARKIN. But just restoring to level funding means these schools still fall behind because more children are affected in these impact aid schools.

So what Senator INHOFE and I propose is to increase Impact Aid to at least two-thirds of the funding that was promised by adding the \$187 million.

Our amendment is offset in 2004 by moving the fiscal year 2004 advance-funding back to fiscal year 2003, which is exactly the same method used by the leadership to increase funding for the underlying bill by \$2.2 billion. Some say nothing really is happening out in the impact aid schools that would cause us to have to do this. Let me describe what is happening. Medical Lake Washington State School District has scaled back its afterschool and summer programs and is not replacing the four elementary schoolteachers who retired. Why? It doesn't have the money. It is an impact aid school.

The Saint Ignatius Montana School District eliminated four teachers, resulting in larger class sizes, and was not able to give raises to its teachers.

The Suttons Bay Michigan School District has reduced the number of teaching positions and initiated a pay-to-play policy for participating in athletics and extracurricular activities, and reduced spending on textbooks.

Oceanside, CA, a big school district, has had to eliminate transportation for 5,000 students in grades 7 through 12, and 139 teachers have been let go.

Grand Forks North Dakota School District reduced staff, delayed textbook purchases, and delayed capital expenditures for technology and facility needs.

These are real examples of what is happening in real schools that has an effect on real kids entering classroom doors expecting to be able to learn. We have an obligation, it seems to me, to keep our promise.

I said this yesterday, and let me make the point again because it is not an unfair point, it seems to me. We are told that the money does not exist to do everything we want to do. I fully understand and accept that. So if the money does not exist to do everything, then the question is how do we prioritize that which we believe must be done? The question for us is where do children rank? Where do you put kids? At the top? In the middle? At the bottom? Where do our kids fall in our priorities?

I mentioned this yesterday and someone said maybe it was unfair that just a matter of months ago Mr. Wolfowitz went to Turkey and said: If you let our troops go through Turkey, we will give you \$26 billion, \$6 billion in grants and

\$20 billion in loans. I supported that. The next day I called to find out where did the \$26 billion come from, \$6 billion of which was direct spending. They said that will come out of our priorities.

So if we had the money for Turkey and didn't spend it, maybe we could use the money that we didn't spend on Turkey to spend on American kids going to classrooms that ought to be better classrooms, going to teachers who have to pay for their own textbooks, going to schools that are in disrepair, that need fixing, going to Rosie Two Bears' school to make that a school we are proud of instead of having it be a school where you walk through a classroom door and discover that young children do not have quite the same opportunity because they are crowded into a room and do not have the same capabilities as other children in other schools.

My point is that this is all a matter of priorities and choices. We make the choices. Not our uncles, not our kids, not our grandpas and grandmas. We make the choices.

I said when I started, and I want to say it again because my colleague from Pennsylvania is on his feet, that I think the Senators from Pennsylvania and Iowa did exactly the right thing in restoring the money that was cut in the President's budget for impact aid. It brought us back to where we should be, at level funding, if the goal is only level funding. But the Senator from Oklahoma and I said, and we believe very strongly, that getting us to just two-thirds of what we had promised we were going to offer to these school districts that are in such desperate financial trouble because they have lost their property tax base—just getting back to two-thirds is not an unreasonable goal. Doing it by adding the money we propose in this amendment is an investment in kids and an investment in this country that will be well worth it.

Again, I say as I close, if you establish priorities in this Senate, it seems to me the first priority is America's future, and America's future is its kids. It is the kids. And education is about preparing those kids for opportunity.

I hope very much my colleagues will accept this amendment. It is a modest amendment. It is bipartisan. It has broad support. My hope and expectation would be that with those who signed the letter in April to the subcommittee, with those who have co-sponsored our amendment today, that we will be able to have a vote and be successful in adding this money for the impact aid districts and the impact aid schools around this country.

I know this will be a long and tortured trail on the floor of the Senate for this particular bill. This bill is a very important appropriations subcommittee bill. I serve on the Appropriations Committee and I am deeply honored to do it for a very important reason. It is one of the few committees these days in Congress that is truly,

truly bipartisan. We work in a way that respects each other and work together in conferences on appropriations. These are really conferences, not conferences in name in which one side never gets invited, but real conferences. So this is a great committee.

The opportunity on the floor of the Senate to talk about priorities and adjustments in the appropriations process is an opportunity that I do not want to miss. My colleague from Oklahoma would say the same. This is one we do not want to miss.

We thank very much the Senators from Pennsylvania and Iowa for building back that funding which the President cut. We then ask for their support for the proposition that we reach at least a two-thirds funding level of that which was promise to the impact aid schools in this country. I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SPECTER. Madam President, at the outset I say I am very sympathetic to the considerations raised by the Senator from North Dakota. But the issue is where do we find the money?

As I look over a long list of items where we could make offsets and could have cuts, there is not an item or a line that is desirable. Should we cut money from the National Institutes of Health? Or from community health centers? Or from many other lines? The judgment of the subcommittee, backed up by the full committee, is that we made the proper allocation.

I appreciate the comment made by the Senator from North Dakota that we did reinstate the funds. The administration had made a request which would have reduced the funding from last year by \$187 million. The subcommittee and the full committee have put that money back. I think it is worth noting, since 1996 when the funding was \$693 million, to fiscal year 2003 when the funding is \$1.188 billion, that is a 71.5-percent increase. Regrettably, that is about as far as we can go.

At the appropriate time, for the information of the amendment's sponsors, I am constrained to raise a point of order. The leadership has advised the preference is not to vote until about 5:45. That does not lock in a vote but that is the leadership's position because a number of Senators are off the floor at this time.

I, again, urge my colleagues to bring amendments to the floor. We have a list of about 40 amendments. In a relatively short amount of time that quorum call sign is going to go on. As I have said on a couple of occasions, on August 1 and before the recess, the majority leader and I had a colloquy and talked about going to third reading. My experience at the Senate has been there have been long delays. Senators do have amendments but wait to bring them. I know that requires planning, but the Senate has been on notice for more than a month that this bill would be taken up on September 2. If we are

to complete action on this bill, we are going to have to have the cooperation of the Senate.

If this bill is not signed by September 30, this bill will lose \$3 billion. That is what it will cost if this bill is not signed by the President by September 30. If there is to be any realistic chance of having the appropriations bills finished by and large by September 30, there is going to have to be cooperation by Senators who have amendments but who haven't brought them to the floor. We were assured one Senator would be here at 4 o'clock. Now word has come that the Senator is not going to be ready. That puts the managers, who have the responsibility for moving this bill ahead, at a severe disadvantage.

Mr. DORGAN. Madam President, will the Senator from Pennsylvania yield for a question?

Mr. SPECTER. In a minute.

I understand I don't have the unilateral authority to move to the third reading, but I am going to try to do that if we don't have amendments come to the floor and if we have to wait through quorum calls for protected other business which is not related to this bill.

I would be glad to yield for a question.

Mr. DORGAN. Madam President, I have an observation in the form of a question. Would it be a good incentive for those who take seriously and come to the floor with amendments to offer them quickly and do so in rather short order, as Senator INHOFE and I have done, especially when it is an amendment of great merit? Would it set an example for it to be accepted by the chairman of the subcommittee? That probably is a rhetorical question. Let me ask further, if I might: What point of order does the Senator intend to make against amendment?

Mr. SPECTER. The point of order would be under section 504 of the concurrent resolution on the budget for fiscal year 2004 that the amendment exceeds the discretionary spending limit in this section and is therefore not in order.

The Senator raises a very tempting offer. I might almost be tempted to say that any amendment that gets to the floor before 3:59 we would be willing to accept, meritorious or not. That is very much in the eye of the beholder. Of course, I can't quite do that. But I thank the Senator from North Dakota for his diligence in coming to the floor and speaking on an earlier amendment and offering this amendment.

Mr. DORGAN. Madam President, what reward does the Senator from Pennsylvania suggest for that good behavior?

Mr. SPECTER. What was that?

Mr. DORGAN. I was just asking what reward he would suggest for that good behavior. I suggest perhaps a good lesson for others might be to see this meritorious amendment accepted by the chairman. There would a rush here in

droves to offer them very quickly. But the Senator could think about that for a moment.

I wish to ask this question about the point of order. The amendment Senator INHOFE and I have offered is an amendment that dutifully increases part of this bill that we think is critically important, one that still falls far short on the promise that has been made over the years in the funding mechanism we use. It is the funding mechanism, I believe, that in part is used in the underlying bill itself. I guess I am a bit confused about a point of order lying only against our amendment or against some broader construct of what is happening here in the Senate.

Mr. SPECTER. Madam President, parliamentary inquiry: What is the answer to that?

The PRESIDING OFFICER. The same defect would apply to the amendment offered by the Senator from Pennsylvania.

Mr. DORGAN. Madam President, let me make an observation. I do not criticize the defect in the underlying bill. My hope is that the Senator will not criticize the identical defect in the amendment. What I have done, along with my colleague, Senator INHOFE, is offer an amendment that embraces exactly the same approach that is used by the Senator from Pennsylvania and the Senator from Iowa in funding the underlying bill. I take no exception to that at all. I am fully in support of that. Based on that, I hope the Senator from Pennsylvania will not raise a point of order against the amendment.

Mr. SPECTER. Madam President, I do not seek to enter into a disagreement with the distinguished Senator on the point he just raised. But as manager of the bill, I feel constrained to raise the point of order at an appropriate time. I thought I would give the Senator from North Dakota notice of that.

Mr. DORGAN. Madam President, let the Senator from Pennsylvania and me and others discuss that off the floor. The only reason I raise the question is that offering an amendment which uses an identical funding source or the mechanism that is identical to the funding source offered by the subcommittee is one that I thought would not engender a point of order. At any rate, we do not intend to vote on that at this moment. My understanding from the Senator from Pennsylvania is that this will probably be dealt with later this afternoon. If that is the case, perhaps we can discuss this between now and then.

My hope is that the Senator from Pennsylvania will not raise a point of order and give us an opportunity for an up-or-down vote on the merits of the amendment inasmuch as the same funding mechanism used in the underlying bill and the same defect would occur in both.

Mr. DAYTON. Madam President, will the Senator from Pennsylvania yield for a question? If he is looking for

amendments, would the Senator be willing to entertain one from this Senator when this discussion is concluded?

Mr. SPECTER. Does the Senator from Minnesota have an amendment he wishes to offer?

Mr. DAYTON. I have an amendment. Recognizing the generous offer of the chairman of the subcommittee with the 3:59 deadline racing to a conclusion, the magnitude of the offer by the Senator from North Dakota is so modest by comparison that it should enhance his chances.

Mr. SPECTER. Madam President, may I inquire of the Senator from Minnesota whether the amendment relates to this bill?

Mr. DAYTON. The Senator is correct. It relates to funding for the IDEA.

Mr. SPECTER. The amendment does relate to this bill?

Mr. DAYTON. Yes. The Senator is correct. It relates to the funding for IDEA.

Mr. SPECTER. Madam President, if the Senator has an amendment relating to this bill, it certainly will be welcomed. I ask the Senator from Minnesota if he would be willing to defer offering the amendment to give the Senator from West Virginia an opportunity to speak for 10 minutes in advance of offering that amendment.

Mr. DAYTON. I will gladly step aside for the Senator from West Virginia at any time. I hope the 3:59 offer might be extended to include 30 seconds after the Senator concludes his remarks.

Mr. SPECTER. Madam President, I yield to the distinguished Senator from West Virginia.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. BYRD. Madam President, I thank the Chair.

Madam President, I thank both of these illustrious Senators, the Senator from Pennsylvania who is managing the bill before the Senate, and I thank the distinguished Senator from Minnesota for his courtesy and kindness.

I will be brief. I do intend to speak out of order. I ask unanimous consent that I may speak out of order for not to exceed 10 minutes.

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

(The remarks of Mr. BYRD pertaining to the introduction of S. 1576 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

The PRESIDING OFFICER (Mr. CORNYN). The Senator from Minnesota.

AMENDMENT NO. 1554 TO AMENDMENT NO. 1542

Mr. DAYTON. Mr. President, I ask unanimous consent that the pending amendment be set aside, and I send an amendment to the desk.

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

The clerk will report the amendment.

The bill clerk read as follows:

The Senator from Minnesota [Mr. DAYTON] proposes an amendment numbered 1554.

Mr. DAYTON. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To increase funding for part B of the Individuals with Disabilities Education Act)

At the end of title III, insert the following: SEC. 306. Notwithstanding any other provision of this Act, the total amount appropriated, out of any money in the Treasury not otherwise appropriated, to carry out parts B, C, and D of the Individuals with Disabilities Education Act shall be \$22,109,931,000, of which \$20,941,000,000 shall be available to carry out part B of the Individuals with Disabilities Education Act (other than section 619 of such Act).

Mr. DAYTON. Mr. President, this amendment would meet a 27-year-old promise made by the Federal Government to the States and to the school districts when IDEA was established. The promise was that the Federal Government would provide for 40 percent of the costs, the additional costs of providing special education services to every eligible schoolchild. It is one of the most important commitments the Federal Government has made for public education, especially at the elementary and secondary levels, and the money could not be better spent on behalf of leaving no child behind.

Sadly, at least in the State of Minnesota—and I know, from the observations of other Senators, in many other States—the funding presently is seriously inadequate to provide all of those services.

In Minnesota, some \$250 million a year shortfall exists in funding for special education which results in education dollars having to be shifted from regular programs and services to special education to meet the statutory requirement of school districts to provide services to every qualified schoolchild. The result is that in Minnesota all the students are harmed by the underfunding of special education, those who are the recipients of those services, as well as those who see dollars shifted from other programs for their benefit.

IDEA funding for part B for States in the current legislation before us is set at \$9.858 billion. To bring that funding up to the 40-percent level, according to the Congressional Budget Office, would require an additional IDEA part B funding of \$11.082 billion. It is noteworthy that the increase exceeds the appropriated amount. Another way of looking at that is that the current level of appropriated dollars is less than half—less than half—of what is necessary to meet that 40-percent level that was committed to by the Congress 27 years ago.

I heard the distinguished Senator from New Hampshire earlier on the Senate floor reference the increases in funding for special education that President Bush has proposed, and I commend the President for doing so. I have not served during the period of time which the Senator from New Hampshire referenced, so I do not have the basis for comparing the period of

time during the 1990s that he referenced under the former administration with the circumstances that this President is faced with, but it is enough for me that President Bush has proposed in each of his budgets an increase in funding for special education, and he should be credited for doing so.

But the fact remains that even with those increases up until this year, the Federal share of funding for special education nationwide is approximately 17 percent of those total costs. In other words, still, despite those increases over the last 3 years, it is less than half of what the Federal Government promised over a quarter century ago.

I recognize that the distinguished Senator from Pennsylvania, with his responsibilities to the budget and to an allotment for the subcommittee's appropriations, has to or is likely to object to this amendment, despite it being inserted just before the 3:59 deadline. I recognize this is an amount that goes way beyond the current mandate of the subcommittee. But as my colleague from North Dakota said so eloquently just a few minutes ago, what we are really talking about as we consider these different amendments in a broader sense is, What are our priorities as a Senate?

What are our priorities as a Nation? Do we really mean what we say, that no child shall be left behind? Are we willing to put forward the necessary resources to accomplish that? Or is that just a rhetorical statement without proper attribution from the Children's Defense Fund and, whereas that esteemed organization has championed the resources and the commitments that would be necessary to actualize that statement, we in this Congress and, with due respect, the administration have still fallen short of that responsibility.

We had, when I came into office, an incredible opportunity because we were looking at projected surpluses for the next decade of some \$5.4 trillion. That is a marked difference from the circumstances which President Clinton faced throughout most of his administration when he was bringing the Nation out of the previous era of deficit spending, when he finally, through collaboration with the Congress—the Senate and the House—during the last 4 years of his administration succeeded in balancing the combined Federal budget. In fiscal year 2000, he achieved for the first time in 4 years—and probably for the last time in 40 or more years—a surplus in the non-Social Security part of the Federal budget; in other words, education, health care, and the like—everything except for Social Security, which at this point, this year, is running about a \$155 billion projected surplus; the rest of the Federal budget was balanced. We had the resources projected that would have kept that operating budget in a surplus mode for each of the next 10 years, according to both the CBO and the OMB when President Bush's administration

took office in January of 2001. I thought then, as I offered this amendment at that time, that we had a tremendous opportunity we should not let go by to bring this funding immediately up to the 40 percent promised level.

That year, in a bipartisan and very genuinely committed way, there was an amendment that was adopted by the Senate that would have brought full funding for special education up to the promised 40 percent level over 6 years—5 years too long in my estimation, but it passed the Senate. It went to conference with the House. It resulted in a protracted conference committee of almost 6 months.

My esteemed former colleague, the departed Senator from Minnesota, Paul Wellstone, was championing this measure, among others, in that conference committee and insisting that the Senate position of building to 40 percent funding for special education over 6 years be honored and kept in the conference report. The House resisted and was adamant, and, unfortunately, at the very end of the conference, the Senate conferees agreed to the House position, causing my colleague, Senator Wellstone, to vote against that conference report, as did I.

Since then, we have all recognized that the fiscal circumstances of the Federal Government have changed dramatically. I find it a little bit disingenuous for the distinguished Senator from New Hampshire to be taking credit for the spending increases for education, which he ascribes to this administration and this Congress; yet, every time somebody from this side of the aisle proposes also to increase spending for education, suddenly our side of the spending equation is bad spending and his side of the spending equation seems to be good spending. As far as I am concerned, it can be Republican spending, Democratic spending, or independent spending for education, and it is good spending. I don't care which administration, which session of Congress, or which Members of Congress can claim credit for that. I just want the credit to be there to be claimed because I know the beneficiaries are the students of Minnesota and, I suspect, all over the rest of the country.

I am also perplexed when I hear the Senator from New Hampshire, who chairs the HELP Committee of the Senate—his expertise and knowledge of these matters is widely respected by colleagues on both sides of the aisle. But when he says, in effect, as he did earlier today, we have put so much additional Federal money into public education at the K through 12 level that the school districts aren't able to spend that money fast enough—a couple of months ago, I heard the Senator state on the Senate floor there was a surplus of Head Start positions available nationwide, so there were more slots available than there were people who wanted to get their children into a Head Start program.

I truly hope if those surplus funds are available, be it from New Hampshire or any other State, they will be put into a reservoir that could be drawn from by other States. I know in the case of Minnesota—I heard the Senator from North Dakota state the same and I heard a number of other colleagues, including Senator PRYOR of Arkansas—I ask unanimous consent that he be added as a cosponsor to this amendment.

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

Mr. DAYTON. He also shared the circumstances with me of the State of Arkansas. When I run by the educators in Minnesota the assertion made on the Senate floor that there is a surplus of Federal funding for these programs, I get absolutely incredulous looks. I find far more concurrence with the Senator from North Dakota, who observed teachers in his State who are reaching into their own pockets for hundreds, even thousands, of dollars, who go without expenses for basic program materials, educational materials, trips to educational enrichment opportunities, and the like that cannot be funded out of regular budgets.

In Minnesota, there is an estimated \$250 million shortfall of special education money because of this underfunding of the Federal commitment, which I can assure my colleagues every one of those dollars would be spent swiftly and necessarily and would benefit students throughout my State if they were made available. So where these surplus dollars are that States and school districts elsewhere don't need, where the additional slots for programs such as Head Start are residing that are not being filled, I guess I would certainly like to see where that exists.

I urge the Secretary of Education, if it is in fact the case, that those funds and those slots be reallocated as swiftly as possible to States like Minnesota, who need them and could benefit from them.

Yes, Mr. President, my amendment exceeds the budget as it exists today. I note that when the budget for this fiscal year began, we were looking at a deficit, we were told, of about \$260 billion, if memory serves me. Now we are told that we will exceed \$500 billion. We are asked rhetorically where will the money come from for these expenditures. I answer rhetorically, from the same place the other \$240 billion that has been added to the deficit this year will come from. And the Senator from New Hampshire is right—that will come from payments made by taxpayers in the future. But if we are going to spend \$100 billion, as some experts estimate we will, over the next year in Iraq, if we are going to spend 10 percent or 15 percent of that amount in Afghanistan, if we are going to spend \$15 billion to address the AIDS crisis in Africa over the next few years, as the President proposed—and those are all either necessary or very worthwhile

humanitarian and strategic expenditures, but if we are talking about additional spending on the magnitude of \$15 billion, \$100 billion over the course of a year, how is it that we always run out of resources when it comes to children, when it comes to especially schoolchildren with special needs, when it comes to those who will be left behind in Minnesota and I suspect will be left behind in 49 other States if these additional resources are not provided?

I thank the chairman of the subcommittee for the opportunity to offer this amendment. I hope it will be considered in the broader context of the priorities of this body for the children of today and tomorrow. I respectfully suggest it is money that will be extremely well spent. I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. REID. Mr. President, will the Senator from Pennsylvania yield for a question?

Mr. SPECTER. I will.

Mr. REID. Mr. President, it is my understanding that the manager of the bill is working to set up a series of votes beginning at 5:45 p.m. today; is that right?

Mr. SPECTER. Correct.

Mr. REID. Just to alert Members, we are going to have one, possibly three votes at 5:45 p.m.; is that right?

Mr. SPECTER. Correct.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SPECTER. Mr. President, I had commented earlier today that there was an expectation of voting at 5:45 p.m., that there were a series of meetings at the White House and other places which would keep Senators away from the floor until that time. I just responded to the question from the Senator from Nevada that it is the likelihood, but it is not locked in, that we will vote at 5:45 p.m. How many votes we will have we are not certain at this point.

I thank the distinguished Senator from Minnesota for offering this amendment. The issue on special education is one of great importance. The Federal Government does have a responsibility to come to the 40 percent level. We have been far from it, but we have made very substantial progress. I think it is accurate to say even enormous progress.

Over the course of the past several years, we have made major increases. When I became chairman of this subcommittee in 1995, in conjunction with Senator HARKIN, we made special education a priority, and for the fiscal year 1997, we increased special education by approximately \$800 million. The next year, \$700 million. The following year, \$500 million. The year after that, \$580 million, \$450 million, \$1.2 billion, \$1.3 billion, and this year there is a projected increase of approximately \$650 million.

If you take a comparison from the year 1994, the special education appropriation was slightly over \$2 billion,

\$2.05 billion. This year we are projecting it at \$9.85 billion, which is almost four times as much, almost 400 percent, slightly less. So we have moved up very materially.

I do not have the statistics prior to the year 1996 on the Federal share per student spending, but in 1996, it was 7.3 percent. We have now advanced that to 18.7 percent. We are almost halfway to 40 percent.

If we were to fully fund IDEA, it would take another \$11 billion to \$12 billion on top of the amount of money which we have allocated. While I have deep respect for the amendment offered by the Senator from Minnesota, I think it might even be possible he does not have an expectation that we are going to have \$11 billion or \$12 billion more for this item, much as we would like to and much as the Federal commitment is there. But I think the progress has been enormous.

I make a special compliment to the senior Senator from New Hampshire, Mr. GREGG, who has been at the forefront of this item, going back to his earlier days in the House and his earlier days as Governor of New Hampshire seeing the importance of this item.

It is an item of great importance for me. We are making a lot of progress. It would be nice to do more, but I think everyone understands we are far from being able to add an additional \$10 billion, \$11 billion, \$12 billion here.

Again, for purposes of information, I will be constrained to raise a budget point of order when we take up this matter for a vote at the appropriate time.

Mr. President, let me again issue a call for amendments. Third reading may be as remote as full funding for IDEA, but it is an idea whose time may come, if not this afternoon, perhaps this evening or perhaps tomorrow morning.

AMENDMENT NO. 1552

Mr. President, I have not made any manager's comments on the amendment offered by Senator MIKULSKI and Senator COLLINS on the nursing issue. That is an item of great concern. There is a tremendous nursing shortage in the United States. The Mikulski-Collins amendment seeks to raise the funding from \$112.7 million to \$175.7 million for a \$63 million increase.

I note that there have been increases of a very substantial nature. In 2001, there was an increase of 23 percent. In 2002, there was an increase of 10.6 percent. In 2003, there was an increase of 21.6 percent. And the items are funded on a level this year. It is relevant to note that on the funding for the National Institute of Nursing Research that there has been an increase this year from \$130.5 million, approximately, to \$135.5 million, for a \$5 million increase.

I think it is also appropriate to note that we assisted the nurses in their effort to have standing to anesthesiology where we finally worked out an ar-

angement where it would be up to the Governor of each State to authorize payments, Medicaid-Medicare, to nurses who are so certified so that they did not have to necessarily be an M.D. anesthesiologist. The nursing issue is one of tremendous concern.

As I look over the Mikulski-Collins amendment for an additional \$63 million and I look over the items which we are funding in an effort to see if we couldn't make some accommodation, it is a matter of staying within our 302(b) allocation or cutting somewhere. I do not think anyone would like to cut low-income home energy assistance or community health services or Head Start or the NIH.

As we wrestle with the import of the Mikulski-Collins amendment, we are seeking a way to, if it is possible, have some offset which would enable us to find a way to increase funding for nursing. But an offset is going to require a cut somewhere, and that is the managers' responsibility to try to balance out all of the competing interests.

Mr. President, if there still is no Senator on the floor and no one has heeded my latest call to come to the floor, in the absence of any Senator seeking recognition, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. CHAFEE). Without objection, it is so ordered.

(The remarks of Mr. DAYTON are printed in today's RECORD under "Morning Business.")

Mr. DAYTON. Also, Mr. President, I have been here this afternoon and have expressed my concern for the measures in the Federal Aviation Administration conference report.

I am not going to consume time since we are proceeding to a time of voting on some of these important education amendments, including one of my own for funding for special education. But I do want to say again that this matter, before it comes before the Senate, must be resolved, or I will have to be back here in more of an obstructionist mode than I was called upon to do today. And that would be something I would prefer to avoid and see this matter resolved in some other way. I will be working with my colleagues to see that occurs.

I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SPECTER. Mr. President, I ask unanimous consent that the vote in relation to the Dorgan amendment No. 1553 occur today at 5:45; further that following that vote, the Senate vote in relation to the Dayton amendment No. 1554; provided that no amendments be in order to either amendment prior to the votes; finally, there will be 2 minutes equally divided for debate prior to the second vote.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Reserving the right to object, is the manager of the bill going to raise points of order on these two amendments?

Mr. SPECTER. Yes, I had previously stated that I would raise points of order.

Mr. REID. I am wondering if we might be able to accomplish that now to save a little time so we might not have to go through that later.

Mr. SPECTER. Mr. President, I would be agreeable to doing that. With respect to the Dorgan amendment, I raise a point of order, under section 504 of the concurrent resolution on the budget for fiscal year 2004, that the amendment exceeds discretionary spending limits specified in this section and is therefore not in order.

Mr. REID. I would move to waive that and ask unanimous consent that we be able to handle both of these points of order at the same time. I ask unanimous consent that it be in order to waive the two points of order en bloc. And then I would ask for the yeas and nays.

Mr. SPECTER. Mr. President, it is agreeable with me. I had intended to say that as to the Dayton amendment, I raise a point of order under section 302(f) of the Budget Act, as amended, that the amendment provides budget authority and outlays in excess of the subcommittee's 302(b) allocations under the fiscal year 2004 concurrent resolution on the budget and is not in order. And if the Senator from Nevada is saying he wants to raise two motions to waive en bloc, that is fine.

Mr. REID. That is the wish of the Senator from Nevada.

The PRESIDING OFFICER. Without objection, it shall be in order to raise both points of order at this time.

Mr. SPECTER. Parliamentary inquiry: Obviously it is going to require two votes on the waiver of the points of order to the two amendments.

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

Mr. DAYTON. May I ask the Chair, the intent is to have the vote on the Dorgan-Inhofe amendment followed by 2 minutes equally divided between myself and whoever, followed by a vote on waiving the Budget Act on my amendment.

Mr. SPECTER. The statement by the Senator from Minnesota is accurate.

The PRESIDING OFFICER. Without objection, the motion to waive is considered made on both points of order.

Mr. SPECTER. Mr. President, I don't see any other Senator on the floor to offer an amendment.

Mr. REID. Mr. President, if the Senator will allow me to, I ask unanimous consent that it be in order that the yeas and nays be allowed on both waivers.

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

Mr. REID. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be.

The yeas and nays were ordered.

The PRESIDING OFFICER. The Senator from Nevada.

A TRANSPORTATION BILL

Mr. REID. Mr. President, prior to September 11, I proposed legislation called the American Marshal Plan. This legislation received the support of the National Council of Mayors and other governmental entities, recognizing that it was extremely important that our country do something about the deteriorating infrastructure. Hearings were held. We had mayors from around the country testify as to the state of the infrastructure in their cities. We were moving along very well until September 11 and then we were certainly distracted from this and many other things. We have been trying now for many months.

I am ranking member of the Subcommittee on Transportation. There is no bill more important to States—I say that without any question—every 6 years than the 6-year Transportation bill. It deals with highways, but it also importantly today deals with mass transit. I think it is a blot on this Congress that we do not have a Transportation bill. We have not even had a markup in committee. I am terribly disappointed that this is the case. We will not be able to do a highway bill this year.

It only makes sense that when we haven't had a markup in committee on a bill that is going to handle the highway and transit needs of this country for 6 years, it takes a little bit of discussion in the subcommittee, in the committee, and certainly on the floor. I would hope that the Republican leadership is at least anticipating that we will do a reasonable extension so that States around the country can at least go forward. It is better than doing no bill.

The State of Nevada is a rapidly growing State. We have tremendous highways needs, and now with the tremendous growth that has taken place in the Las Vegas and Reno areas, we have mass transit needs.

We are in the process of opening a monorail system. We are anticipating a light rail system. We have needs not only for our highways but also our mass transit. This is the way it is all over the country. It is beyond my ability to comprehend how we talk about all that we are going to do but have not mentioned the highway bill.

I am reminded of your father, the chairman of the full committee, who did a highway bill. I served on that committee. I have served on that committee since I have been in the Senate. The late great John Chafee pushed a highway bill. He was a person who was able to compromise. He understood that legislation is the art of compromise. But in this forum we are now in, it is either their way or no way. We have no bill.

I worked, when I first came here, with Senator Stafford of Vermont. He is a wonderful gentleman to whom I wrote a letter recently. I can't remember, I think it was on his 90th birthday. He was old and still very healthy. We have done a highway bill with Senator Moynihan, Senator BAUCUS. It appears we will not do a highway bill now. I think that is just bad government. I don't know how anyone can take pride in not having a highway bill. We have funding problems.

Remember, these are not taxes that we are suddenly going to assess the American people to pay for highway and transit. Every time someone goes to buy a gallon of gas for their car, they pay a tax; it goes into a trust fund. We use these trust fund moneys for these bills that come up every 6 years. People ask, Who is paying for mass transit? A decision was made many years ago that because every person we put on mass transit takes pressure off the highways, we would allocate about 20 percent of our highway funds to mass transit.

It helps our highway programs generally. All we want to do is spend the trust fund money, but this administration will not let us do that. They are afraid if we spend the money in the trust fund—it should not be a slush fund; it is a trust fund—they are afraid if we spend the money collected for the purpose of building highways, we will make the deficit look bigger. I don't know how we could make it look bigger. The deficit now is about \$500 billion, and if we add the Social Security surpluses, which are masking the deficit, it is near \$600 billion for 1 year, the largest deficit in the history of this country by far.

Also, people are trying to rewrite the endangered species act, clean air act, and historical preservation laws in a highway bill. That is not the place to do that, Mr. President.

I hope some attention will be focused on what this Senate is not doing, not passing a highway bill. If we do not do a bill at the right time, we will have problems letting construction because some States have very cold weather and they have to plan their construction needs to meet the weather of that particular State. If we fail to pass a long-term bill, it takes away all the ability of State highway engineers, managers, and State highway directors to plan ahead. The way we are able to get the most money out of the trust fund dollars is to do a 6-year bill. Doing a bill a year at a time costs a lot more money.

There are issues that are on the must-do list. I don't know the exact number of times we have voted on whether to invoke cloture on Estrada, who wants to be a circuit court judge, but I think it is seven, eight, maybe 10 times. It is a total, absolute waste of the Senate's time. A vote has not changed from the time the first vote occurred to the last one, but yet it is time the Senate is taking. Why aren't

we spending that time on the highway bill?

A lot of time is spent by the majority talking about the Senate Democrats are so hard to deal with; they are not allowing the President to have his judges. We have approved—I don't know the exact number; I think it is around 140—140, and we have not approved three. We waste so much time here on issues that do not advance the needs of this country.

The appropriations bill is an important bill. I think we have had some important discussion and debate. Tomorrow we have 11 amendments lined up to be offered on this bill. It is important we move this bill as quickly as we can. But in the process, talking about the things that we must do, I would hope people would understand the importance of a highway bill: For every billion dollars we spend on highways or infrastructure development generally, 47,000 jobs are created, high-paying jobs. That does not include the jobs that spin off from those jobs. For every one of those 47,000 people working, they are able to buy a new car, recarpet their home, buy a home, buy a TV set, and then in turn other people work.

I guess this administration is not worried about employment, which is obvious. The previous administration, the Clinton-Gore administration, created about 23,000,000 or 24,000,000 jobs. Going back to the time of Herbert Hoover, under this administration, it is the first time a President has had a net job loss, which is over 2 million jobs now. It seems to me it would be a good idea for this administration to join to do something to push a highway bill to put out billions of dollars for construction which creates hundreds of thousands of jobs.

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

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

DISCHARGE OF S.J. RES. 17

Mr. DORGAN. Mr. President, today I have submitted the requisite number of signatures in order to discharge S.J. Res. 17 in accordance with the requirements of the Congressional Review Act.

The discharge is as follows:

We the undersigned Senators, in accordance with chapter 8 of title 5, U.S. Code, hereby direct that the Senate Committee on Commerce, Science and Transportation be discharged of S.J. Res. 17, a resolution on providing for congressional disapproval of the rule submitted by the Federal Communications Commission relating to media ownership, and, further, that the resolution be immediately placed upon the Legislative Calendar under General Orders.

Byron L. Dorgan, Ted Kennedy, Kent Conrad, Ernest F. Hollings, Mark Pryor, Jon Corzine, Frank R. Lautenberg, Russell D.

Feingold, Harry Reid, Patty Murray, Barbara Boxer, Ron Wyden, Richard J. Durbin, Debbie Stabenow, Blanche L. Lincoln, Dianne Feinstein, Susan Collins, H. R. Clinton, Bill Nelson, Charles E. Schumer, Tom Carper, Olympia Snowe, Wayne Allard, Olympia Snowe, Saxby Chambliss, Ben Nighthorse Campbell, Tom Daschle, Max Baucus, Paul Sarbanes, Jack Reed, Trent Lott, Joe Lieberman, Mary Landrieu, Kay Bailey Hutchison, John Kerry, and Jay Rockefeller IV.

Mr. DORGAN. 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.

AMENDMENT NO. 1553

The question occurs on the motion to waive. The point of order is made under section 504 of H. Con. Res. 95.

The yeas and nays have been ordered. The Senator from North Dakota.

Mr. DORGAN. Was it in order to have 1 minute of debate prior to the rollcall vote?

The PRESIDING OFFICER. The Senator is correct.

The Senator from North Dakota.

Mr. DORGAN. Mr. President, the manager of the bill, the Senator from Pennsylvania, has made a point of order against my amendment, which I think is curious. I made the point that the same point of order, I expect, would lie against the entire bill. The Senator from Pennsylvania asked the Chair that question, and the Chair said yes, both my amendment and the underlying bill have the identical defect.

I think it is interesting that then a point of order is made against this amendment. The amendment I am offering is a bipartisan amendment with Senator INHOFE from Oklahoma. It provides \$187 million in restoration of funding to the impact aid program.

This is about kids. It is about helping kids and helping schools educate kids. This is money that is owed to these school districts. Even with this amendment, we will fund only two-thirds of what we promised we would do back in 1950.

Again, I make the curious point that a point of order has been made against this amendment, so we will have a vote on waiving the point of order. It is exactly the same point of order that I understand exists against the underlying bill, because Senator INHOFE and I used exactly the same mechanism to pay for this amendment as did the folks who constructed this subcommittee bill.

I ask that my colleagues join me in waiving the point of order.

The PRESIDING OFFICER. Who yields time?

Mr. DORGAN. Mr. President, I believe the opposition has spoken previously. I yield back all time and ask for the recorded vote to proceed.

The PRESIDING OFFICER. The question is on agreeing to the motion. The clerk will call the roll.

The legislative clerk called the roll.

Mr. REID. I announce that the Senator from Florida (Mr. GRAHAM), the Senator from Massachusetts (Mr. KENNEDY), the Senator from Massachusetts (Mr. KERRY), and the Senator from Connecticut (Mr. LIEBERMAN) are necessarily absent.

I further announce that, if present and voting, the Senator from Massachusetts (Mr. KERRY) would vote "yea."

The PRESIDING OFFICER (Mr. ALEXANDER). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 53, nays 43, as follows:

[Rollcall Vote No. 323 Leg.]

YEAS—53

Akaka	Dodd	Lautenberg
Allen	Dole	Leahy
Baucus	Dorgan	Levin
Bayh	Durbin	Lincoln
Bennett	Edwards	Mikulski
Biden	Feingold	Murray
Bingaman	Feinstein	Nelson (FL)
Boxer	Hagel	Nelson (NE)
Breaux	Harkin	Pryor
Bunning	Hatch	Reed
Byrd	Hollings	Reid
Campbell	Hutchison	Rockefeller
Cantwell	Inhofe	Sarbanes
Clinton	Inouye	Schumer
Conrad	Jeffords	Stabenow
Corzine	Johnson	Warner
Daschle	Kohl	Wyden
Dayton	Landrieu	

NAYS—43

Alexander	Domenici	Nickles
Allard	Ensign	Roberts
Bond	Enzi	Santorum
Brownback	Fitzgerald	Sessions
Burns	Frist	Shelby
Carper	Graham (SC)	Smith
Chafee	Grassley	Snowe
Chambliss	Gregg	Specter
Cochran	Kyl	Stevens
Coleman	Lott	Sununu
Collins	Lugar	Talent
Cornyn	McCain	Thomas
Craig	McConnell	Voinovich
Crapo	Miller	
DeWine	Murkowski	

NOT VOTING—4

Graham (FL)	Kerry
Kennedy	Lieberman

The PRESIDING OFFICER (Mr. ALEXANDER). On this vote, the yeas are 53, the nays are 43. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected. The point of order is sustained and the amendment falls.

Mr. FRIST. Mr. President, for the information of our colleagues, the next vote will be the final vote tonight. I encourage Members who have amendments to offer those tonight so we can begin voting in the morning. But the next vote will be the last vote for tonight. Please talk to the managers and come forward to offer your amendments as soon as you can.

Mr. SARBANES. Mr. President, will the leader yield for a question? What time does he expect the vote in the morning?

Mr. FRIST. There has been no time set for a vote in the morning.

AMENDMENT NO. 1554

The PRESIDING OFFICER. There are now 2 minutes evenly divided prior to the vote on the Dayton amendment.

Mr. DAYTON. Mr. President, my amendment increases funding for IDEA part B by \$11.8467 billion for fiscal year 2004, which is the amount the Congressional Budget Office has determined is necessary to bring Federal funding up to the 40-percent level that was promised 27 years ago. The funding being allocated for fiscal year 2004 would provide 18.8 percent, or less than half of that 40 percent promised over a quarter century ago.

President Bush deserves credit for increasing the funding for IDEA in each of his three budgets. The Senate deserves credit, along with President Bush, for increasing that funding. But the fact remains that we are still less than half of what was promised 27 years ago. I know for my State of Minnesota that is money that is desperately needed not only for better special education but for better quality education for all schoolchildren because money has to be diverted from regular programs over to special education. This is money we can find.

I propose that the budget point of order be waived, and I thank the Chair.

Mr. SPECTER. Mr. President, I ask that the Senate be in order so that I can make an argument in opposition to this motion to waive.

The PRESIDING OFFICER. The Senate will be in order.

Mr. SPECTER. Mr. President, we would always like to have more money for virtually every line on this appropriations bill. There has been an enormous increase in funding for special education—last year, \$1.3 trillion; the year before, \$1.2 trillion; this year, an increase of \$650 million. On a 10-year period, we have practically a 400-percent increase.

There has been enormous progress made from 1996 when the Federal share for students was 7.3 percent. Now we are almost at 19 percent, almost at half of the 40-percent goal. While we would like to have additional funding, it would cost about \$11 billion more to adopt the amendment and waive the Budget Act.

I do so reluctantly but emphatically.

The PRESIDING OFFICER. Under the previous order, the question is on agreeing to the motion to waive the point of order made under section 302(f) of the Congressional Budget Act. The yeas and nays have been ordered. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. REID. I announce that the Senator from Florida (Mr. GRAHAM), the Senator from Massachusetts (Mr. KENNEDY), the Senator from Massachusetts (Mr. KERRY), and the Senator from Connecticut (Mr. LIEBERMAN) are necessarily absent.

I further announce that, if present and voting, the Senator from Massachusetts (Mr. KERRY) would vote "yea."

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 42, nays 54, as follows:

[Rollcall Vote No. 324 Leg.]

YEAS—42

Akaka	Dorgan	Levin
Baucus	Durbin	Lincoln
Bayh	Edwards	Mikulski
Biden	Feingold	Murray
Boxer	Feinstein	Nelson (FL)
Breaux	Harkin	Nelson (NE)
Byrd	Hollings	Pryor
Cantwell	Inouye	Reed
Carper	Jeffords	Reid
Clinton	Johnson	Rockefeller
Corzine	Kohl	Sarbanes
Daschle	Landrieu	Schumer
Dayton	Lautenberg	Stabenow
Dodd	Leahy	Wyden

NAYS—54

Alexander	Crapo	McCain
Allard	DeWine	McConnell
Allen	Dole	Miller
Bennett	Domenici	Murkowski
Bingaman	Ensign	Nickles
Bond	Enzi	Roberts
Brownback	Fitzgerald	Santorum
Bunning	Frist	Sessions
Burns	Graham (SC)	Shelby
Campbell	Grassley	Smith
Chafee	Gregg	Snowe
Chambliss	Hagel	Specter
Cochran	Hatch	Stevens
Coleman	Hutchison	Sununu
Collins	Inhofe	Talent
Conrad	Kyl	Thomas
Cornyn	Lott	Voinovich
Craig	Lugar	Warner

NOT VOTING—4

Graham (FL)	Kerry
Kennedy	Lieberman

The PRESIDING OFFICER. On this vote, the yeas are 42, the nays are 54. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected. The point of order is sustained and the amendment falls.

The Senator from Illinois is recognized.

AMENDMENT NO. 1543

Mr. DURBIN. Mr. President, it is my understanding that one of the underlying amendments is the amendment offered by Senator ROBERT BYRD of West Virginia.

During the August recess, I visited many of my State's cities and home school districts, stopping in to meet with principals, teachers, parents, and students to talk about the state of education in Illinois. We have many fine schools, there is no question about it. But we are also being challenged by the fact that we face a sizable State deficit. This year our Governor, Rod Blagojevich, had to find \$5 billion in savings out of our State budget, a substantial amount, making cuts in many areas. He tried his best not to cut into State funding for education. Despite his best efforts and the efforts of the general assembly, most of the school districts I visited are facing serious hardships.

Let me give one illustration. In Elgin, IL, they recently constructed four new school buildings that were to be opened this year. But because the Elgin School District has fallen so far behind in State and local assistance, they will be unable to open those buildings. So there sit four brand new schools which don't have the staffing

and certainly don't offer better amenities than the older schools offered; they just cannot be opened. It is an indication of the problems faced by many school districts in my State and across the Nation.

When President Bush was elected, he came to Congress and said he wanted to be the education President. He suggested that we try a bipartisan national approach to establishing better standards of accountability for education across America. The President proposed No Child Left Behind. It was a unique concept, one which called for regular testing of students to determine whether they were making progress and, absent that progress, changes would have to take place in the school district. You would have to find better teachers or a better school environment, principals who were more efficient in delivering educational quality, and certainly demands would be made for better teachers. All of these objectives were very positive.

I sat on the Senate floor and behind me at this seat was Senator Paul Wellstone of Minnesota. Paul had a passion for education, a teacher by his own profession. He was a great critic of No Child Left Behind. Despite the fact that there was strong bipartisan support for the President's program, Paul Wellstone would stand there with his microphone day after day and speak to the Senate and the people watching across America and say: Listen, tests are important, but education is about more than just testing. He would say, incidentally, if you pass the President's bill, you are going to have to come up with the money to make certain these kids have a chance. If the scores don't meet the norms or standards you expect, what are you going to do? Are you going to help them or merely diagnose the problem and walk away from it? He was skeptical that when the time came, we in the Congress would appropriate the money to make No Child Left Behind work.

That was Paul Wellstone's speech day after day, week after week, month after month. Ultimately, he voted against the bill. I voted for it, but I remembered what he said. Then I went back to Illinois and visited school district, large and small, rural and urban, districts in growing areas of our State and districts in economically depressed areas of our State. I found that many of them were echoing what Paul Wellstone said in opposing No Child Left Behind. They were talking about the burden on a teacher who comes to a classroom at the beginning of the school year realizing that teacher will ultimately be tested in a high-stakes test at the end of the year. What that test meant to the students, to the school, and to the teacher was that in order to get good grades on the test, teachers were kind of changing the way they taught. They were no longer teaching in a creative and innovative fashion, but they were focusing on answers to the test questions. School ad-

ministrators, incidentally, said: Senator, we are a little concerned that the promises made by the Bush administration to send money to school districts to meet the mandates of No Child Left Behind are not going to be fulfilled. The promised money that was to come down to the school districts under title I, which is money to help reach the students who are not doing well on tests and help them to reach grade level and to succeed, the title I funds promised by the Bush administration under No Child Left Behind, is not going to be there. That is the money that is supposed to be there for after-school programs, so that some of these same students running into difficulties would have a helping hand after school; and summer school programs for the same purpose are not going to be funded under the Bush budget.

The same school administrators in Illinois said, incidentally, this idea of making certain that teachers meet certain levels of qualifications and certification is a good idea, but it takes money to reach those goals, to send some of these teachers back for additional college classes in science, math, or whatever their specialty might be. There is no money for the school district to deal with that.

So I heard the story over and over. It came to my mind that Paul Wellstone was right; No Child Left Behind was a great promise, but it is an unfulfilled promise because when the budget was delivered to us, unfortunately, the money wasn't delivered with it. Title I, which would help the No Child Left Behind Program, is underfunded by more than \$6 billion in the Senate bill we are considering on the floor. Six million kids across America are at risk of not meeting the standards if we don't come to the rescue with the amendment by the Senator from West Virginia, Senator BYRD. In my State, it would add \$255 million in title I funding to help more than 740,000 low-income kids meet the standards we imposed—Federal standards we mandated under No Child Left Behind that were mandated, but the program was not funded.

Over the last decade, the enrollment of low-income students in Illinois public schools has increased from 32 percent to more than 37 percent.

Districts across the State are really trying to comply with No Child Left Behind standards, but they need the full amount of the funds promised to be sent to these school districts, as well as the full mandate of the Federal law.

Illinois has done a number of school funding studies, and every one of them shows definitively that it will take much more money to help kids become proficient in reading and math. It stands to reason. If you have a child struggling to learn to read, that child needs more personal attention. But if you have a large classroom with 30 kids or more, the likelihood of personal attention is diminished. So if you do not send the funds to the school district for smaller class sizes, that child who is

going to face the reading test has less of a chance of succeeding.

The State superintendent in Illinois testified this winter before the Illinois House Appropriations Committee that it will take even more funding to help low-income and non-English speaking students to keep pace with their peers academically.

Our State superintendent, Dr. Robert Schiller, also stated:

Based on current trends, Illinois will fall short of meeting the Federal goal, set forth in No Child Left Behind, of all children meeting or exceeding reading and math standards by 2014.

Thirty-seven percent of Illinois students fail to meet State reading and math standards.

As is the trend nationally, Illinois has significant gaps between white and minority student achievement and between low-income students and their more affluent peers.

Last month, the Illinois State Board of Education released its early warning list of school districts required to provide school choice, supplemental tutoring, or take corrective action this school year. More than 500 schools in my State are on the list, and the number might go up by the end of the month when the final calculations are made.

Compared to other States, Illinois has been pretty lucky as far as education funding at the State level. For this next fiscal year, which started in July, the State was able to increase per pupil and categorical funding to keep school districts on the road to improvement. But beneath the surface, the Illinois State Board of Education and our local school districts are struggling to implement the requirements of the federally mandated No Child Left Behind.

District budgets are straining under these unfunded requirements addressed by the Byrd amendment. How many Senators in this Chamber stood up with great pride and said we are voting for No Child Left Behind because we believe in accountability, education is the highest priority in our country, and we need to be there for our kids and their families? All of us who voted for the bill gave that speech.

Look what happened when the Bush budget came down. The money was not there—a \$6 billion shortfall in money needed in schools across America.

We sent out all these wonderful speeches out to be printed in newspapers, and we posed for pictures with students and teachers. But months later, when it comes to funding the bill we passed, the Bush administration refuses to put the money down and this Congress followed suit and put together the bill before us today which also fails to keep that promise. This title I money was supposed to be the pool of resources from which districts would implement school improvement provisions necessary to meet adequate yearly progress. Districts now have to use State and local funds to try to reach those goals.

Despite an overall increase for K–12 education, more than \$30 million in cuts and reallocations were made at the State level in my State this year. This includes a significant reduction in the number of State board employees, the elimination of State gifted education programs, the elimination of the State family literacy initiative, and the statewide math education initiative.

While Illinois has been successful in keeping budget cuts out of the classroom, that may not be the case if our State remains in its current financial straits.

The impact of the Federal Government's failure to fund title I as we promised is more deeply felt at the school district level where the financial picture is bleaker.

Across Illinois, school districts are laying off teachers, cutting programs, and reducing the hours of operation. Sixty-one percent of our school districts are operating with deficits, and here we have a Federal mandate from the Bush administration under No Child Left Behind that imposes new responsibilities on these school districts operating in a deficit and fails to fund the program.

Many of these school districts have had deficits for several years in a row. This number is expected to rise about 80 percent next year. This spring, 62 percent of local bond proposals failed, and 55 percent of local tax referenda failed. Those are hard to pass in good times. In a recession, they are particularly difficult to pass. And we had a recession which began before this President came to office by a few months and which has continued unabated ever since.

Our State unemployment rate is about 6.6 percent in Illinois. We have lost 120,000 manufacturing jobs while President Bush has been in office, and those numbers are duplicated across America. There is little wonder taxpayers resist the idea of increasing their property taxes at a time when we are facing this recession.

In many areas of our State, local revenue increases have been less than 5 percent because they are limited by tax caps. When local resources cannot be increased, it makes title I money even more important to these cash-strapped school districts.

For example, in my hometown of Springfield, Public School District 186 has 36 elementary schools, middle schools, and high schools. Just over 15,000 kids attend school in that district. Springfield has had financial challenges over the last several years and has cut more than \$30 million from the district budget in the wake of the failed tax referendum. This year, six Springfield elementary schools failed to make adequate yearly progress, and they must offer public school choice. Springfield needs every title I dollar the district can get to improve student achievement and get the schools moving forward making progress.

What would Springfield do with the money? I asked the superintendent, Dr. Dianne Rutledge. She said, with more Federal funding, if Washington kept its promise to send money for No Child Left Behind, this is what they would do with it. She would hire additional teachers to reduce class sizes, and that on its face is a good idea. I have yet to meet a teacher who has prayed for a larger class. They want smaller classes so they can focus more attention on students who need help and even more attention on students who are gifted who, with additional time, can do extraordinary things.

She would also operate reading recovery, and hire a school improvement coach for each school to provide intensive and personalized year-round professional development to teachers and staff.

If the Senate fails to adopt the Byrd amendment, there will be less money for Springfield. They will not be able to hire the teachers, and fewer kids will have tutors.

Let's look at a larger school district in my State, the Chicago public school system. They educate more than 438,000 kids in K–12 in 602 schools.

Eighty-five percent of the children in Chicago public schools are defined as living in poverty. Roughly 90 percent are minority.

The Chicago public school system is, in many ways, the poster district for setting high academic standards and adopting an aggressive program for school improvement. Ten years ago, 48 percent of Chicago's schoolchildren were performing in the bottom quarter of national achievement in reading and math. Today that number has been cut in half, first by Paul Vallis, who came in under the direction of Mayor Daley and brought real reform to the Chicago public school system, and then followed by Arne Duncan, our current CEO of Chicago public schools, an extraordinary educator who is doing a great job. He reported last week for the first time that number has been cut in half, and Chicago public schools are performing above the Nation as a whole. That is an amazing achievement in a district that diverse with so many challenges.

Despite the Chicago public school system's dramatic recovery over the last decade, 365 of its 602 schools have been labeled as failing to make yearly adequate progress. That is more than half.

The Chicago public schools' budget increased this year over last. The district has managed to avoid drastic cuts. Most of the increased funds are committed to certain projects, and several of the initiatives are specifically to comply with Federal requirements.

To comply with the highly qualified teachers mandate in No Child Left Behind, Chicago public schools has just completed work on a brandnew \$2 million database to track the qualifications of each of their 25,000 teachers. The Chicago public school system is

likely to have to create a similar system to track the qualifications of thousands of paraprofessionals.

Complying with the Federal mandates of President Bush's No Child Left Behind has led to some terrible challenges for this major city school district. The Chicago public school system wants to invest title I dollars in after-school, summer school, and extended week programs. It is required to use a large portion of its limited Federal resources to move kids from schools that are failing to other schools.

What would the Chicago school system do with the money in the Byrd amendment? We asked the finance director, John Maiorca. He would expand afterschool and summer school opportunities for students at risk in failing the test. He would invest in supplemental education services and additional tutoring for these struggling students, and hire additional teachers to reduce class size.

Two days ago, I was at the opening of the schools in Chicago. I went to a school on the west side known as Dodge Academy. Dodge Academy closed 2 years ago because it was a failing school, but there was a promise made that it would improve and reopen. It has, and it is an exceptionally good school.

One can tell, walking in the door, that this is a school that is destined to succeed. Not only do they have a wonderful, bright, and remodeled building because of a lot of hard work by the local school district but they also have some of the brightest teachers. They are a school that is trying a new concept, under the leadership of Mike Koldyke, that is going to bring to each of these classrooms two resident teachers. So for a year they are going to have teachers in residence who are training to become teachers, working with veteran teachers, and then they will move these newly qualified teachers with experience to the failing schools in the Chicago public school systems and try to turn them around. It is a great model. It works in hospitals. It can certainly work in schools. But it costs money.

The money from title I, which would be part of No Child Left Behind had the Bush administration and this bill adequately funded it, could have been used for that purpose, but it is not there. With the Byrd amendment, it would be there, and so the Chicago public school system would have that opportunity.

So right now we are dealing with the broken promises of No Child Left Behind, unfunded mandates at a time when school districts in Illinois and across America are struggling to survive. How can we, in good conscience, impose these ideas and mandates on the school districts, as good as they may be, and then refuse to pay for them?

Senator BYRD really is calling to task all of us who voted on No Child Left Behind, those of us who stood so proudly by this bill and said this is the

answer to America's education needs. The question now is: Will we produce the money it takes to make this succeed? Quite honestly, if the Byrd amendment fails, the answer is no.

Many of the same people who took great pride in saying they co-authored this program, cosponsored it, and voted for it, will turn around and vote against the funding for the mandates they are creating in school districts across America. These are unfunded mandates in the middle of a recession, at a time of State deficits, when schools are struggling to survive, unfunded mandates from the Bush administration in No Child Left Behind.

The only thing the Bush administration guarantees it will pay for is the test. So the test will be administered but any effort to improve the scores of students will be hampered, hindered with additional obstacles because of the refusal of this Congress to appropriate the adequate funds. We need to make certain that the \$6 billion shortfall in title I in No Child Left Behind is a shortfall that is filled, and filled soon.

I rise in support of the Byrd amendment, commend Senator BYRD for his leadership, and urge all of my colleagues to put their money where their press release was. It is not just a matter of taking credit for a program. Stand up now and appropriate the funds to make it work in Philadelphia, in Iowa, in Chicago, all across America. I yield the floor.

Mr. NICKLES. Mr. President, the Labor, HHS, Education appropriations bill for Fiscal Year 2004 provides \$137.6 billion in discretionary budget authority and \$134.9 billion in discretionary outlays for the Departments of Labor, Health and Human Services, and Education, and related agencies. These amounts are both precisely at the subcommittee's 302(b) allocation. This is an increase of 2.3 percent in discretionary budget authority and 6.8 percent in discretionary outlays above the 2003 enacted levels.

Including mandatory spending, the bill provides a total of \$370.7 billion in new budget authority and \$294.6 billion in new outlays in Fiscal Year 2004. With outlays from prior years and other completed actions, the Senate bill totals \$456.4 billion in budget authority and \$453.6 billion in outlays.

The committee-reported bill also shifts \$2.2 billion in 2004 advance appropriations back to fiscal year 2003, pursuant to an agreement with the administration. These advance appropriations were originally provided in the 2003 omnibus appropriations bill to avoid circumventing the 2003 spending limits, an action which the President previously objected to when he signed that legislation.

The purpose of this shift is to allow for \$2.2 billion in additional nondefense discretionary spending in 2004 without exceeding the budget resolution's discretionary spending limit. However, since the budget resolution set forth

discretionary spending limits for fiscal years 2003, 2004, and 2005, this shift causes the committee-reported bill to exceed the 2003 spending cap by \$2.2 billion. Thus, a point of order lies against the bill which may be waived with 60 votes.

Finally, it is also important to note that the bill which effectuates the advance appropriations shift must be signed into law before the beginning of the new fiscal year on October 1, 2003, in order for it to count for budget scoring purposes.

Mr. President I ask unanimous consent that a table displaying the Budget Committee scoring of the bill be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 1356, LABOR-HHS APPROPRIATIONS, 2004 SPENDING COMPARISONS—SENATE-REPORTED BILL

(Fiscal year 2004, in millions of dollars)

	General purpose	Mandatory	Total
<b>Senate-reported bill:</b>			
Budget authority .....	137,601	318,766	456,367
Outlays .....	134,932	318,694	453,626
<b>Senate committee allocation:</b>			
Budget authority .....	137,601	318,766	456,367
Outlays .....	134,932	318,694	453,626
<b>2003 level:</b>			
Budget authority .....	134,476	289,398	423,874
Outlays .....	126,286	289,341	415,627
<b>President's request</b>			
Budget authority .....	137,587	318,766	456,353
Outlays .....	133,708	318,694	452,402
<b>House-passed bill:</b>			
Budget authority .....	138,036	318,766	456,802
Outlays .....	134,765	318,694	453,459
<b>SENATE-REPORTED BILL COMPARED TO</b>			
<b>Senate 302(b) allocation:</b>			
Budget authority .....	.....	.....	.....
Outlays .....	.....	.....	.....
<b>2003 level:</b>			
Budget authority .....	3,125	29,368	32,493
Outlays .....	8,646	29,353	37,999
<b>President's request</b>			
Budget authority .....	14	.....	14
Outlays .....	1,224	.....	1,224
<b>House-passed bill:</b>			
Budget authority .....	(453)	.....	(453)
Outlays .....	167	.....	167

Note.—Details may not add to totals due to rounding. Totals adjusted for consistency with scorekeeping conventions.

S. 1356, LABOR-HHS APPROPRIATIONS, 2004 SPENDING COMPARISONS—SENATE-REPORTED BILL

(Fiscal year 2003, in millions of dollars)

	General purpose	Mandatory	Total
<b>Senate-reported bill:</b>			
Budget authority .....	134,476	289,398	423,874
Outlays .....	126,286	289,341	415,627
<b>Senate committee allocation:</b>			
Budget authority .....	132,232	289,398	421,630
Outlays .....	126,286	289,341	415,627
<b>SENATE-REPORTED BILL COMPARED TO</b>			
<b>Senate allocation:</b>			
Budget authority .....	2,244	.....	2,244
Outlays .....	.....	.....	.....

<sup>1</sup> H. Con. Res. 95, the 2004 Budget Resolution, set out budgetary aggregates not only for 2004, but for 2003 as well. As a result, the joint statement of the conference committee on H. Con. Res. 95 (page 130 of H. Rpt. 108-71) included the allocations that are required by law (section 302 of the Congressional Budget Act) for 2003 to the Committee on Appropriations.

That allocation exactly reflects CBO's latest estimate of all regular appropriations enacted for 2003, as well as the Emergency Wartime Supplemental Appropriations Act of 2003 (P.L. 108-11). The above allocation to the Labor, HHS subcommittee reflects CBO's FY 2003 current status for that subcommittee.

The Committee on Appropriations has yet to file 302(b) allocations for 2003 and, therefore, pursuant to the Congressional Budget Act, there is a 60-vote, 302(c) point of order against the bill.

In addition, pursuant to Section 504(b) of H. Con. Res. 95, a point of order lies against the bill for exceeding the 2003 discretionary spending limits in Section 504(a) of H. Con. Res. 95.

Note.—Details may not add to totals due to rounding. Totals adjusted for consistency with scorekeeping conventions.

## MORNING BUSINESS

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Senate proceed to a period for morning business.

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

## THE ECONOMY IS PICKING UP

Mr. ALEXANDER. Mr. President, my purpose tonight is to say a few words about a 10-day visit to Africa that the Presiding Officer, and I, and four other Members of the Senate completed last Friday. But I listened with great interest to the distinguished Senator from Illinois. I did not want him to leave on such a sad note about the economy, and I thought I would give him some late-breaking news.

The Wall Street Journal today has a headline: "Manufacturing Expanded In August."

The manufacturing sector expanded for the second consecutive month in August, providing further evidence that the economy's hardest-hit sector may finally be on the rebound.

I thought it would be important that the Senator have that in mind because we are all deeply concerned about the number of Americans who are looking for jobs and do not have them.

The President talked about that on Labor Day. Every one of us, Republican and Democrat, feel that way. This is a piece of good news.

The Wall Street Journal said today:

The Institute for Supply Management said its monthly survey of manufacturing conditions rose to 54.7 from 51.8 in July. A result above 50 generally indicates expansion. Many key segments of the report, meanwhile, showed similar strength, including components that measure new orders for manufactured goods and overall production. The results came on the heels of other-positive manufacturing news in recent weeks. . . .

Now, this is the Wall Street Journal, not the White House talking, including the Federal report last week that showed new orders for durable goods or items built in the last 3 years or longer, so they rose 1 percent in July.

Now, obviously we are all concerned about manufacturing jobs disappearing. They have been disappearing for a long time. I remember when the Saturn plant moved to Tennessee in the mid-1980s. It hired 5,000 people. If it had done that 30 years ago and built the same number of cars, it would have needed to hire 30,000 people.

So while manufacturing is up, manufacturing employment is still down and is a source of great concern to all of us. I thought that piece of good news might be interesting to the Senator from Illinois and others tonight.

## EDUCATION FUNDING

Mr. ALEXANDER. I wish to comment very briefly on education, which we are debating, and the Senator spoke eloquently about it. I was Governor of

my State. I was U.S. Secretary of Education for awhile. The facts are basically these: Federal funding for education has been consistently up, under Democrats and under Republicans.

It must be confusing to people who hear us debate in the Senate because it sounds as though we are reading off completely different history books. The fact is, it is up, and State funding is either down or level.

It is important for teachers, principals, and others in their communities to know that the real pressure they are feeling is not from Federal dollars, which are up, but from State dollars, which are level or down. The Federal Government funds about 7 percent. Seven cents out of every dollar that goes for elementary and secondary education in America comes from the Congress. Ninety-three cents out of every dollar comes from the States or local government. So that is the real problem.

The Congress recognized that this year by appropriating a large amount of money for the States. I think it was \$20 billion that we sent to the States on a one-time basis. For Tennessee, it was about \$400 million. That is a lot of money for us. Our State used that, half of it in the rainy day fund and half of it in Medicaid. That took a little pressure off Medicaid. That helped education.

So it is important for people to know that in all of this debate, Federal funding is up. I, for one, want to look at Leave No Child Behind this year and next year, its first 2 years of operation. I was not here when it passed. I was not here to vote for it as the Senator from Illinois said he did. If it turns out after a year or two of operation that it is indeed a federally unfunded mandate, then I am going to be one of those Senators who wants to add money to fix that problem.

I spent a lot of time as a Governor saying do not send me a rule without money. I do not think it is good to leave the impression that somehow the Federal Government is not funding education. We only fund 7 percent of elementary and secondary education, and that funding is up. It is the States that are having problems, and States have a variety of options for dealing with that.

Many States have cut taxes over the last 10 years. That is a good policy if it can be done, but if it is done, it comes right out of education usually.

## HIV/AIDS IN AFRICA

Mr. ALEXANDER. My purpose this evening is very briefly to make a few comments about the visit to four countries in Africa that six Members of this body took during the last 2 weeks of August. The delegation was led by the majority leader, Senator BILL FRIST of Tennessee. It included the distinguished Presiding Officer, the Senator from Minnesota. I was there and three others. We visited four countries:

South Africa, Mozambique, Botswana, and Namibia. It was an eye-opening and, for me, an eye-popping experience in many cases.

I have the privilege of serving as the chairman of the Subcommittee on African Affairs, so I am very interested in Africa. It was my second visit there in the last 3 years. Before I make a few comments about it, I want to simply observe how much we owe Senator FRIST, our majority leader, for teaching us a great deal not just about Africa but about the HIV/AIDS problem which was the subject of our visit to Africa.

Senator FRIST has been there a long time. When nobody else much was talking about HIV/AIDS, he was. He helped change some very important minds in this body. He has been an important adviser to the President of the United States and is an inspiration to us. When we left to come home after 10 days, he stayed for 5 days, went to Kenya and Sudan, and operated on people who have very little medical care, which he has done every year. We owe him a lot for his leadership on the subject.

Within a few weeks, the Congress will be considering the nomination of Randall Tobias to be the new AIDS czar, the person in charge of what we are going to try to do. Also, Congress will almost surely fund President Bush's recommendation that we spend \$15 billion in 14 African and Caribbean countries to fight the disease which we call HIV/AIDS. It will be my purpose in our subcommittee and as a member of the Foreign Relations Committee and the Health, Education, Labor, and Pensions Committee, to make sure this taxpayer money, the largest public health expenditure ever, will be spent wisely. This evening, in summary fashion, while it is still fresh in my mind, I will make a few suggestions to Mr. Tobias, who is not yet confirmed by the Senate. I hope he will be. I know in this quiet time he is not allowed to do anything or say anything out of respect for the Senate, and it is a good time for him to make a plan for a fast start. If I were to make a plan for a fast start for Mr. Tobias, President Bush's designated AIDS czar, to be considered for confirmation by this body shortly, these would be my suggestions:

No. 1, I suggest Mr. Tobias go to Africa. I don't see how it is possible to understand the enormity of the disease if you do not go to Africa. The disease has delivered a death sentence to 29 million Africans, a number so large that it is hard to imagine. Go to Africa in order to make good spending decisions. Go to Africa in order to cut red tape. A commander of a major battle should be where the action is. While there, show some respect for the African way. We are very proud of the American way; the Africans are proud of their way. It is a little different.

When in Namibia, where we were, I suggest you play the Namibian national anthem and leave it to the local

mayor to say, as he said to us “God bless America.”

No. 2, I suggest making needles and blood transfusions safe. It seems to me this is the surest, fastest way to save lives when dealing with HIV/AIDS. Senator JEFF SESSIONS of this body has made a project of reminding Members a number of people are infected by contaminated needles and by other unsafe health practices. The estimate would be that at least 175,000 people in sub-Saharan Africa this year will be infected with the HIV virus because of unsafe health practices. That means needles that are dirty, that have been used before, that have contaminated blood. That is just 5 percent of all of those in sub-Saharan Africa who will be infected, but it is a huge number of people, 175,000 people. By comparison, in the United States, only 40,000 people are infected with HIV/AIDS every year. In one hospital we visited in Namibia, health workers were recapping the needles they had already used and in the process risked pricking themselves with a used needle that could have infected blood on it.

A third suggestion: save the babies. This is also something that can be gotten off to a very fast start because it is already occurring. In Botswana, nearly 40 percent of pregnant women are HIV positive. One in three of the babies they bear will be HIV positive. Administering the drug nevirapine to the mother and then to the child after birth will reduce this risk to 1 in 10. Congress has already appropriated millions to start to create an AIDS-free generation. In Botswana, which only has 1.5 million residents, 100 babies are born each week infected with the HIV virus. In the United States, by comparison, less than 100 a year are born so infected.

Four, make inexpensive drugs widely available. There is no vaccine and no cure for HIV/AIDS. We sometimes talk around that. There is no vaccine and there is no cure, but there are medicines that prolong life. These antiretroviral drugs are cheaper than ever.

In Namibia last week we were told that the cost was \$160 per person per year, dramatically more expensive than they have ever been before. In South Africa, we were told the availability of these treatments can decide whether 5 million infected South Africans will die in the next 5 years of HIV/AIDS or whether they might die in the next 20 years. That is the choice for just one country.

No. 5, encourage rapid tests and routine tests. Most Africans who are infected with HIV/AIDS do not know it. They are reluctant to find out because of the stigma attached to having it known you are HIV infected. New rapid tests report results in 20 minutes. Citizens can find out the results in a single visit. The inexpensive treatments, the \$160 treatments, provide a new incentive to take the tests. Not a lot of Africans want to take a test and be told

they would die of HIV/AIDS when there is no treatment. There is little incentive to get that bad news. Now there is incentive to get immediate news with the possibility of treatment.

Next, teach the ABC's—that stands for abstain, be faithful, and use condoms. Using this approach the country of Uganda in Africa has reduced its infection rate from 20 percent to 8 percent; 90 percent of AIDS is transmitted by sexual intercourse, something many Africans and many Americans do not know.

Janet Museveni is the First Lady of Uganda. She visited with many of the Senators earlier this year and talked about her ABC plan. She encourages A and B more than C. This is her quote: “I am not comfortable,” says the First Lady of Uganda, “with the thought that the extinction of an entire continent could depend upon a thin piece of rubber.”

No. 7, form an AIDS corps. We heard everywhere we went the greatest need is for manpower and training. Hospitals need doctors, clinics need nurses, nonprofits need counselors to recruit patients and to hold the hands of those who are dying.

Create a private sector clearinghouse for Americans to go to Africa from 3 months to 2 years. Connect the volunteers with structures in Africa. I have introduced a bill to create an AIDS corps and I worried about whether volunteers should go for 3 months or for 1 year or for 2 years. There are plenty of options. I hope Mr. Tobias, if confirmed, will take all of the efforts already underway to take volunteers who are willing to go to Africa and connect them with one of the outstanding programs we saw there. There is plenty to do and a great many Americans who want to go, and they would be welcome.

No. 8, dig some water wells. In Mozambique, 3 of 4 children's deaths under the age of 5 are caused by diseases carried by unclean water. Since AIDS destroys immune systems, victims of all ages live longer with clean water.

One nonprofit agency, Living Water International was the name, I believe, showed the visiting Senators a well that was dug in a rural area for just \$2,800. We saw there two boys who were filling 10-gallon water cans, five of them, which they would carry each day in a wagon to their home which was 6 miles away. That was their job every day: 6 miles to the well, fill up the cans, 6 miles back.

Forty percent of rural Africans do not have this much access to clean water.

Here are my last two suggestions. Focus on logistics. We saw faith-based and nonprofit organizations impressively active everywhere we went: The Salvation Army in Johannesburg, the Catholic AIDS organization in Namibia, Harvard, and Baylor, and the Gates Foundation in Botswana. A surprising number of talented U.S. Government people are already on the

ground. The country director in Namibia for the Centers for Disease Control is a pediatrician who has been there for 12 years in Africa. He knows a lot about what to do. So my suggestion to Mr. Tobias is, while you are making your 10-year plan in this first few months, ride the horses that are already running in Africa. Accelerate what is already happening. There is a lot going on and the challenge is not to plan, the challenge is how do you get it done.

Finally, move fast, but do not spend too fast. I imagine we are going to have a pretty good debate about that in the Senate. I have already heard some people say let's spend \$2 billion and others say let's spend \$2.5 and others say let's spend \$3 billion. The fact is, we are going to spend \$15 billion of taxpayers' money in fighting HIV/AIDS in 14 countries and the Caribbean. We are going to do it over 5 years. We need to keep in mind that the African system cannot absorb too much money too quickly. There are treatment guidelines to prepare and to teach. They are very complicated. There is a staff to recruit. There are patients to find and persuade. There are health organizations to establish.

For example, perhaps the most impressive program we saw was operated by a mining company, Anglo-Gold in South Africa. They are taking this seriously in a country where the Government is taking it less seriously. They are making an all-out effort to identify the 25,000 employees infected with HIV/AIDS that they have, one-third of their total employment, and give them a chance to have the treatment that will prolong their productive life. They set a goal of recruiting 1,000 people in the first year to do this, but try as they might they only could recruit 622. So, we need to be aware that we may have to ramp this program up as we go and we ought not to waste money in the first year that would be better spent in the third, fourth, or fifth year.

You saw it as I saw it, Mr. President. Botswana's life expectancy has dropped from 72 years of age to 34 years of age because of HIV/AIDS. In Namibia, teachers miss school to visit sick colleagues and attend their funerals. Two or three generations of South African children will grow up without parents. In Windhoek last year, a local journalist told me, “Please get it across, how much we appreciate President Bush's \$15 billion grant. It puts a human face on America.”

I hasten to say we in the Congress are a little jealous of our prerogative to make that grant. But the AIDS authorization bill passed unanimously. It had support of Democrats as well as Republicans as well as the President, and it is something we should be proud to work on.

If I could make these three final observations. I was thinking, flying home, that if a diabolical person, an evil person, had to think of a way to destroy a country, that this would be

what he might do. No. 1, invent a new disease that had never been heard of before for which there is no vaccine and no cure, that pronounces a death sentence. No. 2, think of a way to transmit that disease that involves the most powerfully reliable human impulse, which is sexual activity. And, No. 3, introduce that disease into countries that are the poorest in the world and have almost no health structure to deal with the disease and in which the discussion of sexual activity is taboo.

That is exactly what has happened with HIV/AIDS. As I look back on those four countries we saw—South Africa, Mozambique, Botswana, and Namibia—these are four countries, with a little exception for Botswana, where 30 years ago they were under some kind of colonial rule. Then the people who are in power in the government today fought against that rule for their freedom, they were guerrillas and they were at war. Then typically there was a civil war to decide who of the winners would govern. And now they are in charge in all four of those countries. They are doing well, in terms of their governance. They are building their democracy very well. And the governance is something they can be proud of.

But all of a sudden out of left field comes this AIDS, just as they are reaching their freedom and just as they are in charge. We saw the wife of Nelson Mandela, Graca Machel, who said to us: It took us aback. We weren't prepared. We weren't ready for it.

It seems like a cruel, terrible trick to play on people who for 30 years have struggled to gain their freedom and find themselves in charge of their own destiny.

Finally, I think we saw a good deal of hope. We saw leaders who, in spite of the terrible odds they face, are committed to fighting it. We saw people from all over the world, really, who were there, volunteering their help. We saw faith-based organizations holding hands, taking care of orphans, finding patients.

My sense of Africa is that for a long time it has generally been ignored by our country. Presidents have sometimes gone but only as an afterthought. I suspect Africa presents such challenges today, not just with HIV/AIDS but in other ways, that it will begin to attract some of the brightest, most intelligent people in the world, many of them Africans who have left to go to other parts of the world, and I believe they will come home.

I saw this morning on C-SPAN the discussion about Ghana and the energy minister who was born in Ghana and was educated in Minnesota. He was the managing partner of Deloitte and Touche for all of Africa, and he decided to go back to Ghana and help build that country.

America was built that way, by people who saw great challenge here and came to help build the country. I suspect Africa may be that sort of challenge. I am glad our President has de-

voted himself in such a strong way to it. I hope he continues that over the next several years. I believe if he does, when he goes back to Crawford, TX at the end of 8 years, it will be one of the great accomplishments of his administration.

I hope the Senate continues to put partisanship aside and to support the \$15 billion and do it in an orderly way. I commend our leader for his insistence on it. I was privileged to be a part of the delegation that went for 2 weeks and it will certainly redouble my interest and attention to our responsibilities to the people of Africa.

I thank the Senate for giving me the opportunity to present this.

#### PAUL WELLSTONE VETERANS HOSPITAL

Mr. DAYTON. Mr. President, I am pleased to cosponsor legislation to name the Veterans Administration hospital in Minneapolis, MN, after the late Senator Paul Wellstone. It would be a great tribute to my departed friend and colleague, who worked tirelessly to improve the lives of veterans throughout Minnesota and across our Nation.

During the August recess, I met with the leaders of major veterans' organizations in Minnesota. Several have formally expressed their support for bestowing this honor on Senator Wellstone. Others, while not taking official positions, are now aware of the legislation and our intentions to proceed with it. So, I believe that the path is clear in Minnesota for this legislation to be enacted with very broad support.

Senator Wellstone served for seven years on the Senate Veterans' Affairs Committee, where he fought tirelessly for more generous benefits and expanded services, including health care, for the men and women who served our Nation with great courage and dedication, and who now deserve far better than many are receiving or not receiving. In addition, he and his dedicated staff enabled countless veterans individually to receive benefits, medical care, and other services which were wrongly denied them. While living, and after his tragic death last year, Senator Wellstone has been a hero to many thousands of veterans throughout Minnesota and across our Nation. Many of them have provided the impetus and support for this legislation.

It is my hope that this measure might receive swift and favorable consideration by the Senate, and that it then be sent to the House for its concurrence and to the President for his signature, prior to the first anniversary of Senator Wellstone's death.

#### LOCAL LAW ENFORCEMENT ACT OF 2003

Mr. SMITH. Mr. President, I rise today to speak about the need for hate crimes legislation. On May 1, 2003, Sen-

ator KENNEDY and I introduced the Local Law Enforcement Enhancement Act, a bill that would add new categories to current hate crimes law, sending a signal that violence of any kind is unacceptable in our society.

I would like to describe a terrible crime that occurred in Washington, DC. On August 21, 2003, a transgendered woman was murdered. Her nude body was found about 2 a.m. in a wooded area near Malcolm X Avenue and 2nd Street, SE.

The woman, identified by friends as Emonie Kiera Spaulding, 25, was the second transgendered woman to die of gunshot wounds and the third to be shot in the District during a 5-day period. The D.C. police department have arrested a suspect.

I believe that Government's first duty is to defend its citizens, to defend them against the harms that come out of hate. The Local Law Enforcement Enhancement Act is a symbol that can become substance. I believe that by passing this legislation and changing current law, we can change hearts and minds as well.

#### HONORING OUR ARMED FORCES

Mr. BAYH. Mr. President, I rise today with a heavy heart and deep sense of gratitude to honor the life of a brave young man from Mitchell, IN. Army Specialist Ronald "Ronnie" Allen, Jr., 22 years old, was killed near Balad on August 25, 2003 when the Army unit he was riding in was struck by another vehicle. Ronnie joined the Army with his entire life before him. He chose to risk everything to fight for the values Americans hold close to our hearts, in a land halfway around the world.

Ronnie was the 14th Hoosier soldier to be killed while serving his country in Operation Iraqi Freedom. He leaves behind his mother, Jyl Harrison, and his stepfather, Derek Harrison, and their children Andrea, Nathan and Eric. Today, I join Ronnie's family, his friends, and the entire Mitchell community in mourning his death. While we struggle to bear our sorrow over his death, we can also take pride in the example he set, bravely fighting to make the world a safer place. It is this courage and strength of character that people will remember when they think of Ronnie, a memory that will burn brightly during these continuing days of conflict and grief.

Ronald Allen, Jr. told his family he was proud to be serving his country in Iraq because he felt like he could make a real difference there. He told them he was proud to be a soldier and that he loved his country. Today, his family remembers him as a true American hero, and we honor the sacrifice he made while serving his country.

Ronald dreamed of joining the military as a young man and even early-enlisted in the Army during his junior year of high school. Two weeks after he graduated from Mitchell High School

in 2000, Ronald left home to begin full-time duty at Fort Carson in Colorado. He was assigned to the 502d Personnel Service Battalion, 43d Area Support Group.

As I search for words to do justice in honoring Ronald Allen, Jr.'s sacrifice, I am reminded of President Lincoln's remarks as he addressed the families of the fallen soldiers in Gettysburg: "We cannot dedicate, we cannot consecrate, we cannot hallow this ground. The brave men, living and dead, who struggled here, have consecrated it, far above our poor power to add or detract. The world will little note nor long remember what we say here, but it can never forget what they did here." This statement is just as true today as it was nearly 150 years ago, as I am certain that the impact of Ronald's actions will live on far longer than any record of these words.

It is my sad duty to enter the name of Ronald Allen, Jr. in the official RECORD of the U.S. Senate for his service to this country and for his profound commitment to freedom, democracy and peace. When I think about this just cause in which we are engaged, and the unfortunate pain that comes with the loss of our heroes, I hope that families like Ronald's can find comfort in the words of the prophet Isaiah who said, "He will swallow up death in victory; and the Lord God will wipe away tears from off all faces."

May God grant strength and peace to those who mourn, and may God bless the United States of America.

Mr. President, I also wish today to honor the accomplishments of the Hoosier soldiers of the 1st Battalion, 293d Infantry Regiment, and the 1st Battalion, 152d Infantry Regiment, from the Indiana National Guard, who have become the first National Guard battalions in the Nation to receive the Combat Infantry award since the Korean war.

The Combat Infantry award is a highly coveted honor given by the Department of the Army to soldiers who have satisfactorily performed infantry duties as part of a unit that participated in ground combat. The Infantry badge honors soldiers who have operated under the worst conditions, yet still successfully performed his or her mission in a combat environment. In addition, medics who supported the soldiers will receive the Combat Medical Badge. I am immensely proud that these Indiana battalions have become the first units in more than 50 years to earn this distinction.

All members of the battalions will receive the Combat Infantry award as a symbol of our Nation's gratitude for the bravery they demonstrated and the sacrifices they and their families have made during Operation Iraqi Freedom. The 1st Battalion, 293d Infantry Regiment, and the 1st Battalion, 152d Infantry Regiment, are the first Indiana National Guard units to go into combat since World War II. As this award recognizes, they have made an exemplary

return to battle, honoring themselves and their home State of Indiana through their efforts.

The battalions have been stationed in Iraq for more than 5 months. During their time in Iraq, the soldiers of the 1st Battalion, 293d Infantry Regiment, have provided security for the Talil Air Force Base, a key airstrip in Southern Iraq. The unit took over responsibility for the base just days after the war's deadliest battle took place on April 1 to secure control of the airstrip. The members of the 1st Battalion, 152d Infantry Regiment, have engaged in a wide range of missions, including guarding the Baghdad Airport, one of the most strategically important sites in Iraq.

I am proud to honor the soldiers of the 1st Battalion, 293d Infantry Regiment, and the 1st Battalion, 152d Infantry Regiment. The thoughts and prayers of all Hoosiers are with them as they continue their role in rebuilding Iraq. May God watch over the soldiers as they complete their duty and may God bless the United States of America.

Mr. President, I further rise today to honor the heroic service of United States Army Cpl Damien Luten, 24, of Indianapolis, IN. Corporal Luten was a member of the U.S. Army's 507th Maintenance Company, which crossed into Iraq from Kuwait on March 21, 2003, as part of a convoy supporting a patriot missile battalion, during Operation Iraqi Freedom.

On March 23, 2003, the 507th Maintenance Company was ambushed by Iraqi military forces and irregulars in the city of An Nasiriyah. According to the U.S. Army, Corporal Luten's convoy found itself in a desperate situation due to a navigational error caused by the combined effects of the operational pace, acute fatigue, isolation and the harsh environmental conditions. The tragic results of this error placed the soldiers of the 507th Maintenance Company in a torrent of fire from Iraqi soldiers who attacked the isolated convoy.

Eleven of the company's 33 soldiers were killed in combat or later died from injuries. Seven soldiers were captured in the attack, including PFC Jessica Lynch who was later rescued by American Marines. This toll, though devastating, may have been much greater had it not been for the valorous acts of soldiers such as Corporal Luten, who sought to protect his unit by attempting to return fire with the unit's only .50-caliber machine gun. However, the machine gun failed and as Corporal Luten was reaching for his M-16, he was wounded in the right leg by enemy fire. Corporal Luten has been awarded the Purple Heart for the wound he received in combat.

As I reflect on Corporal Luten's service, I am reminded of a quote by Douglas MacArthur:

The soldier, above all other people prays for peace, for he must suffer and bear the deepest wounds and scars of war.

The United States will be eternally grateful for the courage and bravery Corporal Luten exhibited on the field of battle.

Corporal Luten is expected to return to his base in Fort Bliss, TX, where he will have at least one more surgery on his leg. This will be the ninth surgery Corporal Luten has undergone to repair his injured leg. If Corporal Luten has his way, his injury will not mark the end of his military service. He plans to re-enlist and enter the Army's Chaplain Corps when his current tour concludes in April 2004.

I know that all Hoosiers share my deep sense of pride in Corporal Luten and all of the men and women of our Armed Forces from Indiana who safeguard our freedom. My thoughts and prayers are with him as he continues his recovery and begins his new service in the Army.

#### CHANGE OF VOTE

Ms. MIKULSKI. Madam President, on rollcall vote No. 319, I was recorded as voting aye. I intended to vote "no" on the passage of H.R. 2738, the Chilean Free Trade Agreement. I ask unanimous consent to change my vote. This will not change the outcome of the vote.

#### ADDITIONAL STATEMENTS

##### WOMEN'S EQUALITY DAY

• Mr. LAUTENBERG. Mr. President, I rise today to pay tribute and recognize Women's Equality Day on August 26, 2003. As well as celebrating Women's Equality Day, this day is also a celebration of the 80th anniversary of the Equal Rights Amendment Campaign.

This year's celebration being hosted by the Advisory Boards on the Status of Women of Essex, Bergen, and Union Counties in New Jersey is the 155th observance of Women's Equality Day.

One of the most important people in the fight for women's equality was Alice Paul. Alice Paul was born in Mt. Laurel, NJ, and spent her entire life fighting for women's rights. She believed that men and women should be equal partners in society. She led the final, successful campaign for a woman's right to vote. She inspired thousands to join the struggle as she stood up to Congress and the President.

Understanding that securing the right to vote was only the first step, Alice Paul authored the Equal Rights Amendment and drafted and lobbied for gender equality language in the United Nations Charter and the Civil Rights Act of 1964. Alice Paul is a great example that one person can make a difference and motivate others to take up a noble cause.

Today, because of Alice Paul and numerous other women who preceded and followed her, we're getting closer to true equality for women.

It is important that we recognize Women's Equality Day. Since the days

of women's suffrage, we have witnessed a wonderful growth in the influence and contributions of women to our politics, our economy, and our culture. Although women are not yet full partners in American society, we will continue the work of Alice Paul and remember her on Women's Equality Day.●

CELEBRATING THE "WOMEN OF L/A"

● Ms. COLLINS. Mr. President, I rise today to call my colleagues' attention to an awards dinner being held in the Lewiston/Auburn communities of Maine. This event, "Celebrating the Women of L/A," honors those women who have demonstrated, through their accomplishments and their caring, a significant impact on their community.

The women honored in the Twin Cities' celebration have accomplished a great deal. Women across the country have soared through space, raised children, developed life-saving medicines, cared for a loved one, established businesses, and quietly improved the lives of those in their families and their communities. This special Maine dinner not only recognizes the business or scientific accomplishments of women, but also, all that these honorees bring to their families and their communities.

Those submitting nominations were asked to describe briefly what it was about the nominee that made her such a special and important part of the community. Here are a few examples: "She has coordinated charity work of many organizations such as the collection of money, clothing, coal, wood, groceries, stoves, furniture, and toys for the Relief Society; organized the sponsorship for a maternity room and children's room at Central Maine Medical Center; and selected children to receive assistance from churches."

"Mom works hard. She helps me. She takes me swimming. She gets me toys. She takes me shopping. We have girl-time. We go to the movie theater. She makes me dinner. She helps me clean. We cuddle on the couch and watch movies."

"When you need her, she's there. When you're not sure you want anyone around, she's still there for you—especially with her children. She's had to cope with the tragic death of her mother and had many set backs, and still she has maintained the strength to be there for all of us."

"She is a lifeline. She has been there for me through several tough times in my life, lending her support or sometimes just a sympathetic ear. She has never judged me, as others have, for my less than brilliant choices in life. No matter what the cost, she is always there to defend my decisions to anyone who may have something to say. Though her schedule is busy, she always makes time for me and for that I value her friendship."

"She is a professional in her field. She takes her job very seriously and al-

ways gives it her all to help people. She is a very loyal, dedicated individual who works hard for what she has."

"Mothers influence their children's lives in profound ways. My mom's influence has been no exception to that statement. She lived through the nightmare of seeing two brothers seriously injured during World War II and married a man that served during the Korean War. Yet, as far back as I can remember, my Mom was always cheerful and optimistic."

"My mother has never had time for herself, and now has her own health needs that she must attend to. Nevertheless, she still tends to the needs of others before taking care of herself. Not only has she mourned her husband, father and mother in law, but she has also had to mourn her mother and her only sibling, a brother. My mother has made the most of the sorrow and hardships and she has been an inspiration to so many people, and a wonderful role model for all of her children."

There are so many more testimonials that were received on behalf of the honorees. They speak to the importance and influence that these women have had on their families, their friends, and their communities.

I am honored to pay tribute to the following Women of L/A: Judy Merced, Crystal Brissette, Sandy Barnies, Linda Saucier, Gail L. Richard, Lorraine Yvonne Poulin Sheehy, and Etta Y. Mitchell.

They each are so deserving of this recognition, and I congratulate them as they are recognized for their efforts in the home, the workplace, and in the community. These women represent so many others for whom no public praise has been made. I offer my thanks and best wishes to all the women of L/A for making our community such a strong and vibrant place to live, work, and raise a family.●

SALUTE TO ROBERT C. WOOD

● Mr. KENNEDY. Mr. President, today I am pleased to recognize and honor Robert C. Wood, former Secretary of Housing and Urban Development and president of the University of Massachusetts, as he celebrates his 80th birthday this month.

I first met Robert Wood when he was a member of President Kennedy's Cambridge "Brain Trust" in 1960, and I have had the pleasure of consulting with him on many issues since that time.

Robert C. Wood is a remarkable man who has made even more remarkable contributions to the people of this Nation through a combination of outstanding scholarship and public service. He has worked tirelessly to improve opportunities for all, be it in obtaining a high quality education, ensuring access to housing for low-income families, or developing policies and programs that guide urban development and local governments across the country.

Professor Wood was raised in north Florida during the Great Depression and, along with his two brothers, learned the values of education and hard work from his mother, who was a school teacher, and his father, a shoe salesman. A full scholarship enabled him to attend Princeton University, but his studies were interrupted by service as an infantry sergeant in World War II where he saw action in the Battle of the Bulge. After the war, the G.I. Bill enabled him to earn a doctorate in Government and Political Economy at Harvard University, and he returned to Florida to apply his professional skills to that state's Legislative Reference Bureau.

He was soon recruited from Florida to the Federal Bureau of the Budget during the Truman Administration and, after that, took a teaching appointment at Harvard. This was a critical time in the development of new ideas about American cities, and Robert Wood was a major author of these new ideas. His first book, "Suburbia, its People and Their Politics," took the term "suburbia" and placed it firmly into the center of political thinking and analysis. His next book, "1400 Governments: The Political Economy of the New York Region" is regarded as a classic in analysis of the dynamics of local governments and the factors that inhibit their effectiveness. It was at this time that Professor Wood helped my brother John draft a speech on the American City that he used in a rally in Pittsburgh during his 1960 presidential campaign. It was the first speech on American cities ever delivered by a presidential candidate.

We in Washington took note, and Professor Wood was asked to chair the task force that recommended the establishment of a new Cabinet level Department, the Department of Housing and Urban Development. He then went on to be the first Undersecretary of the new Department, serving under the first ever African American Cabinet Secretary, Secretary Robert C. Weaver, and succeeding him as Secretary in 1969. During these years, Robert Wood along with Secretary Weaver supported and implemented key legislative initiatives that dramatically improved and expanded federally assisted housing and urban development programs in the United States, including the Model Cities Act of 1966, the Housing Act of 1968 and the Fair Housing Act of 1968. These critical programs in urban development continued long after the Johnson administration, as well as future administrations, Democratic and Republican alike.

Professor Wood returned to Boston and continued his work with a focus on education and the expansion of opportunity to all. He became President of the University of Massachusetts where he oversaw the development of a new medical school in Worcester and a new campus in Boston. He particularly fostered a college of Public and Community Service at the Boston Campus. In

1976, he stepped forward to offer a site at the Boston Campus for the Kennedy Presidential Library where it stands today.

While focused on higher education, Robert Wood also became a key player in elementary and secondary education. While at the university, he chaired the Citywide Coordinating Council, which was charged with overseeing the court ordered desegregation of the Boston Public School System. Later, the School Committee chose him to be Superintendent of Schools, where he labored intensively to find long-term solutions to the dilemmas of school desegregation and school quality in a city recently torn by racial strife.

In 1983, Wesleyan University invited him to become the Henry Luce Professor of Democratic Institutions and the Social Order, and Professor Wood dedicated the next ten years to teaching and inspiring future leaders to take up the work of public service. Today, his former students can be found in town halls and statehouses across the country as well as in the halls of government in Washington, DC.

In recognition of this rare career combining groundbreaking scholarship with dedicated public service, the American Political Science Association gave Robert C. Wood its Hubert H. Humphrey Award in 1986.

In 1993, Professor Wood returned to Boston and the Boston campus of the University of Massachusetts where he continued as a teacher of students and a mentor of public officials and academic colleagues.

His contributions to individuals, institutions and to our Nation have been great, and I thank him and wish him a happy birthday.●

#### THE SAUGUS BOYS OF SUMMER

● Mr. KENNEDY. Mr. President, on behalf of myself and Mr. KERRY, I welcome this opportunity to congratulate the Little League baseball team of Saugus, MA for their extraordinary season and their outstanding performance in the recent Little League World Series.

Throughout those wonderful weeks in August, these 12 young players—Ryan Bateman, Tyler Calla, Craig Cole, Anthony DiSciscio, David Ferreira, Tyler Grillo, Joe Kazabuski, Matthew Muldoon, Yano Petruzzelli, Dario Pizzano, Mark Sacco, and Michael Scuzzarella—their Manager Rob Rochenski, and their coaches, Mike Ferreira and Bob Calla, showed us how thrilling the Nation's great pastime can be, and how well it can be played.

With great skill and great teamwork, they won the State Championship. They won the New England Championship. They reached the United States Championship game. And in every exciting game they played, the team was hard working and dedicated, and they consistently maintained the highest level of sportsmanship.

All of their hard work and talent took the team as far as any Massachusetts team in Little League history. In doing so, they captured the hearts of people across Massachusetts and in many parts of the Nation as well.

In the World Series, this remarkable team of young men sent our spirit soaring with four straight one-run victories. And none was more dramatic than their final victory of the tournament—a stunning, come-from-behind success. The team lost a six-run lead in the final regular inning, and then went down by three runs in extra innings. But they never gave up. They demonstrated their courage and determination and achieved an amazing comeback in their last at bat. By the score of 14-13, they prevailed in one of the greatest games in Little League World Series history.

In the end, the Saugus team was defeated in the U.S. Championship final, and finished in fourth place among the more than 7,000 Little League All Star teams that participated in the tournament worldwide—a brilliant accomplishment by any standard.

Fifty years after the original Boys of Summer rose to greatness, baseball fans throughout the Commonwealth of Massachusetts celebrated our own Boys of Summer in their spectacular success last month. With great pride, I extend my and Senator KERRY's heartfelt congratulations to our "Boys of Summer" and their parents, families and fans who gave them such strong support. I'm extremely proud of them and their accomplishments. I wish them great success in the years ahead—and I hope the Red Sox scouts were taking notice.●

#### TRIBUTE TO JANE STEPHENSON

● Mr. BUNNING. Mr. President, I pay tribute to Jane Stephenson, a former college administrator and founder of the New Opportunity School for Women, NOSW. Ms. Stephenson's charity and innovation has given many women in eastern Kentucky a renewed vigor for life and an improved sense of self-worth.

In 1987, Ms. Stephenson founded NOSW as an institution of free instruction for women of Appalachia. Headquartered in Berea, KY, NOSW draws women from all over the Appalachian region for 3 weeks of classes in job hunting, public speaking, literature, self-defense, and personal style. Additionally, students of NOSW are afforded opportunities to visit cultural institutions such as the Kentucky Horse Park and the Cincinnati Art Museum. Most women enrolled in NOSW are middle-aged and come from low income homes. Were it not for Ms. Stephenson's benevolent vision, these women would have little opportunity to improve their positions in society.

In addition to encouraging self-awareness and improvement, Ms. Stephenson and NOSW instill the importance of community service in stu-

dents. Often, graduates from NOSW find new jobs in the social service sector as a result of their experience as care givers fostered by NOSW. Other graduates continue their education. In fact, approximately 75 percent of the 400 alumni of NOSW have either pursued GEDs and college degrees, or found new employment opportunities.

Ms. Stephenson retired as director of the school several years ago, but she still serves in the capacity of teacher and fundraiser. She is an exemplar of charity and selflessness and is one to be emulated nationwide. Ms. Stephenson's vision has reaped innumerable benefits in the lives of hundreds of women of Appalachia. I thank the Senate for allowing me to pay tribute to this remarkable woman.●

#### TRIBUTE TO MARJORIE BROOKS

● Mr. JEFFORDS. Mr. President, as Senators, we are accustomed to the glare of the public spotlight which sometimes gives us more credit than we deserve. There are those, however, who work tirelessly for those in their community without such recognition.

I wish to recognize one of those persons who works behind the scenes to make our country a better place to live. Marjorie Brooks, of Glover, was killed on Monday, August 25, 2003 while responding to a person in need.

Brooks was riding in an emergency vehicle that rolled over enroute to assist at the scene of a vehicle accident.

Marjorie Brooks was captain and president of the Barton Emergency Medical Services and had served on the squad for more than 25 years. She was planning to retire in September.

"Marge and her family are really a part of the history of emergency medical services in Barton, the Northeast Kingdom, and Vermont as a whole," said Dan Manz, chief of Emergency Medical Services for the State Department of Health. "Marge has embodied the best of community-based emergency medical care. She touched thousands of lives as an EMT." I couldn't have said it better myself.

The State of Vermont, including all those she served, has suffered a great loss in her death. I hope her family, including her son, Phil Brooks, who is the Secretary-Treasurer of the Barton EMS, finds the strength they need in coping with this tragic loss.

Marjorie was a true public servant, and Vermont mourns her loss.●

#### IN RECOGNITION OF WILLIAM E. JOHNSON

● Mr. BOND. Mr. President, today I wish to pay tribute to the outstanding achievements and public service of Mr. William E. Johnson.

I have had the honor of working with Bill over the years. This month Bill will be honored for his 40 years of dedication and service to the citizens of Audrain County and the State of Missouri.

As a pioneer for home health in Audrain County, Bill was instrumental in the Audrain City-County Health Unit establishing a home health agency in 1963 which has since expanded to include four more home health units. Bill has also taken a considerable leadership role in home health care serving as president of the Missouri Alliance for Home Care, MAHC, from 1981 to 1982 and as a member of the board of MAHC for 9 years between 1977 and 1988. There is no question that he has been an innovator in the field of home health care in Missouri.

While Bill continues to display tireless commitment to home health care, which includes serving as administrator for the Audrain City-County Health Unit for the last 35 years, his generosity and hard work for the health and well being for the citizens of Audrain County and Missouri expands well beyond that of home health care. In addition to being a leader in the inception of the Rural Health Administrators, serving on the Partnership Council of the Department of Health/Local Health Department and serving on the Partnership Council Environmental Committee he has been active in the Department of Health and Senior Services, the Meals on Wheels program and as a member of the Audrain County Human Development Corporation since 1965.

Today I ask the Senate to join me in honoring Bill's distinguished career in public health and public service.●

#### WALTER "SALTY" BRINE'S 85TH BIRTHDAY

● Mr. REED. Mr. President, on August 5, 2003, an icon in my home State of Rhode Island celebrated his 85th birthday. Walter "Salty" Brine was hired by WPRO-AM in 1942 and took over as morning host in 1943 where he stayed for 50 years.

Salty entertained Rhode Islanders on radio and television with his enthusiasm, family friendly programming and his love for Rhode Island and its coastline. In fact, it is his love for the water which earned him the nickname "Salty." But, Salty's contribution to Rhode Island has been more than just entertainment. He has been a consistent supporter of charitable organizations and an inspiration for the disabled.

Brine has been a role model for Rhode Islanders and has been named a member of the National Commission for the March of Dimes, National Commission on Muscular Dystrophy, and both the President's and Rhode Island's committees on the employment of the handicapped. He has been a supporter of the Meeting Street School for Crippled Children and the Rhode Island Association for Retarded Children. Brine was named the recipient of the 1999 Nellie A. Greenwood Humanitarian Award and numerous other honors have been bestowed on Salty by organizations such as the Cranston Jaycees,

Rhode Island Big Brother, Veterans of Foreign Wars and American Legion.

Brine lent his support to the Lt. Governor's Rhode Island Fights Back Program that asked the public to help support local businesses that suffered after September 11.

Brine's love for the water has led to his involvement in the preservation of State beaches and waterways. He is on the Board of Trustees of Save the Bay and in 1990, a State beach was named in his honor.

As an on air personality it was Salty's folksy, contagious enthusiasm that endeared him to the Rhode Island public. Almost every lifelong Rhode Islander, young and old, can remember Brine's winter storm school closings announcements, highlighted by a line that has become a unique part of Rhode Island culture, "No school Foster-Glocester!"

Brine dominated morning radio on WPRO for decades and he remained a ratings winner until he left WPRO in 1993, though he continued to make the famous school closing announcements from home during snowy Rhode Island winters. WPRO's broadcast center is now named after him.

I first glimpsed Salty back in the 1950s when he came to visit his son, Wally, at St. Matthew's School in Cranston. Wally and I were grade school classmates. Salty was the first "celebrity" I ever saw in person. Almost 50 years later, he's still the best as well as the first.

In the early days of television Brine developed "Salty Brine's Shack," a children's show that ran on Channel 12 from 1958 to 1968. Many still remember Brine closing the show telling kids to "Brush your teeth and say your prayers."

Rhode Island has certainly been lucky to have Salty Brine and in an interview with the Providence Journal Brine expressed a mutual love, "I've been very lucky," he said. "I've had the most wonderful association with the State of Rhode Island anyone could ever have."●

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Evans, one of his secretaries.

#### EXECUTIVE MESSAGES REFERRED

As in executive session the PRESIDING OFFICER laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

#### MEASURES PLACED ON THE CALENDAR

Pursuant to 5 U.S.C. 802(c), the Committee on Health, Education, Labor,

and Pensions was discharged from the further consideration of the following joint resolution, which was placed on the calendar:

S.J. Res. 17. A joint resolution disapproving the rule submitted by the Federal Communications Commission with respect to broadcast media ownership.

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-3615. A communication from the Secretary of Agriculture, transmitting, a draft of proposed legislation relative to the United Grain Standards Act; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3616. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Diallyl Sulfides; Exemption from the Requirement of a Tolerance: Correction" (FRL#7320-5) received on August 22, 2003; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3617. A communication from the Secretary of Agriculture, transmitting, pursuant to law, a draft of proposed legislation relative to the Packers and Stockyards Act of 1921; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3618. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Raisins Produced from Grapes Grown in California; Addition of a New Varietal Type Quality Requirements for Other Seedless-Sulfured Raisins" (Doc. no. FV02-989-1) received on August 11, 2003; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3619. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Revision of User Fees for 2002 Crop Cotton Classification Services to Growers" (RIN0581-AC04) received on August 11, 2003; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3620. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Cotton Board Rules and Regulations: Adjusting Supplemental Assessment on Imports" (Doc. no. CN-02-002) received on August 11, 2003; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3621. A communication from the Under Secretary, Food, Nutrition, and Consumer Services, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Amendments to the Child Nutrition Infant Meal Pattern" (RIN0584-D26) received on August 22, 2003; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3622. A communication from the Secretary of Agriculture, transmitting, a draft of proposed legislation relative to the Grain Standards Act; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3623. A communication from the Administrator, Risk Management Agency, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "General Regulations Subpart J-Appeal Procedure and Subpart T; Group Risk Plan of Insurance Regulations for the 2001 Succeeding Crop Years; and the Common Crop Insurance

Regulations, Basic Provisions” (RIN0563-AB85) received on August 11, 2003; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3624. A communication from the Chair, Farm Credit Insurance Corporation, transmitting, pursuant to law, the Corporation’s annual report for calendar year 2001; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3625. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled “Update of Nursery Stock Regulations” (Doc. no. 98-062-2) received on August 26, 2003; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3626. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled “Requirements for Recognizing the Animal Health Status of Foreign Regions” (Doc. no. 01-036-2) received on August 26, 2003; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3627. A communication from the Secretary of Agriculture, transmitting, a draft of proposed legislation relative to the Poultry Products Inspection Act, Federal Meat Inspection Act, and Egg Products Inspection Act; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3628. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “2,6-Diisopropyl 1 naphthalene; Temporary Tolerances” (FRL#7321-6) received on August 11, 2003; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3629. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Hydramethlynon; Pesticide Tolerance” (FRL#7319-5) received on August 11, 2003; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3630. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Spinoad; Pesticide Tolerances for Emergency Exemption” (FRL#7317-3) received on August 11, 2003; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3631. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Tralkoxydim; Time-Limited Pesticide Tolerance” (FRL#7315-9) received on August 11, 2003; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3632. A communication from the Chief Information Officer, Department of Defense, transmitting, pursuant to law, the Department’s annual report on the Defense Information Assurance Program; to the Committee on Armed Services.

EC-3633. A communication from the Assistant Secretary of Defense, International Security Policy, Department of Defense, transmitting, pursuant to law, the Department’s report on progress in Kosovo; to the Committee on Armed Services.

EC-3634. A communication from the Assistant Director, Executive and Political Personnel, Department of Defense, transmitting, pursuant to law, the report of a discontinuation of service in acting role for the position of Assistant Secretary of Defense, Special Operations/Low Intensity Conflict, received on August 22, 2003; to the Committee on Armed Services.

EC-3635. A communication from the Deputy Associate Administrator, Office of Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled “Federal Acquisition Regulation; Federal Acquisition Circular 2001-15” (FAC2001-15) received on August 22, 2003; to the Committee on Armed Services.

EC-3636. A communication from the Under Secretary of Defense, Personnel and Readiness, Department of Defense, transmitting, pursuant to law, the Department’s report relative to initiatives that use the authorities of Section 584 to support various programs; to the Committee on Armed Services.

EC-3637. A communication from the Assistant Secretary of Defense, Reserve Affairs, transmitting, pursuant to law, the Department’s STARBASE Program Annual Report for Fiscal Year 2001; to the Committee on Armed Services.

EC-3638. A communication from the Inspector General, Department of Defense, transmitting, pursuant to law, a report entitled “Acquisition”; to the Committee on Armed Services.

EC-3639. A communication from the Director, Naval Reactors, transmitting, pursuant to law, the Naval Nuclear Propulsion Program’s latest reports on radiological waste disposal and environmental monitoring; to the Committee on Armed Services.

EC-3640. A communication from the Acting General Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Changes in Flood Elevation Determinations” (44 CFR Part 65) received on August 11, 2003; to the Committee on Banking, Housing, and Urban Affairs.

EC-3641. A communication from the Acting General Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Final Flood Elevation Determinations” (44 CFR Part 67) received on August 11, 2003; to the Committee on Banking, Housing, and Urban Affairs.

EC-3642. A communication from the Acting General Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Changes in Flood Elevation Determinations” (Doc. no. FEMA-P-7624) received on August 11, 2003; to the Committee on Banking, Housing, and Urban Affairs.

EC-3643. A communication from the Acting General Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Changes in Flood Elevation Determinations” (Doc. no. FEMA-D-7541) received on August 11, 2003; to the Committee on Banking, Housing, and Urban Affairs.

EC-3644. A communication from the Acting General Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Suspension of Community Eligibility” (Doc. no. FEMA-7811) received on August 11, 2003; to the Committee on Banking, Housing, and Urban Affairs.

EC-3645. A communication from the Acting General Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Final Flood Elevation Determinations” (44 CFR Part 67) received on August 11, 2003; to the Committee on Banking, Housing, and Urban Affairs.

EC-3646. A communication from the Acting General Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Final Flood Ele-

vation Determinations” (44 CFR Part 67) received on August 11, 2003; to the Committee on Banking, Housing, and Urban Affairs.

EC-3647. A communication from the General Counsel, Federal Emergency Agency, transmitting, pursuant to law, the report of a rule entitled “Final Flood Elevation Determinations” (44 CFR Part 67) received on August 11, 2003; to the Committee on Banking, Housing, and Urban Affairs.

EC-3648. A communication from the General Counsel, Federal Emergency Agency, transmitting, pursuant to law, the report of a rule entitled “Final Flood Elevation Determinations” (44 CFR Part 67) received on August 11, 2003; to the Committee on Banking, Housing, and Urban Affairs.

EC-3649. A communication from the General Counsel, Federal Emergency Agency, transmitting, pursuant to law, the report of a rule entitled “Changes in Flood Elevation Determinations” (44 CFR Part 65) received on August 11, 2003; to the Committee on Banking, Housing, and Urban Affairs.

EC-3650. A communication from the General Counsel, Federal Emergency Agency, transmitting, pursuant to law, the report of a rule entitled “Changes in Flood Elevation Determinations” (Doc. no. FEMA-P-7610) received on August 11, 2003; to the Committee on Banking, Housing, and Urban Affairs.

EC-3651. A communication from the General Counsel, Federal Emergency Agency, transmitting, pursuant to law, the report of a rule entitled “Changes in Flood Elevation Determinations” (44 CFR Part 65) received on August 11, 2003; to the Committee on Banking, Housing, and Urban Affairs.

EC-3653. A communication from the Assistant General Counsel, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Terrorism Risk Insurance Program” (RIN1505-AA96) received on August 11, 2003; to the Committee on Banking, Housing, and Urban Affairs.

EC-3654. A communication from the Legislative and Regulatory Activities Division, Comptroller of the Currency, Administrator of National Banks, transmitting, pursuant to law, the report of a rule entitled “Removal, Suspension, and Debarment of Accountants from Performing Audit Services” received on August 22, 2003; to the Committee on Banking, Housing, and Urban Affairs.

EC-3655. A communication from the Legislative and Regulatory Activities Division, Comptroller of the Currency, Administrator of National Banks, transmitting, pursuant to law, the report of a rule entitled “Community and Economic Development Entities, Community Development Projects, and Other Public Welfare Investments” received on August 22, 2003; to the Committee on Banking, Housing, and Urban Affairs.

EC-3656. A communication from the Vice President of the United States, transmitting, pursuant to law, a report relative to national emergencies; to the Committee on Banking, Housing, and Urban Affairs.

EC-3657. A communication from the Vice President of the United States, transmitting, pursuant to law, a report relative to national emergency with respect to Iraq; to the Committee on Banking, Housing, and Urban Affairs.

EC-3658. A communication from the Vice President of the United States, transmitting, pursuant to law, a report relative to the national emergency with National Union for the Total Independence of Angola; to the Committee on Banking, Housing, and Urban Affairs.

EC-3659. A communication from the Chairman, Export-Import Bank of the United States, transmitting, pursuant to law, a report relative to U.S. exports to Hong Kong; to the Committee on Banking, Housing, and Urban Affairs.

EC-3660. A communication from the Chairman, Export-Import Bank of the United States, transmitting, pursuant to law, a report relative to U.S. exports to Ethiopia; to the Committee on Banking, Housing, and Urban Affairs.

EC-3661. A communication from the Chairman, Export-Import Bank of the United States, transmitting, pursuant to law, a report relative to U.S. exports to Singapore; to the Committee on Banking, Housing, and Urban Affairs.

EC-3662. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Hartzell Propeller, Inc McCauley Propeller Systems, Sensenich Propeller Manufacturing Company, Inc., and Raytheon Aircraft Company Propellers" (RIN2120-AA64) received on August 26, 2003; to the Committee on Commerce, Science, and Transportation.

EC-3663. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Israel Aircraft Industries Ltd Model 1124 and 1124A Series Airplanes" (RIN2120-AA64) received on August 26, 2003; to the Committee on Commerce, Science, and Transportation.

EC-3664. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Boeing Model 777 Series Airplanes" (RIN2120-AA64) received on August 26, 2003; to the Committee on Commerce, Science, and Transportation.

EC-3665. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: New Piper Aircraft Inc. Models PA 34 200T, -220T, -180, and 180T Airplanes" (RIN2120-AA64) received on August 26, 2003; to the Committee on Commerce, Science, and Transportation.

EC-3666. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Rolls Royce plc Model RB211 Turbofan Engines" (RIN2120-AA64) received on August 26, 2003; to the Committee on Commerce, Science, and Transportation.

EC-3667. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: McDonnell Douglas MD 90 30 Airplanes" (RIN2120-AA64) received on August 26, 2003; to the Committee on Commerce, Science, and Transportation.

EC-3668. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: International Aero Engines AG V522-A5, V2524-A5, V2527-A5, V2527E-A5, V2527M-A5, V2530-A5 Turbofan Engines" (RIN2120-AA64) received on August 26, 2003; to the Committee on Commerce, Science, and Transportation.

EC-3669. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Eurocopter Model 365N1, AS365-N2, AS365N3, and SA366G1 Helicopters" (RIN2120-AA64) received on August 26, 2003; to the Committee on Commerce, Science, and Transportation.

EC-3670. A communication from the Program Analyst, Federal Aviation Administration,

Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Bombardier Model C1600 2B19 Airplanes" (RIN2120-AA64) received on August 26, 2003; to the Committee on Commerce, Science, and Transportation.

EC-3671. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Turbomeca Turmo IV A and IV C Series Turbohaft Engines" (RIN2120-AA64) received on August 26, 2003; to the Committee on Commerce, Science, and Transportation.

EC-3672. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Pratt and Whitney PW400 Series Turbofan Engines" (RIN2120-AA64) received on August 26, 2003; to the Committee on Commerce, Science, and Transportation.

EC-3673. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Dornier Model 328-100 Series Airplanes" (RIN2120-AA64) received on August 26, 2003; to the Committee on Commerce, Science, and Transportation.

EC-3674. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Pilatus Aircraft Ltd Models PC 12 and PC 12/45" (RIN2120-AA64) received on August 26, 2003; to the Committee on Commerce, Science, and Transportation.

EC-3675. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Boeing Model 100, 100B SUD, 200B, 200F, 200C, 300, SR and SP Series Airplanes" (RIN2120-AA64) received on August 26, 2003; to the Committee on Commerce, Science, and Transportation.

EC-3676. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Eurocopter France Model AS332C, L, and L1 Helicopters" (RIN2120-AA64) received on August 26, 2003; to the Committee on Commerce, Science, and Transportation.

EC-3677. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Boeing Model 727-100 and 2300 Series Airplanes" (RIN2120-AA64) received on August 26, 2003; to the Committee on Commerce, Science, and Transportation.

EC-3678. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: BAE Systems Limited Model ATP Airplanes" (RIN2120-AA64) received on August 26, 2003; to the Committee on Commerce, Science, and Transportation.

EC-3679. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Rolls Royce plc RB211-22B Series Turbofan Engines" (RIN2120-AA64) received on August 26, 2003; to the Committee on Commerce, Science, and Transportation.

EC-3680. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E2 Airspace; Amendment of Class E5 Airspace; Waycross, GA" (RIN2120-AA66) received on August 26, 2003; to the Committee on Commerce, Science, and Transportation.

EC-3681. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Marshall AK" (RIN2120-AA66) received on August 26, 2003; to the Committee on Commerce, Science, and Transportation.

EC-3682. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Modification of Class E Airspace; Eureka, KS" (RIN2120-AA66) received on August 26, 2003; to the Committee on Commerce, Science, and Transportation.

EC-3683. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revision of Legal Descriptions of Multiple Federal Airways in the Vicinity of Farington, NM" (RIN2120-AA66) received on August 26, 2003; to the Committee on Commerce, Science, and Transportation.

EC-3684. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment to Restricted Area 4809; Tonopah, NV" (RIN2120-AA66) received on August 26, 2003; to the Committee on Commerce, Science, and Transportation.

EC-3685. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Modification of Class B Airspace; Kenton, OH: Revocation of Class E Airspace" (RIN2120-AA66) received on August 26, 2003; to the Committee on Commerce, Science, and Transportation.

EC-3686. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Modification of Class E Airspace; Beatrice, NE" (RIN2120-AA66) received on August 26, 2003; to the Committee on Commerce, Science, and Transportation.

EC-3687. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E2 Airspace; Elizabeth City, NC" (RIN2120-AA66) received on August 26, 2003; to the Committee on Commerce, Science, and Transportation.

EC-3688. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E5 Airspace at Afton Municipal Airport; Afton, WY" (RIN2120-AA66) received on August 26, 2003; to the Committee on Commerce, Science, and Transportation.

EC-3689. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Modification of Class E Airspace; Sac City, IA; Confirmation of Effective Date" (RIN2120-AA66) received on August 26, 2003; to the Committee on Commerce, Science, and Transportation.

EC-3690. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule

entitled "Modification of Class E Airspace; Red Oak, IA" (RIN2120-AA66) received on August 26, 2003; to the Committee on Commerce, Science, and Transportation.

EC-3691. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Modification of Class E Airspace; Aurora, MO" (RIN2120-AA66) received on August 26, 2003; to the Committee on Commerce, Science, and Transportation.

EC-3692. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Modification of Class E Airspace; Sibley, IA" (RIN2120-AA66) received on August 26, 2003; to the Committee on Commerce, Science, and Transportation.

EC-3693. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Modification of Class E Airspace; Pochontas, IA" (RIN2120-AA66) received on August 26, 2003; to the Committee on Commerce, Science, and Transportation.

EC-3694. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Airbus Odel A319, A320, and A321 Series Airplanes" (RIN2120-AA64) received on August 26, 2003; to the Committee on Commerce, Science, and Transportation.

EC-3695. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: MD Helicopters, Inc. Model MD900 Helicopters" (RIN2120-AA64) received on August 26, 2003; to the Committee on Commerce, Science, and Transportation.

EC-3696. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Pratt and Whitney JT8D-200 Series Turbofan Engines" (RIN2120-AA64) received on August 26, 2003; to the Committee on Commerce, Science, and Transportation.

EC-3697. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Rolls Royce plc Trent 768-60, Trent 772-60, and Trent 772B-60 Turbofan Engines" (RIN2120-AA64) received on August 26, 2003; to the Committee on Commerce, Science, and Transportation.

EC-3698. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Pratt and Whitney Canada Turboprop Engines" (RIN2120-AA64) received on August 26, 2003; to the Committee on Commerce, Science, and Transportation.

EC-3699. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Eurocopter France Model AS350B, B1, B2, B3, BA, and D Helicopters" (RIN2120-AA64) received on August 26, 2003; to the Committee on Commerce, Science, and Transportation.

EC-3700. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives:

Turbomeca Arriel 1 Series Turbohaft Engines" (RIN2120-AA64) received on August 26, 2003; to the Committee on Commerce, Science, and Transportation.

EC-3701. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: McDonnell Douglas Model DC 10-10, 10-10F, 10-30F, 10-40F, MD10-10F, and MD10-30F Airplanes" (RIN2120-AA64) received on August 26, 2003; to the Committee on Commerce, Science, and Transportation.

EC-3702. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: McDonnell Douglas Model MD 11 and 11F Airplanes" (RIN2120-AA64) received on August 26, 2003; to the Committee on Commerce, Science, and Transportation.

EC-3703. A communication from the Chief, Regulations Branch, Internal Revenue Service, transmitting, pursuant to law, the report of a rule entitled "User Fee Airports" (CBP Decision 3-22) received on August 26, 2003; to the Committee on Commerce, Science, and Transportation.

EC-3704. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Honeywell International Inc., Model RE220 Auxiliary Power Units" (RIN2120-AA64) received on August 26, 2003; to the Committee on Commerce, Science, and Transportation.

EC-3705. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Empresa Brasileira de Aeronautica SA Model EMB 120 Series Airplanes" (RIN2120-AA64) received on August 26, 2003; to the Committee on Commerce, Science, and Transportation.

EC-3706. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Boeing Model 747-100, 100B SUD, 200B, 200C, 200F, 300, 400, 400D, and 400F Series Airplanes; and Model 747SR Series Airplanes" (RIN2120-AA64) received on August 26, 2003; to the Committee on Commerce, Science, and Transportation.

EC-3707. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Boeing Model 747 Series Airplanes Equipped with General Electric CF6-45 or CF6-50 Series Engines" (RIN2120-AA64) received on August 26, 2003; to the Committee on Commerce, Science, and Transportation.

EC-3708. A communication from the Chief, Regulations and Administrative Law, United States Coast Guard, transmitting, pursuant to law, the report of a rule entitled "Safety/Security Zone Regulations (4 Regulations)" (RIN1625-AA00) received on August 26, 2003; to the Committee on Commerce, Science, and Transportation.

EC-3709. A communication from the Chief, Regulations and Administrative Law, United States Coast Guard, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Regulations: Islais Creek, San Francisco, CA" (RIN1625-AA09) received on August 26, 2003; to the Committee on Commerce, Science, and Transportation.

EC-3710. A communication from the Chief, Regulations and Administrative Law, United

States Coast Guard, transmitting, pursuant to law, the report of a rule entitled "Regatta and Marine Parade Regulation; SLR: Atlantic Ocean, Atlantic City, NJ" (RIN1625-AA08) received on August 26, 2003; to the Committee on Commerce, Science, and Transportation.

EC-3711. A communication from the Chief, Regulations and Administrative Law, United States Coast Guard, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Regulations (3 Regulations)" (RIN1625-AA09) received on August 26, 2003; to the Committee on Commerce, Science, and Transportation.

EC-3712. A communication from the Chief, Regulations and Administrative Law, United States Coast Guard, transmitting, pursuant to law, the report of a rule entitled "Regulated Navigation Area: 2003 Gravity Games, Cleveland" (RIN1625-AA11) received on August 26, 2003; to the Committee on Commerce, Science, and Transportation.

EC-3713. A communication from the Chief, Regulations and Administrative Law, United States Coast Guard, transmitting, pursuant to law, the report of a rule entitled "Regulated Navigation Area; Safety and Security Zones: Long Island Sound Marine Inspection and Captain of the Port Zone" (RIN1625-AA11) received on August 26, 2003; to the Committee on Commerce, Science, and Transportation.

EC-3714. A communication from the Chief, Regulations and Administrative Law, United States Coast Guard, transmitting, pursuant to law, the report of a rule entitled "Safety/Security Zone Regulations: Tampa Bay, Florida" (RIN1625-AA00) received on August 26, 2003; to the Committee on Commerce, Science, and Transportation.

EC-3715. A communication from the Chief, Regulations and Administrative Law, United States Coast Guard, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Regulations (Including 2 Regulations)" (RIN1625-AA09) received on August 26, 2003; to the Committee on Commerce, Science, and Transportation.

EC-3716. A communication from the Chief, Regulations and Administrative Law, United States Coast Guard, transmitting, pursuant to law, the report of a rule entitled "Navigation and Navigable Waters—Technical, Organizational, and Conforming Amendments" (RIN1625-ZA00) received on August 26, 2003; to the Committee on Commerce, Science, and Transportation.

EC-3717. A communication from the Chief, Regulations and Administrative Law, United States Coast Guard, transmitting, pursuant to law, the report of a rule entitled "Basic Rates and Charges on Lake Erie and the Navigable Waters From Southwest Shoal to Port Huron, MI" (RIN1625-AA74) received on August 26, 2003; to the Committee on Commerce, Science, and Transportation.

EC-3718. A communication from the Chief, Regulations and Administrative Law, United States Coast Guard, transmitting, pursuant to law, the report of a rule entitled "Special Anchorage Areas/Anchorage Grounds Regulations/Security Zones; Rockland, Maine" (RIN1625-AA01) received on August 26, 2003; to the Committee on Commerce, Science, and Transportation.

EC-3719. A communication from the Chief, Regulations and Administrative Law, United States Coast Guard, transmitting, pursuant to law, the report of a rule entitled "Regatta and Marine Parade Regulation; SLR (Including 2 Regulations)" (RIN1625-AA08) received on August 26, 2003; to the Committee on Commerce, Science, and Transportation.

EC-3720. A communication from the Chief, Regulations and Administrative Law, United States Coast Guard, transmitting, pursuant to law, the report of a rule entitled "Special

Anchorage Areas/Anchorage Grounds Regulations/Security Zones; Tall Ships 2003. Navy Pier, Chicago, IL. July 30–August 4, 2003” (RIN1625-AA01) received on August 26, 2003; to the Committee on Commerce, Science, and Transportation.

EC-3721. A communication from the Chief, Regulations and Administrative Law, United States Coast Guard, transmitting, pursuant to law, the report of a rule entitled “Safety/Security Zone Regulations (Including 4 Regulations)” (RIN1625-AA00) received on August 26, 2003; to the Committee on Commerce, Science, and Transportation.

EC-3722. A communication from the Chief, Regulations and Administrative Law, United States Coast Guard, transmitting, pursuant to law, the report of a rule entitled “Safety/Security Zone Regulations (Including 7 Regulations)” (RIN1625-AA00) received on August 26, 2003; to the Committee on Commerce, Science, and Transportation.

EC-3723. A communication from the Trial Attorney, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Confidential Business Information” (RIN2127-A113) received on July 31, 2003; to the Committee on Commerce, Science, and Transportation.

EC-3724. A communication from the Attorney, Research and Special Programs Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Producer-operated Outer Continental Shelf Natural Gas and Hazardous Liquid Pipelines that Cross Directly into State Waters” (RIN2137-AD42) received on July 31, 2003; to the Committee on Commerce, Science, and Transportation.

EC-3725. A communication from the Attorney, Research and Special Programs Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Harmonization with the United Nations Recommendations, International Maritime Dangerous Goods Code, and International Civil Aviation Organization’s Technical Instructions” (RIN2137-AD41) received on July 31, 2003; to the Committee on Commerce, Science, and Transportation.

EC-3726. A communication from the Legal Advisor, International Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled “In the Matter of Amendment of the Commission’s Space Station Licensing Rules and Policies 200 Biennial Regulatory Review—Streamlining and Other Revisions of Part 25 or the Commission’s Rules Governing the Licensing of, and Spectrum Usage by, Satellite Network Earth Stations and Space Stations” (FCC03-154) received on August 26, 2003; to the Committee on Commerce, Science, and Transportation.

EC-3727. A communication from the Legal Advisor, International Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled “In the Matter of Amendment of the Commission’s Space Station Licensing Rules and Policies 200 Biennial Regulatory Review—Streamlining and Other Revisions of Part 25 or the Commission’s Rules Governing the Licensing of, and Spectrum Usage by, Satellite Network Earth Stations and Space Stations” (FCC03-128) received on August 26, 2003; to the Committee on Commerce, Science, and Transportation.

EC-3728. A communication from the Regulatory Officer, Federal Motor Carrier Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Safety Requirements for Operators of Small Passenger-Carrying Commercial Motor Vehicles Used in Interstate Commerce” (RIN2126-AA52) received on

August 26, 2003; to the Committee on Commerce, Science, and Transportation.

EC-3729. A communication from the Attorney-Advisor, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Operation of Motor Vehicles By Intoxicated Persons” (RIN2127-A144) received on August 26, 2003; to the Committee on Commerce, Science, and Transportation.

EC-3730. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, transmitting, pursuant to law, the report of a rule entitled “Closure; Prohibiting Directed Fishing for Northern Rockfish in the Central Regulatory Area of the Gulf of Alaska” received on August 22, 2003; to the Committee on Commerce, Science, and Transportation.

EC-3731. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, transmitting, pursuant to law, the report of a rule entitled “Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Halibut and Red King Crab Bycatch Rate Standards for the First Half of 2002” received on August 22, 2003; to the Committee on Commerce, Science, and Transportation.

EC-3732. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, transmitting, pursuant to law, the report of a rule entitled “Closure; Prohibiting Retention of Sablefish by Vessels Using Trawl Gear in the Central Regulatory Area of the Gulf of Alaska” received on August 22, 2003; to the Committee on Commerce, Science, and Transportation.

EC-3733. A communication from the Director, Office of Sustainable Fisheries, National Marine Fisheries Service, transmitting, pursuant to law, the report of a rule entitled “Fisheries of the Exclusive Economic Zone Off Alaska—Closes Second Seasonal Apportionment of the Shallow-Water Fishery Using Trawl Gear, Gulf of Alaska” received on August 22, 2003; to the Committee on Commerce, Science, and Transportation.

EC-3734. A communication from the Director, Office of Sustainable Fisheries, National Marine Fisheries Service, transmitting, pursuant to law, the report of a rule entitled “Atlantic Highly Migratory Species Fisheries; Commercial Shark Management Measures” (RIN0648-AP70) received on August 22, 2003; to the Committee on Commerce, Science, and Transportation.

EC-3735. A communication from the Assistant Administrator, Office of Sustainable Fisheries, National Marine Fisheries Service, transmitting, pursuant to law, the report of a rule entitled “Fisheries of the Exclusive Economic Zone Off Alaska—Extension of the Emergency Interim Rule That Implemented Steller Sea Lion Protection Measures and Implemented 2002 Harvest Specifications for the Groundfish Fisheries Off Alaska” (RIN0648-AQ02) received on August 22, 2003; to the Committee on Commerce, Science, and Transportation.

EC-3736. A communication from the Attorney Advisor, Department of Transportation, transmitting, pursuant to law, a report of discontinuation of service in acting role for the position of Associate Deputy Secretary, Department of Transportation, received on August 22, 2003; to the Committee on Commerce, Science, and Transportation.

EC-3737. A communication from the Deputy Assistant Administrator, Office of Sustainable Fisheries, National Marine Fisheries Service, transmitting, pursuant to law, the report of a rule entitled “Framework Adjustment 38 to the Northeast Multispecies Fishery Management Plan” (RIN0648-AQ76) received on August 22, 2003; to the Com-

mittee on Commerce, Science, and Transportation.

EC-3738. A communication from the Acting Assistant Administrator for Procurement, National Aeronautics and Space Administration, transmitting, pursuant to law, the report of a rule entitled “Non-Commercial Representations and Certifications and Evaluation Provisions for Use in Simplified Acquisitions” (RIN2700-AC33) received on August 11, 2003; to the Committee on Commerce, Science, and Transportation.

EC-3739. A communication from the Acting Assistant Administrator for Procurement, National Aeronautics and Space Administration, transmitting, pursuant to law, the report of a rule entitled “Shipment by Government Bills of Lading” (RIN2700-AC33) received on August 11, 2003; to the Committee on Commerce, Science, and Transportation.

EC-3741. A communication from the Secretary of Transportation, transmitting, pursuant to law, a copy of the Report to Congress on the Transportation Infrastructure Finance and Innovation Act of 1998; to the Committee on Commerce, Science, and Transportation.

EC-3742. A communication from the Chief, Regulations and Administrative Law, United States Coast Guard, transmitting, pursuant to law, the report of a rule entitled “Safety/Security Zone Regulations (Including 9 Regulations)” (RIN1625-AA00) received on August 26, 2003; to the Committee on Commerce, Science, and Transportation.

EC-3743. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “National Emission Standards for Hazardous Air Pollutants: Surface Coating of Metal Cans” (FRL#7546-8) received on August 26, 2003; to the Committee on Environment and Public Works.

EC-3744. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Oklahoma: Incorporation by Reference of Approved State Hazardous Waste Management Program” (FRL#7479-3) received on August 26, 2003; to the Committee on Environment and Public Works.

EC-3745. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “New Mexico: Incorporation by Reference of Approved State Hazardous Waste Management Program” (FRL#7479-5) received on August 26, 2003; to the Committee on Environment and Public Works.

EC-3746. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Revisions to the California State Implementation Plan, Bay Area Air Quality Management District and San Joaquin Valley Unified Air Pollution Control District” (FRL#7536-2) received on August 26, 2003; to the Committee on Environment and Public Works.

EC-3747. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Revisions to the California State Implementation Plan; Sacramento Metropolitan Air Quality Management District” (FRL#7526-4) received on August 26, 2003; to the Committee on Environment and Public Works.

EC-3748. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Revisions to the California State Implementation Plan, South Coast Air Quality Management District” (FRL#7526-6) received on August

26, 2003; to the Committee on Environment and Public Works.

EC-3749. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revisions to the California State Implementation Plan, San Diego County Air Pollution Control District" (FRL#7535-1) received on August 26, 2003; to the Committee on Environment and Public Works.

EC-3750. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation Implementation Plans Georgia: Approval of Revisions to State Implementation Plan" (FRL#7543-9) received on August 22, 2003; to the Committee on Environment and Public Works.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MCCAIN, from the Committee on Commerce, Science, and Transportation, with amendments:

S. 1264. A bill to reauthorize the Federal Communications Commission, and for other purposes (Rept. No. 108-140).

By Mr. MCCAIN, from the Committee on Commerce, Science, and Transportation, with an amendment:

S. 1046. A bill to amend the Communications Act of 1934 to preserve localism, to foster and promote the diversity of television programming, to foster and promote competition, and to prevent excessive concentration of ownership of the nation's television broadcast stations (Rept. No. 108-141).

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. ENSIGN (for himself and Mr. REID):

S. 1575. A bill to direct the Secretary of Agriculture to sell certain parcels of Federal land in Carson City and Douglas County, Nevada; to the Committee on Energy and Natural Resources.

By Mr. BYRD (for himself and Mr. ROCKEFELLER):

S. 1576. A bill to revise the boundary of Harpers Ferry National Historical Park, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. THOMAS:

S. 1577. A bill to extend the deadline for commencement of construction of a hydroelectric project in the State of Wyoming; to the Committee on Energy and Natural Resources.

By Mr. BREAUX:

S. 1578. A bill to amend the Internal Revenue Code of 1986 to classify qualified rental office furniture as 5-year property for purposes of depreciation; to the Committee on Finance.

By Mr. DEWINE:

S. 1579. A bill to provide for the continuation of the Pediatric Research Initiative; to the Committee on Health, Education, Labor, and Pensions.

By Mr. HATCH (for himself, Mr. KENNEDY, and Mr. DEWINE):

S. 1580. A bill to amend the Immigration and Nationality Act to extend the special immigrant religious worker program; to the Committee on the Judiciary.

By Ms. CANTWELL (for herself and Mr. ENZI):

S. 1581. A bill to mitigate the harm to individuals throughout the Nation who have been victimized by identity theft, to prevent identity theft, and for other purposes; to the Committee on the Judiciary.

#### ADDITIONAL COSPONSORS

S. 249

At the request of Mrs. CLINTON, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of S. 249, a bill to amend title 38, United States Code, to provide that remarriage of the surviving spouse of a deceased veteran after age 55 shall not result in termination of dependency and indemnity compensation otherwise payable to that surviving spouse.

S. 300

At the request of Mr. HAGEL, his name was added as a cosponsor of S. 300, a bill to award a congressional gold medal to Jackie Robinson (posthumously), in recognition of his many contributions to the Nation, and to express the sense of Congress that there should be a national day in recognition of Jackie Robinson.

S. 349

At the request of Mrs. FEINSTEIN, the name of the Senator from North Carolina (Mr. EDWARDS) was added as a cosponsor of S. 349, a bill to amend title II of the Social Security Act to repeal the Government pension offset and windfall elimination provisions.

S. 431

At the request of Mr. VOINOVICH, the name of the Senator from Ohio (Mr. DEWINE) was added as a cosponsor of S. 431, a bill to amend the Solid Waste Disposal Act to impose certain limits on the receipt of out-of-State municipal solid waste.

S. 511

At the request of Mr. BINGAMAN, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 511, a bill to provide permanent funding for the Payment In Lieu of Taxes program, and for other purposes.

S. 538

At the request of Mrs. CLINTON, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 538, a bill to amend the Public Health Service Act to establish a program to assist family caregivers in accessing affordable and high-quality respite care, and for other purposes.

S. 569

At the request of Mr. ENSIGN, the names of the Senator from Connecticut (Mr. LIEBERMAN) and the Senator from Arizona (Mr. MCCAIN) were added as cosponsors of S. 569, a bill to amend title XVIII of the Social Security Act to repeal the medicare outpatient rehabilitation therapy caps.

S. 610

At the request of Mr. VOINOVICH, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. 610, a bill to amend the provisions

of title 5, United States Code, to provide for workforce flexibilities and certain Federal personnel provisions relating to the National Aeronautics and Space Administration, and for other purposes.

S. 684

At the request of Mr. SMITH, the name of the Senator from Nevada (Mr. ENSIGN) was added as a cosponsor of S. 684, a bill to create an office within the Department of Justice to undertake certain specific steps to ensure that all American citizens harmed by terrorism overseas receive equal treatment by the United States Government regardless of the terrorists' country of origin or residence, and to ensure that all terrorists involved in such attacks are pursued, prosecuted, and punished with equal vigor, regardless of the terrorists' country of origin or residence.

S. 896

At the request of Mrs. MURRAY, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 896, a bill to establish a public education and awareness program relating to emergency contraception.

S. 971

At the request of Mr. HARKIN, the name of the Senator from North Carolina (Mr. EDWARDS) was added as a cosponsor of S. 971, a bill to amend title XIX of the Social Security Act to provide individuals with disabilities and older Americans with equal access to community-based attendant services and supports, and for other purposes.

S. 1019

At the request of Mr. DEWINE, the name of the Senator from Texas (Mrs. HUTCHISON) was added as a cosponsor of S. 1019, a bill to amend titles 10 and 18, United States Code, to protect unborn victims of violence.

S. 1046

At the request of Mr. HOLLINGS, the name of the Senator from New Jersey (Mr. CORZINE) was added as a cosponsor of S. 1046, a bill to amend the Communications Act of 1934 to preserve localism, to foster and promote the diversity of television programming, to foster and promote competition, and to prevent excessive concentration of ownership of the nation's television broadcast stations.

S. 1055

At the request of Mr. DURBIN, the name of the Senator from Nevada (Mr. REID) was added as a cosponsor of S. 1055, a bill to amend the Internal Revenue Code of 1986 to provide physicians and other health care professionals with a tax credit for qualified expenditures for medical professional malpractice insurance, and for other purposes.

S. 1129

At the request of Mrs. FEINSTEIN, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 1129, a bill to provide for the protection of unaccompanied alien children, and for other purposes.

S. 1190

At the request of Mr. BINGAMAN, the names of the Senator from Connecticut (Mr. DODD) and the Senator from Connecticut (Mr. LIEBERMAN) were added as cosponsors of S. 1190, a bill to expand and enhance postbaccalaureate opportunities at Hispanic-serving institutions, and for other purposes.

S. 1289

At the request of Mr. GRAHAM of Florida, the name of the Senator from Minnesota (Mr. DAYTON) was added as a cosponsor of S. 1289, a bill to name the Department of Veterans Affairs Medical Center in Minneapolis, Minnesota, after Paul Wellstone.

S. 1331

At the request of Mr. SANTORUM, the names of the Senator from Louisiana (Ms. LANDRIEU) and the Senator from Kentucky (Mr. MCCONNELL) were added as cosponsors of S. 1331, a bill to clarify the treatment of tax attributes under section 108 of the Internal Revenue Code of 1986 for taxpayers which file consolidated returns.

S. 1384

At the request of Mr. ALLARD, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 1384, a bill to amend title 23, United States Code, to provide State and local authorities a means by which to eliminate congestion on the Interstate System.

S. 1414

At the request of Mr. HATCH, the name of the Senator from Nevada (Mr. ENSIGN) was added as a cosponsor of S. 1414, a bill to restore second amendment rights in the District of Columbia.

S. 1510

At the request of Mr. LEAHY, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 1510, a bill to amend the Immigration and Nationality Act to provide a mechanism for United States citizens and lawful permanent residents to sponsor their permanent partners for residence in the United States, and for other purposes.

S. 1543

At the request of Mrs. CLINTON, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 1543, a bill to amend and improve provisions relating to the workforce investment and adult education systems of the Nation.

S. 1566

At the request of Mr. CORZINE, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 1566, a bill to improve fire safety by creating incentives for the installation of automatic fire sprinkler systems.

S. CON. RES. 17

At the request of Mr. SANTORUM, the name of the Senator from Minnesota (Mr. COLEMAN) was added as a cosponsor of S. Con. Res. 17, a concurrent resolution establishing a special task

force to recommend an appropriate recognition for the slave laborers who worked on the construction of the United States Capitol.

S. RES. 169

At the request of Mrs. CLINTON, the name of the Senator from Maryland (Mr. SARBANES) was added as a cosponsor of S. Res. 169, a resolution expressing the sense of the Senate that the United States Postal Service should issue a postage stamp commemorating Anne Frank.

S. RES. 204

At the request of Mr. BIDEN, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. Res. 204, a resolution designating the week of November 9 through November 15, 2003, as "National Veterans Awareness Week" to emphasize the need to develop educational programs regarding the contributions of veterans to the country.

S. RES. 205

At the request of Mr. COLEMAN, the names of the Senator from Montana (Mr. BURNS), the Senator from New Jersey (Mr. LAUTENBERG) and the Senator from New York (Mr. SCHUMER) were added as cosponsors of S. Res. 205, a resolution expressing the sense of the Senate that a commemorative postage stamp should be issued on the subject of autism awareness.

S. RES. 210

At the request of Mr. HATCH, the names of the Senator from Massachusetts (Mr. KERRY), the Senator from New Jersey (Mr. LAUTENBERG), the Senator from Louisiana (Ms. LANDRIEU) and the Senator from Alaska (Ms. MURKOWSKI) were added as cosponsors of S. Res. 210, a resolution expressing the sense of the Senate that supporting a balance between work and personal life is in the best interest of national worker productivity, and that the President should issue a proclamation designating October as "National Work and Family Month".

S. RES. 212

At the request of Mrs. FEINSTEIN, the names of the Senator from California (Mrs. BOXER), the Senator from Indiana (Mr. LUGAR), the Senator from New Mexico (Mr. BINGAMAN), the Senator from Wisconsin (Mr. FEINGOLD), the Senator from Oregon (Mr. SMITH), the Senator from Arizona (Mr. KYL) and the Senator from Nebraska (Mr. HAGEL) were added as cosponsors of S. Res. 212, a resolution welcoming His Holiness the Fourteenth Dalai Lama and recognizing his commitment to non-violence, human rights, freedom, and democracy.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BYRD (for himself and Mr. ROCKEFELLER):

S. 1576. A bill to revise the boundary of Harpers Ferry National Historical Park, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. BYRD. Mr. President, today I am introducing legislation to expand the park boundaries for the Harpers Ferry National Historic Park. Harpers Ferry, located at the confluence of the Potomac and Shenandoah Rivers, is one of West Virginia's jewels. Its place in American history, coupled with the natural scenic beauty of the park and its surroundings, make for a one-of-a-kind experience for local residents and visitors alike. Now is the time to move forward with that effort.

Harpers Ferry has been the backdrop for remarkable historic events. Here, in one setting, several themes in America's story converge: exploration, industry and transportation, the question of slavery, the Civil War, and the natural splendor of our Nation.

We are taught that the Lewis and Clark Expedition began in Wood River, IL, on the Mississippi River in 1804. But, in fact, Harpers Ferry also contributed to that important historic expedition by providing a cache of supplies that helped sustain these brave explorers as they traveled to the Pacific Ocean and back.

One of Harpers Ferry's most famous incidents occurred in 1859 when the fierce abolitionist leader John Brown and a small band of raiders held Federal troops at bay in the Federal arsenal. John Brown's capture fueled the growing tensions on the issue of slavery.

The property includes the operational Baltimore & Ohio train station, and it borders a part of the Chesapeake and Ohio Canal. Both the railroad and the canal made Harpers Ferry a key transit point during the Civil War.

In September 1862, 37,000 Union and Confederate troops wrestled for the control of Harpers Ferry. Over the course of 4 days, a famous West Virginian, GEN Thomas Jonathan "Stonewall" Jackson, battled Union troops that were under the leadership of COL Dixon Miles in the area of Schoolhouse Ridge and Bolivar Heights. When it was over, the largest surrender of Union soldiers, 12,500 in all, occurred. Jackson's victory allowed GEN Robert E. Lee to carry his fight further to Sharpsburg, MD, where the bloodiest single day battle of the Civil War the Battle of Antietam—was fought.

Harpers Ferry's rich history is matched only by its great natural beauty. Throughout the year, residents and visitors alike can be seen enjoying fishing, hiking, biking, horseback riding, rafting, canoeing, kayaking, and much more in this scenic park. In the summer of 2001, the Peregrine Falcon Restoration Project began at the park. Since that time, 12 peregrine falcon chicks have been released across the Potomac River on Maryland Heights. This and other efforts are underway to restore these incredible raptors to their native nesting sites in the Appalachian region.

Today, the park is home to a vast array of outdoor and recreational opportunities. The historical, recreational, and ecological significance

suggests that the time is right to expand the boundaries of Harpers Ferry National Historic Park. The boundary expansion has the support of a number of groups, including the Friends of Harpers Ferry, the Harpers Ferry Conservancy, and the Civil War Preservation Trust.

Harpers Ferry became a part of the National Park System in 1944. My legislation would expand its boundary by 1,240 acres, from its current 2,505 acres to 3,745 acres. In order to educate local residents about the expansion process, I directed the National Park Service, in the year 2000, to conduct a public outreach program. As part of that program, the Park Service asked for public response to potential expansion. Since the publication of the study, some lands have been purchased under the current acquisition ceiling. Further, the larger expansion proposal, which would be authorized by the passage of my legislation, has the strong support of 94 percent of the responders.

So, Mr. President, we must do all that we can to protect such very special places. Therefore, I am proud to introduce this legislation that I hope will protect an important place for West Virginia and the Nation as a whole.

Mr. President, I yield the floor.

By Mr. DEWINE:

S. 1579. A bill to provide for the continuation of the Pediatric Research Initiative; to the Committee on Health, Education, Labor, and Pensions.

Mr. DEWINE. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1579

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. PEDIATRIC RESEARCH INITIATIVE.**

The Director of the National Institutes of Health in implementing the Pediatric Research Initiative under section 409D of the Public Health Service Act (42 U.S.C. 284h), shall—

(1) continue the Initiative and emphasize the importance of pediatric research, particularly translational research; and

(2) not later than January of 2004, continue to report to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives on the status of the Pediatric Research Initiative, including—

(A) the extent of the total funds obligated to conduct or support pediatric research across the National Institutes of Health, including the specific support and research awards allocated by the Office of the Director through the Initiative;

(B) the activities of the cross-institute committee on pediatric research in assisting the Director in considering requests for new or expanded pediatric research to be funded through the Initiative;

(C) how the Director plans to budget dollars toward the Initiative for fiscal year 2004;

(D) the amount the Director has expended to implement the Initiative since the enactment of the Initiative;

(E) the status of any research conducted as a result of the Initiative;

(F) whether that research is translational research or clinical research;

(G) how the Initiative interfaces with the Off-Patent research fund of the National Institutes of Health; and

(H) any recommended modifications that Congress should consider in the authority or structure of the Initiative within the National Institutes of Health for the optimal operation and success of the Initiative.

By Mr. HATCH (for himself, Mr. KENNEDY, and Mr. DEWINE):

S. 1580. A bill to amend the Immigration and Nationality Act to extend the special immigrant religious worker program; to the Committee on the Judiciary.

Mr. HATCH. Mr. President, I rise today to introduce the Religious Workers' Act of 2003. It provides permanent authority for 5,000 visas per year for non-minister religious workers. These religious workers fulfill a need in the religious communities around this nation. I would like to thank Senators KENNEDY and CHAMBLISS for cosponsoring this bill.

The provision relating to the "non-minister" religious workers was enacted through the Immigration Act of 1990. Prior to 1990, churches, synagogues, mosques, and their affiliated organizations experienced significant difficulties in trying to gain admission for a much needed minister or other persons necessary to provide religious services to the communities. Through the 1990 Act, Congress recognized that religious institutions deserved to be on equal footing as the business and educational institutions in terms of having their human resources needs addressed.

I would like to quote from a letter written by the last Mother Theresa to Senator Abraham shortly before her passing, asking for continuation of this visa category when it was about to sunset in 1997. Mother Theresa said:

It means so much to our poor people, to have Sisters who understand them and their culture. It takes a long time for a Sister to understand the people and a culture, so now our Society wants to keep our Sisters in their mission countries on a more long-term basis. Please help us and our poor by extending this law.

The simple plea of this great humanitarian speak volumes regarding why this law is needed.

In addition, I recently received a letter from Bishop Thomas Wenski, Chairman of the U.S. Conference of Catholic Bishops' Committee on Migration. Bishop Wenski tells me that the religious workers covered by this act would provide humanitarian services to the most needy, such as shelter and nutrition. They would care for and minister to the sick, aged, and dying in hospitals. They counsel adolescents and others suffering hardship, and support families in crisis. Bishop Wenski further advises that there is a "rapid decrease in the number of Americans turning to religious vocations. . . . In these times of uncertainty, it is more important than ever that faith based organizations be able to serve the com-

munities through the essential services provided by religious workers."

The extension would allow religious organizations to continue their important programs and would provide a measure of stability that religious organizations need to set long term objectives. It is very important that faith-based organizations be able to serve the community through the essential services provided by religious workers.

I ask for the support of my colleagues for the Religious Workers' Act of 2003.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1580

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE.**

This Act may be cited as the "Religious Workers Act of 2003".

**SEC. 2. PERMANENT EXTENSION OF SPECIAL IMMIGRANT RELIGIOUS WORKER PROGRAM.**

(a) IN GENERAL.—Section 101(a)(27)(C)(ii) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(27)(C)(ii)) is amended by striking "2003" each place that term appears and inserting "2008".

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on October 1, 2003.

By Ms. CANTWELL (for herself and Mr. ENZI):

S. 1581. A bill to mitigate the harm to individuals through the Nation who have been victimized by identity theft, to prevent identity theft, and for other purposes; to the Committee on the Judiciary.

Ms. CANTWELL. Mr. President, I rise today to re-introduce legislation critical to helping victims of identity theft. This legislation, the Identity Theft Victims Assistance Act, passed the Senate by unanimous consent in the 107th Congress, and I look forward to its passage again this Congress. Last year, the legislation had strong bipartisan support, as evidenced by the fact that Senator MIKE ENZI is cosponsoring it again. The bill has broad support from law enforcement, consumers' groups, and privacy advocates. Last year, the National Center for the Victims of Crime, the Fraternal Order of Police, Consumers Union, Identity Theft Resource Center, U.S. Public Interest Group, Police Executive Forum, Privacy Rights Clearinghouse, and Amazon.com supported the bill. Twenty-two State Attorneys General signed a letter supporting the legislation.

Identity theft is the fastest-growing crime in the country. The Federal Trade Commission found that complaints of identity theft increased 87 percent between 2001 and 2002, and over 161,000 complaints were received by the agency last year. A July 2003 study by Gartner Inc. found that there was a 79-percent increase in identity theft in

the past year alone. Identity theft now accounts for 43 percent of consumer fraud complaints and leads the list of consumer frauds. It is an insidious crime because it often occurs without the victim's knowledge, yet leaves scars on their credit records and reputations that can last for years, and cost thousands of dollars to repair.

The Secret Service has estimated that consumers lose \$745 million to the problem each year, and this number is clearly growing as the number of identity thefts increases. When a victim realizes that his or her identity was stolen it's just the beginning of their troubles. The FTC estimates that it costs the average victim \$1,000 in long-distance phone calls, notary charges, mailing costs and lost wages to get his or her financial life back in order after an identity thief strikes. The Identity Theft Resource Center estimates that average identity theft victims spend 175 hours to clear their records.

But the costs are not confined to consumers—identity theft hits businesses and the economy, too. Identity theft-related losses suffered by MasterCard and Visa jumped from \$79.9 million in 1996 to \$144.3 million in 2000. One study estimates that by 2006 identity theft will cost the financial institution sector alone \$8 billion per year.

To take just one of many examples from my state, Jenni D'Avis of Mill Creek, Washington, had her Social Security number stolen when a thief took her mail and found the number listed on a letter from her community college. The criminal used the number to obtain a state identification card, and in turn used that to get credit. In just 23 days, the thief ran up \$100,000 in bad debt—all in Jenni's name. Once she became aware of the problem, she had to become a "Nancy Drew," and track down information. Businesses were reluctant to give her the information she needed to determine the extent of the problem and clear her name and credit record. She is still repairing the damage.

Sadly, Jenni's story is not unique. Victims of identity theft have difficulty restoring their credit and regaining control of their identity, in part, because they have no simple means to show creditors and credit reporting agencies that they are who they say they are. In order to prove fraud, a victim often needs copies of creditors records, such as applications and information, and records from the companies the identity thief did business with. Ironically, victims have difficulty obtaining these business records because the victim's personally identifying information does not match the information on file with the business.

This bill fixes that problem. The Identify Theft Victims Assistance Act creates a standardized national process for a person to establish he or she is a victim of identity theft for purposes of tracing fraudulent credit transactions and obtaining the evidence to repair

them. It requires the Federal Trade Commission to make available a simple certificate that, when notarized, provides certainty to businesses and financial institutions that the person is who they claim to be, is a victim of identity theft, and has filed claims with both local law enforcement and the FTC. With this document in hand, the victim can then obtain from businesses the records they need.

The need for a national system is readily apparent, as identity theft is increasingly a crime that crosses State lines. One of the greatest challenges identity theft presents to law enforcement is that a stolen identity is used to create false identities in many different localities in different states. Although identity theft is a federal crime, most often, state and local law enforcement agencies are responsible for investigating and prosecuting the crimes. Yet law enforcement has yet to fully recognize the serious nature of the problem or to develop a coordinated investigative strategy. For example, in the case of Michael Calip of Centralia, Washington, identity thieves not only ran up \$60,000 in debts, they also committed crimes using his name—trashing his credit record and creating a criminal record. Michael tracked the thieves to Wyoming, but had difficulty convincing local authorities there to pursue his case.

My bill for the first time also permits a victim to designate the investigating agency, either local or State law enforcement or Federal investigators, to act as their agents in obtaining evidence of identity theft. This both eases the burden on the victim and aids police in investigating suspected identity theft rings. In addition it requires the existing Identity Theft Coordinating Committee to consult with State and local law enforcement agencies.

Acquiring the evidence of the fraudulent use of identity currently can be an enormous and time-consuming problem for victims. The Identity Theft Victims Assistance Act makes this job easier by establishing that any business presented with the FTC certificate identifying the person as a victim of identity theft, together with a police report and a government issued photo ID must deliver copies of all the financial records that document the fraud to the victim within 20 days. This is a critically important change from current law because it guarantees that victims will be able to obtain the evidence they need while also providing businesses more certainty that they are not violating someone's privacy or providing sensitive information to the wrong parties. It also provides new liability protections for businesses that make a good faith effort to assist victims of identity theft.

Of course, the greatest harm to consumers victimized by theft of their identity is often a bad credit rating or a poor credit score that results from fraudulent use of the consumer's identity. According to the FTC, it often

takes about a year for people to discover someone is using personal information for fraudulent purposes, allowing significant damage to otherwise stellar credit records. Even after a consumer reports to a credit reporting agency that they have been victimized by identity theft, the consumer often can not get the reporting agencies to block reporting of activities that resulted from the identity theft.

My bill again requires that presentation of the FTC certificate, police report and photo identification establish that the person is in fact a victim of identity theft and requires credit-reporting agencies to block information that appears on a victim's credit report as a result of the identity theft. It also changes current law that requires individuals to bring suit against a credit reporting agency within two years from the time the agency commits a violation of laws on fair reporting of credit. This makes little sense, since it may be years before a misrepresentation comes to the attention of a victim of identity theft. The bill requires that the statute of limitations begin ticking from the time when a consumer discovers or has reason to know that a misrepresentation by a credit reporting agency has occurred.

The bill leaves in place State laws that are more stringent and provides that either Federal prosecutors or State Attorney Generals may enforce this law.

Jenni and Michael's stories illustrate the unique problems victims of identity theft face. Although penalties exist for identity thieves, no remedies are available for their victims. The scope of the problem is made worse because it's too easy for a criminal to steal someone's identity and cause serious harm before the theft is even discovered. And when these criminals cross state lines, it can be even harder for victims to trace the problem and repair the damage. For these reasons, it's imperative that we pass federal legislation for the victims of identity theft.

The government, creditors and credit reporting agencies have a shared responsibility to assist identity theft victims mitigate the harm that results from frauds perpetrated in the victim's name. We need to build up the law enforcement network, already started by the Federal Trade Commission and other federal agencies under the Identity Theft and Assumption Deterrence Act of 1998. We need to further improve law enforcement coordination, particularly between the various local and state jurisdictions combating identity theft and the associated crimes.

We also need to provide better and timelier information to businesses so they can head off fraud before it happens. That is why my bill also expands the jurisdiction of the interagency coordinating committee established under the Internet False Identification Act of 2000. Currently, the coordination committee has the mandate to study

and report to Congress on federal investigation and enforcement of identity theft crimes. The Identity Theft Victims Assistance Act broadens the mandate for the coordinating committee to consider state and local enforcement of identity theft law and specifically requires the committee to examine and recommend what assistance the federal government can provide state and local law enforcement agencies to better coordinate in the battle against identity theft.

There is no doubt about the scope of the problem: identity theft is already a major problem, and it's getting worse. We must provide victims with the tools they need to regain control of their lives. The Identity Theft Victims Assistance of 2003 will help victims of identity theft recover their identity and restore their good credit. I look forward to working with my colleagues to promptly enact this bill into law.

I ask unanimous consent that the text of the legislation be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1581

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Identity Theft Victims Assistance Act of 2003".

#### SEC. 2. FINDINGS.

Congress finds the following:

(1) The crime of identity theft is the fastest growing crime in the United States. According to a recent estimate, 7,000,000 Americans were victims of identity theft in the past year, a 79 percent increase over previous estimates.

(2) Stolen identities are often used to perpetuate crimes in many cities and States, making it more difficult for consumers to restore their respective identities.

(3) Identity theft cost consumers more than \$745,000,000 in 1998 and has increased dramatically in the last few years. It has been estimated that identity theft victims within the business community lose an average of \$17,000.

(4) Identity theft is ruinous to the good name and credit of consumers whose identities are misappropriated, and consumers may be denied otherwise deserved credit and may have to spend enormous time, effort, and money to restore their respective identities.

(5) As of the date of enactment of this Act, a national mechanism does not exist to assist identity theft victims to obtain evidence of identity theft, restore their credit, and regain control of their respective identities.

(6) Consumers who are victims of identity theft need a nationally standardized means of—

(A) establishing their true identities and claims of identity theft to all business entities, credit reporting agencies, and Federal and State law enforcement agencies;

(B) obtaining information documenting fraudulent transactions from business entities;

(C) reporting identity theft to consumer credit reporting agencies.

(7) Business entities, credit reporting agencies, and government agencies have a shared responsibility to assist victims of identity theft to mitigate the harm caused by any fraud perpetrated in the name of the victims.

#### SEC. 3. TREATMENT OF IDENTITY THEFT MITIGATION.

(a) IN GENERAL.—Chapter 47 of title 18, United States Code, is amended by adding after section 1028 the following:

##### "§ 1028A. Treatment of identity theft mitigation

"(a) DEFINITIONS.—As used in this section—

"(1) the term 'business entity' means any corporation, trust, partnership, sole proprietorship, or unincorporated association, including any financial service provider, financial information repository, creditor (as that term is defined in section 103 of the Truth in Lending Act (15 U.S.C. 1602)), telecommunications, utilities, or other service provider;

"(2) the term 'consumer' means an individual;

"(3) the term 'financial information' means information identifiable as relating to an individual consumer that concerns the amount and conditions of the assets, liabilities, or credit of the consumer, including—

"(A) account numbers and balances;

"(B) nonpublic personal information, as that term is defined in section 509 of the Gramm-Leach-Bliley Act (15 U.S.C. 6809); and

"(C) codes, passwords, social security numbers, tax identification numbers, State identifier numbers issued by a State department of licensing, and other information used for the purpose of account access or transaction initiation;

"(4) the term 'financial information repository' means a person engaged in the business of providing services to consumers who have a credit, deposit, trust, stock, or other financial services account or relationship with that person;

"(5) the term 'identity theft' means a violation of section 1028 or any other similar provision of applicable Federal or State law;

"(6) the term 'means of identification' has the same meaning given the term in section 1028;

"(7) the term 'victim' means a consumer whose means of identification or financial information has been used or transferred (or has been alleged to have been used or transferred) without the authority of that consumer with the intent to commit, or with the intent to aid or abet, an identity theft; and

"(8) the terms not defined in this section or otherwise defined in section 3(s) of the Federal Deposit Insurance Act (12 U.S.C. 1813(s)) shall have the meaning given to them in section 1(b) of the International Banking Act of 1978 (12 U.S.C. 3101).

"(b) INFORMATION AVAILABLE TO VICTIMS.—

"(1) IN GENERAL.—A business entity that has provided credit, provided, for consideration, products, goods, or services, accepted payment, otherwise entered into a commercial transaction for consideration with a person that has made unauthorized use of the means of identification of the victim, or possesses information relating to such transaction, shall, not later than 20 days after the receipt of a written request by the victim, meeting the requirements of subsection (c), provide, without charge, a copy of all application and business transaction information related to the transaction being alleged as an identity theft to—

"(A) the victim;

"(B) any Federal, State, or local governing law enforcement agency or officer specified by the victim in such a request; or

"(C) any law enforcement agency investigating the identity theft and authorized by the victim to take receipt of records provided under this section.

"(2) RULE OF CONSTRUCTION.—

"(A) IN GENERAL.—No provision of Federal or State law (except a law involving the non-disclosure of information related to a pend-

ing Federal criminal investigation) prohibiting the disclosure of financial information by a business entity to third parties shall be used to deny disclosure of information to the victim under this section.

"(B) LIMITATION.—Except as provided in subparagraph (A), nothing in this section permits a business entity to disclose information that the business entity is otherwise prohibited from disclosing under any other applicable provision of Federal or State law.

"(C) VERIFICATION OF IDENTITY AND CLAIM.—Unless a business entity, at its discretion, is otherwise able to verify the identity of a victim making a request under subsection (b)(1), the victim shall provide to the business entity—

"(1) as proof of positive identification, at the election of the business entity—

"(A) the presentation of a government-issued identification card;

"(B) personally identifying information of the same type as was provided to the business entity by the unauthorized person; or

"(C) personally identifying information that the business entity typically requests from new applicants or for new transactions at the time of the victim's request for information; and

"(2) as proof of a claim of identity theft, at the election of the business entity—

"(A) a copy of a police report evidencing the claim of the victim of identity theft;

"(B) a properly completed copy of a standardized affidavit of identity theft developed and made available by the Federal Trade Commission; or

"(C) any properly completed affidavit of fact that is acceptable to the business entity for that purpose.

"(d) VERIFICATION STANDARD.—Prior to releasing records pursuant to subsection (b), a business entity shall take reasonable steps to verify the identity of the alleged victim requesting such records.

"(e) LIMITATION ON LIABILITY.—No business entity may be held liable for a disclosure, made in good faith and reasonable judgment pursuant to, and in compliance with, this section, where such disclosure is made—

"(1) for the purpose of detection, investigation, or prosecution of identity theft; or

"(2) to assist a victim in recovery of fines, restitution, rehabilitation of the credit of the victim, or such other relief as may be appropriate.

"(f) AUTHORITY TO DECLINE TO PROVIDE INFORMATION.—A business entity may decline to provide information under subsection (b) if, in the exercise of good faith and reasonable judgment, the business entity determines that—

"(1) this section does not require disclosure of the information;

"(2) the request for the information is based on a misrepresentation of fact by the victim relevant to the request for information; or

"(3) the information requested is Internet navigational data or similar information about a person's visit to a website or online service.

"(g) NO NEW RECORDKEEPING OBLIGATION.—Nothing in this section creates an obligation on the part of a business entity to obtain, retain, or maintain information or records that are not otherwise required to be obtained, retained, or maintained in the ordinary course of its business or under other applicable law.

"(h) ENFORCEMENT.—

"(1) INJUNCTIVE ACTIONS BY THE ATTORNEY GENERAL.—

"(A) IN GENERAL.—Whenever it appears that a business entity to which this section applies has engaged, is engaged, or is about to engage, in any act or practice constituting a violation of this section, the Attorney General of the United States may bring

a civil action in an appropriate district court of the United States to—

- “(i) enjoin such act or practice;
- “(ii) enforce compliance with this section; and
- “(iii) obtain such other equitable relief as the court determines to be appropriate.

“(B) OTHER INJUNCTIVE RELIEF.—Upon a proper showing in the action under subparagraph (A), the court shall grant a permanent injunction or a temporary restraining order without bond.

“(2) ADMINISTRATIVE ENFORCEMENT.—

“(A) FEDERAL TRADE COMMISSION.—

“(i) IN GENERAL.—Except to the extent that administrative enforcement is specifically committed to another agency under subparagraph (B), a violation of this section shall be deemed an unfair or deceptive act or practice in violation of the Federal Trade Commission Act (15 U.S.C. 41 et seq.), for purposes of the exercise by the Federal Trade Commission of its functions and powers under that Act.

“(ii) AVAILABLE FUNCTIONS AND POWERS.—All of the functions and powers of the Federal Trade Commission under the Federal Trade Commission Act are available to the Commission to enforce compliance by any person with this section.

“(B) OTHER FEDERAL AGENCIES.—Compliance with any requirements under this section may be enforced—

“(i) under section 8 of the Federal Deposit Insurance Act (12 U.S.C. 1818)—

“(I) by the Office of the Comptroller of the Currency, with respect to national banks, and Federal branches and Federal agencies of foreign banks (except brokers, dealers, persons providing insurance, investment companies, and investment advisers);

“(II) by the Board of Governors of the Federal Reserve System, with respect to member banks of the Federal Reserve System (other than national banks), branches and agencies of foreign banks (other than Federal branches, Federal agencies, and insured State branches of foreign banks), commercial lending companies owned or controlled by foreign banks, and organizations operating under section 25 or 25A of the Federal Reserve Act (12 U.S.C. 601 et seq. and 611 et seq.);

“(III) by the Board of Directors of the Federal Deposit Insurance Corporation, with respect to banks insured by the Federal Deposit Insurance Corporation (other than members of the Federal Reserve System), insured State branches of foreign banks, and any subsidiaries of such entities (except brokers, dealers, persons providing insurance, investment companies, and investment advisers); and

“(IV) by the Director of the Office of Thrift Supervision, with respect to savings associations, the deposits of which are insured by the Federal Deposit Insurance Corporation, and any subsidiaries of such savings associations (except brokers, dealers, persons providing insurance, investment companies, and investment advisers);

“(ii) by the Board of the National Credit Union Administration, under the Federal Credit Union Act (12 U.S.C. 1761 et seq.), with respect to any federally insured credit union, and any subsidiaries of such credit union;

“(iii) by the Securities and Exchange Commission, under the Securities Exchange Act of 1934 (15 U.S.C. 78a et seq.), with respect to any broker or dealer;

“(iv) by the Securities and Exchange Commission, under the Investment Company Act of 1940 (15 U.S.C. 80a-1 et seq.), with respect to investment companies;

“(v) by the Securities and Exchange Commission, under the Investment Advisers Act of 1940 (15 U.S.C. 80b-1 et seq.), with respect

to investment advisers registered with the Commission under such Act;

“(vi) by the Secretary of Transportation, under subtitle IV of title 49, with respect to all carriers subject to the jurisdiction of the Surface Transportation Board;

“(vii) by the Secretary of Transportation, under part A of subtitle VII of title 49, with respect to any air carrier or any foreign air carrier subject to that part; and

“(viii) by the Secretary of Agriculture, under the Packers and Stockyards Act, 1921 (7 U.S.C. 181 et seq.), except as provided in section 406 of that Act (7 U.S.C. 226, 2271), with respect to any activities subject to that Act.

“(C) AGENCY POWERS.—

“(i) IN GENERAL.—A violation of any requirement imposed under this section shall be deemed to be a violation of a requirement imposed under any Act referred to under subparagraph (B), for the purpose of the exercise by any agency referred to under subparagraph (B) of its powers under any such Act.

“(ii) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to prevent a Federal agency from exercising the powers conferred upon such agency by Federal law to—

“(I) conduct investigations;

“(II) administer oaths or affirmations; or

“(III) compel the attendance of witnesses or the production of documentary or other evidence.

“(3) PARENS PATRIAE AUTHORITY.—

“(A) CIVIL ACTIONS.—In any case in which the attorney general of a State has reason to believe that an interest of the residents of that State has been, or is threatened to be, adversely affected by a violation of this section by any business entity, the State, as parens patriae, may bring a civil action on behalf of the residents of the State in a district court of the United States of appropriate jurisdiction to—

“(i) enjoin that practice;

“(ii) enforce compliance with this section;

“(iii) obtain damages—

“(I) in the sum of actual damages, restitution, and other compensation on behalf of the affected residents of the State; and

“(II) punitive damages, if the violation is willful or intentional; and

“(iv) obtain such other equitable relief as the court may consider to be appropriate.

“(B) NOTICE.—Before filing an action under subparagraph (A), the attorney general of the State involved shall, if practicable, provide to the Attorney General of the United States, and where applicable, to the appropriate Federal agency with the authority to enforce this section under paragraph (2)—

“(i) a written notice of the action; and

“(ii) a copy of the complaint for the action.

“(4) INTERVENTION.—

“(A) IN GENERAL.—On receiving notice of an action under paragraph (3), the Attorney General of the United States, and any Federal agency with authority to enforce this section under paragraph (2), shall have the right to intervene in that action.

“(B) EFFECT OF INTERVENTION.—Any person or agency under subparagraph (A) that intervenes in an action under paragraph (2) shall have the right to be heard on all relevant matters arising therein.

“(C) SERVICE OF PROCESS.—Upon the request of the Attorney General of the United States or any Federal agency with the authority to enforce this section under paragraph (2), the attorney general of a State that has filed an action under this section shall, pursuant to rule 4(d)(4) of the Federal Rules of Civil Procedure, serve the Attorney General of the United States or the head of such Federal agency, with a copy of the complaint.

“(5) CONSTRUCTION.—For purposes of bringing any civil action under this subsection, nothing in this section shall be construed to prevent an attorney general of a State from exercising the powers conferred on such attorney general by the laws of that State to—

“(A) conduct investigations;

“(B) administer oaths or affirmations; or

“(C) compel the attendance of witnesses or the production of documentary and other evidence.

“(6) LIMITATION ON STATE ACTION WHILE FEDERAL ACTION IS PENDING.—In any case in which an action is instituted by or on behalf of the Attorney General of the United States, or appropriate Federal regulator authorized under paragraph (2), for a violation of this section, no State may, during the pendency of that action, institute an action under this section against any defendant named in the complaint in that action for such violation.

“(7) VENUE; SERVICE OF PROCESS.—

“(A) VENUE.—Any action brought under this subsection may be brought in the district court of the United States—

“(i) where the defendant resides;

“(ii) where the defendant is doing business; or

“(iii) that meets applicable requirements relating to venue under section 1391 of title 28.

“(B) SERVICE OF PROCESS.—In an action brought under this subsection, process may be served in any district in which the defendant—

“(i) resides;

“(ii) is doing business; or

“(iii) may be found.

“(8) AFFIRMATIVE DEFENSE.—In any civil action brought to enforce this section, it is an affirmative defense (which the defendant must establish by a preponderance of the evidence) for a business entity to file an affidavit or answer stating that—

“(A) the business entity has made a reasonably diligent search of its available business records; and

“(B) the records requested under this section do not exist or are not available.

“(9) NO PRIVATE RIGHT OF ACTION.—Nothing in this section shall be construed to provide a private right of action or claim for relief.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 47 of title 18, United States Code, is amended by inserting after the item relating to section 1028 the following new item:

“1028A. Treatment of identity theft mitigation.”.

#### SEC. 4. AMENDMENTS TO THE FAIR CREDIT REPORTING ACT.

(a) CONSUMER REPORTING AGENCY BLOCKING OF INFORMATION RESULTING FROM IDENTITY THEFT.—Section 611 of the Fair Credit Reporting Act (15 U.S.C. 1681i) is amended by adding at the end the following:

“(e) BLOCK OF INFORMATION RESULTING FROM IDENTITY THEFT.—

“(1) BLOCK.—Except as provided in paragraph (3) and not later than 30 days after the date of receipt of proof of the identity of a consumer and an official copy of a police report evidencing the claim of the consumer of identity theft, a consumer reporting agency shall block the reporting of any information identified by the consumer in the file of the consumer resulting from the identity theft, so that the information cannot be reported.

“(2) NOTIFICATION.—A consumer reporting agency shall promptly notify the furnisher of information identified by the consumer under paragraph (1)—

“(A) that the information may be a result of identity theft;

“(B) that a police report has been filed;

“(C) that a block has been requested under this subsection; and

“(D) of the effective date of the block.

“(3) AUTHORITY TO DECLINE OR RESCIND.—

“(A) IN GENERAL.—A consumer reporting agency may decline to block, or may rescind any block, of consumer information under this subsection if—

“(i) in the exercise of good faith and reasonable judgment, the consumer reporting agency finds that—

“(I) the information was blocked due to a misrepresentation of fact by the consumer relevant to the request to block; or

“(II) the consumer knowingly obtained possession of goods, services, or moneys as a result of the blocked transaction or transactions, or the consumer should have known that the consumer obtained possession of goods, services, or moneys as a result of the blocked transaction or transactions; or

“(ii) the consumer agrees that the blocked information or portions of the blocked information were blocked in error.

“(B) NOTIFICATION TO CONSUMER.—If the block of information is declined or rescinded under this paragraph, the affected consumer shall be notified promptly, in the same manner as consumers are notified of the reinsertion of information under subsection (a)(5)(B).

“(C) SIGNIFICANCE OF BLOCK.—For purposes of this paragraph, if a consumer reporting agency rescinds a block, the presence of information in the file of a consumer prior to the blocking of such information is not evidence of whether the consumer knew or should have known that the consumer obtained possession of any goods, services, or moneys as a result of the block.

“(4) EXCEPTIONS.—

“(A) NEGATIVE INFORMATION DATA.—A consumer reporting agency shall not be required to comply with this subsection when such agency is issuing information for authorizations, for the purpose of approving or processing negotiable instruments, electronic funds transfers, or similar methods of payment, based solely on negative information, including—

“(i) dishonored checks;

“(ii) accounts closed for cause;

“(iii) substantial overdrafts;

“(iv) abuse of automated teller machines;

or

“(v) other information which indicates a risk of fraud occurring.

“(B) RESELLERS.—

“(i) NO RESELLER FILE.—The provisions of this subsection do not apply to a consumer reporting agency if the consumer reporting agency—

“(I) does not maintain a file on the consumer from which consumer reports are produced;

“(II) is not, at the time of the request of the consumer under paragraph (1), otherwise furnishing or reselling a consumer report concerning the information identified by the consumer; and

“(III) informs the consumer, by any means, that the consumer may report the identity theft to the Federal Trade Commission to obtain consumer information regarding identity theft.

“(ii) RESELLER WITH FILE.—The sole obligation of the consumer reporting agency under this subsection, with regard to any request of a consumer under this subsection, shall be to block the consumer report maintained by the consumer reporting agency from any subsequent use if—

“(I) the consumer, in accordance with the provisions of paragraph (1), identifies, to a consumer reporting agency, information in the file of the consumer that resulted from identity theft;

“(II) the consumer reporting agency is acting as a reseller of the identified information by assembling or merging information about

that consumer which is contained in the database of not less than 1 other consumer reporting agency; and

“(III) the consumer reporting agency does not store or maintain a database of information obtained for resale from which new consumer reports are produced.

“(iii) NOTICE.—In carrying out its obligation under clause (ii), the consumer reporting agency shall provide a notice to the consumer of the decision to block the file. Such notice shall contain the name, address, and telephone number of each consumer reporting agency from which the consumer information was obtained for resale.”.

(b) FALSE CLAIMS.—Section 1028 of title 18, United States Code, is amended by adding at the end the following:

“(j) Any person who knowingly falsely claims to be a victim of identity theft for the purpose of obtaining the blocking of information by a consumer reporting agency under section 611(e)(1) of the Fair Credit Reporting Act (15 U.S.C. 1681i(e)(1)) shall be fined under this title, imprisoned not more than 3 years, or both.”.

(c) STATUTE OF LIMITATIONS.—Section 618 of the Fair Credit Reporting Act (15 U.S.C. 1681p) is amended to read as follows:

**“SEC. 618. JURISDICTION OF COURTS; LIMITATION ON ACTIONS.**

“(a) IN GENERAL.—Except as provided in subsections (b) and (c), an action to enforce any liability created under this title may be brought in any appropriate United States district court without regard to the amount in controversy, or in any other court of competent jurisdiction, not later than 2 years from the date of the defendant’s violation of any requirement under this title.

“(b) WILLFUL MISREPRESENTATION.—In any case in which the defendant has materially and willfully misrepresented any information required to be disclosed to an individual under this title, and the information misrepresented is material to the establishment of the liability of the defendant to that individual under this title, an action to enforce a liability created under this title may be brought at any time within 2 years after the date of discovery by the individual of the misrepresentation.

“(c) IDENTITY THEFT.—An action to enforce a liability created under this title may be brought not later than 4 years from the date of the defendant’s violation if—

“(1) the plaintiff is the victim of an identity theft; or

“(2) the plaintiff—

“(A) has reasonable grounds to believe that the plaintiff is the victim of an identity theft; and

“(B) has not materially and willfully misrepresented such a claim.”.

**SEC. 5. COORDINATING COMMITTEE STUDY OF COORDINATION BETWEEN FEDERAL, STATE, AND LOCAL AUTHORITIES IN ENFORCING IDENTITY THEFT LAWS.**

(a) MEMBERSHIP; TERM.—Section 2 of the Internet False Identification Prevention Act of 2000 (18 U.S.C. 1028 note) is amended—

(1) in subsection (b), by striking “and the Commissioner of Immigration and Naturalization” and inserting “the Commissioner of Immigration and Naturalization, the Chairman of the Federal Trade Commission, the Postmaster General, and the Commissioner of the United States Customs Service,”; and

(2) in subsection (c), by striking “2 years after the effective date of this Act.” and inserting “on December 28, 2005.”.

(b) CONSULTATION.—Section 2 of the Internet False Identification Prevention Act of 2000 (18 U.S.C. 1028 note) is amended—

(1) by redesignating subsection (d) as subsection (e); and

(2) by inserting after subsection (c) the following:

“(d) CONSULTATION.—In discharging its duties, the coordinating committee shall consult with interested parties, including State and local law enforcement agencies, State attorneys general, representatives of business entities (as that term is defined in section 4 of the Identity Theft Victims Assistance Act of 2003), including telecommunications and utility companies, and organizations representing consumers.”.

(c) REPORT DISTRIBUTION AND CONTENTS.—Section 2(e) of the Internet False Identification Prevention Act of 2000 (18 U.S.C. 1028 note) (as redesignated by subsection (b)) is amended—

(1) by striking paragraph (1) and inserting the following:

“(1) IN GENERAL.—The Attorney General and the Secretary of the Treasury, at the end of each year of the existence of the coordinating committee, shall report on the activities of the coordinating committee to—

“(A) the Committee on the Judiciary of the Senate;

“(B) the Committee on the Judiciary of the House of Representatives;

“(C) the Committee on Banking, Housing, and Urban Affairs of the Senate; and

“(D) the Committee on Financial Services of the House of Representatives.”;

(2) in subparagraph (E), by striking “and” at the end; and

(3) by striking subparagraph (F) and inserting the following:

“(F) a comprehensive description of Federal assistance provided to State and local law enforcement agencies to address identity theft;

“(G) a comprehensive description of coordination activities between Federal, State, and local law enforcement agencies that address identity theft; and

“(H) recommendations in the discretion of the President, if any, for legislative or administrative changes that would—

“(i) facilitate more effective investigation and prosecution of cases involving—

“(I) identity theft; and

“(II) the creation and distribution of false identification documents;

“(ii) improve the effectiveness of Federal assistance to State and local law enforcement agencies and coordination between Federal, State, and local law enforcement agencies; and

“(iii) simplify efforts by a person necessary to rectify the harm that results from the theft of the identity of such person.”.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 1547. Mr. REID (for himself, Mr. BINGAMAN, Mrs. CLINTON, Ms. MIKULSKI, Mrs. MURRAY, Mr. KENNEDY, Mr. KERRY, and Mr. CORZINE) proposed an amendment to amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2004, and for other purposes.

SA 1548. Mr. CAMPBELL (for himself, Mr. CHAMBLISS, Mr. INOUE, Mr. BUNNING, Mr. LIEBERMAN, and Ms. LANDRIEU) submitted an amendment intended to be proposed by him to the bill H.R. 2660, supra; which was ordered to lie on the table.

SA 1549. Mr. LAUTENBERG (for himself, Mr. CORZINE, Mr. DORGAN, Ms. LANDRIEU, and Mrs. MURRAY) submitted an amendment intended to be proposed to amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, supra; which was ordered to lie on the table.

SA 1550. Mr. CONRAD submitted an amendment intended to be proposed to

amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, supra; which was ordered to lie on the table.

SA 1551. Mr. CONRAD submitted an amendment intended to be proposed to amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, supra; which was ordered to lie on the table.

SA 1552. Ms. MIKULSKI (for herself, Ms. COLLINS, Mr. KERRY, Mr. JEFFORDS, Mrs. CLINTON, Mrs. MURRAY, Mr. DASCHLE, Mr. LIEBERMAN, Mr. BIDEN, Mr. LAUTENBERG, Mr. SARBANES, Mr. KOHL, Mr. LEAHY, Mr. SCHUMER, Mr. EDWARDS, Mr. CORZINE, Ms. LANDRIEU, Mr. BAUCUS, Mr. DURBIN, Mr. DODD, Mr. REID, Mr. NELSON of Florida, Mr. BINGAMAN, Mr. SMITH, Ms. SNOWE, and Ms. CANTWELL) proposed an amendment to amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, supra.

SA 1553. Mr. DORGAN (for himself, Mr. INHOFE, Mr. LAUTENBERG, Mr. CONRAD, Mr. KERRY, Mrs. MURRAY, Mr. DASCHLE, Mr. NELSON of Nebraska, Mr. JOHNSON, Mr. ALLEN, Mr. HAGEL, Mr. CORZINE, Mr. AKAKA, Mrs. CLINTON, Mr. BAUCUS, and Mr. NELSON of Florida) proposed an amendment to amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, supra.

SA 1554. Mr. DAYTON proposed an amendment to amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, supra.

SA 1555. Mr. DEWINE submitted an amendment intended to be proposed to amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, supra; which was ordered to lie on the table.

#### TEXT OF AMENDMENTS

**SA 1547.** Mr. REID (for himself, Mr. BINGAMAN, Mrs. MIKULSKI, Mrs. MURRAY, Mr. KENNEDY, Mr. KERRY, and Mr. CORZINE) proposed an amendment to amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2004, and for other purposes; as follows:

At the end of title III, insert the following:  
Sec. 306. (a) In addition to any amounts otherwise appropriated under this Act, there are appropriated, out of any money in the Treasury not otherwise appropriated—

(1) an additional \$20,000,000 to carry out part H of title I of the Elementary and Secondary Education Act of 1965 (dropout prevention);

(2) an additional \$85,000,000 to carry out title III of the Elementary and Secondary Education Act of 1965 (language instruction);

(3) an additional \$6,449,000 to carry out part A of title V of the Higher Education Act of 1965 (Hispanic-serving institutions);

(4) an additional \$4,587,000 to carry out part C of title I of the Elementary and Secondary Education Act of 1965 (migrant education);

(5) an additional \$11,000,000 to carry out high school equivalency program activities under section 418A of the Higher Education Act of 1965 (HEP);

(6) an additional \$1,000,000 to carry out college assistance migrant program activities under section 418A of the Higher Education Act of 1965 (CAMP);

(7) an additional \$12,776,000 to carry out subpart 16 of part D of title V of the Elementary and Secondary Education Act of 1965 (parental assistance and local family information centers); and

(8) an additional \$69,000,000 to carry out migrant and seasonal Head Start programs: *Provided*, That such sum shall be in addition

to funds reserved for migrant, seasonal, and other Head Start programs under section 640(a)(2) of the Head Start Act.

(b) Of the funds appropriated in this Act for the National Institutes of Health, \$150,000,000 shall not be available for obligation until September 30, 2004.

(c) The amount \$6,895,199,000 in section 305(a)(1) of this Act shall be deemed to be \$7,105,011,000 and the amount \$6,783,301,000 in section 305(a)(2) of this Act shall be deemed to be \$6,573,489,000.

**SA 1548.** Mr. CAMPBELL (for himself, Mr. CHAMBLISS, Mr. INOUE, Mr. BUNNING, Mr. LIEBERMAN, and Ms. LANDREU) submitted an amendment intended to be proposed by him to the bill H.R. 2660, making appropriations for the Departments of Labor, Health, and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2004, and for other purposes; which was ordered to lie on the table, as follows:

At the appropriate place, insert the following:

#### SEC. \_\_\_\_ SUMMER HEALTH CAREER INTRODUCTORY PROGRAMS.

(a) FINDINGS.—Congress finds that—

(1) the success of the health care system is dependent on qualified personnel;

(2) hospitals and health facilities across the United States have been deeply impacted by declines among nurses, pharmacists, radiology and laboratory technicians, and other workers;

(3) the health care workforce shortage is not a short term problem and such workforce shortages can be expected for many years; and

(4) most States are looking for ways to address such shortages.

(b) GRANTS.—The Secretary of Health and Human Services, acting through the Bureau of Health Professions of the Health Resources and Services Administration, may award not to exceed 5 grants for the establishment of summer health career introductory programs for middle and high school students.

(c) ELIGIBILITY.—To be eligible to receive a grant under subsection (b) an entity shall—

(1) be an institution of higher education (as defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)); and

(2) prepare and submit to the Secretary of Health and Human Services an application at such time, in such manner, and containing such information as the Secretary may require.

(d) DURATION.—The term of a grant under subsection (b) shall not exceed 4 years.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, such sums as may be necessary for each of fiscal years 2004 through 2007.

**SA 1549.** Mr. LAUTENBERG (for himself, Mr. CORZINE, Mr. DORGAN, Ms. LANDRIEU, and Mrs. MURRAY) submitted an amendment intended to be proposed to amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2004, and for other purposes; which was ordered to lie on the table; as follows:

On page 23, between lines 15 and 16, insert the following:

SEC. \_\_\_\_ . In addition to amounts made available under this title to carry out title V of the Older Americans Act of 1965 (42 U.S.C. 3056 et seq.), there shall be made available to carry out such title amounts appropriated for such title for fiscal year 2003 that were rescinded. Amounts made available under this title (including this section) for such purposes shall be used, consistent with the amendments made by the Older Americans Act Amendments of 2000 (Public Law 106-501)—

(1) to award grants, at not less than the program year 2002 grant award level, to all national grantees under such title that received grants for the program year ending June 20, 2003, that—

(A) currently satisfy the responsibility tests under section 514(d) of such title;

(B) meet the eligibility requirements under such title; and

(C) meet or exceed the program year 2002 performance goals of such grantee;

(2) to award grants, with any funds remaining after grants are awarded under paragraph (1), to organizations eligible under such title V based on the results of the competitive process conducted by the Department of Labor in fiscal year 2003 and a determination by the Secretary of Labor that any such organization has demonstrated fiscal integrity and accountability in the administration of Federal grants; and

(3) to implement the requirements of section 514(e) of such title V as amended by the Older Americans Act Amendments of 2000 with respect to any program year 2002 national grantee under such title that failed to meet the performance goals of such grantee.

**SA 1550.** Mr. CONRAD submitted an amendment intended to be proposed to amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2004, and for other purposes; which was ordered to lie on the table; as follows:

On page 76, between lines 10 and 11, insert the following:

SEC. \_\_\_\_ . (a) ELIGIBILITY.—For the purpose of calculating a payment under section 8003(b)(2) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7703(b)(2)) for any local educational agency described under section 8003(b)(2)(B)(i)(II) of such Act (20 U.S.C. 7703(b)(2)(B)(i)(II)), the Secretary shall treat as eligible any child described in section 8003(a)(1)(D)(i) of such Act (20 U.S.C. 7703(a)(1)(D)(i)) and educated off-base by another local educational agency without tuition charge, if such child meets the requirements of subsection (b).

(b) REQUIREMENTS.—A child referred to in subsection (a), is any child for whom the applicant local educational agency is unable to provide a free public education in such agency's own schools due to grade span limitations or who would have resided in housing on Federal property within the applicant local educational agency's boundaries and been described under section 8003(a)(1)(B) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7703(a)(1)(B)), except that such housing was undergoing renovation or rebuilding, as determined under section 8003(a)(4) of such Act (20 U.S.C. 7703(a)(4)), on the applicant local educational agency's survey date, or both.

(c) EFFECTIVE DATE.—This section shall be effective for any fiscal year beginning with fiscal year 2001.

**SA 1551.** Mr. CONRAD submitted an amendment intended to be proposed to

amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2004, and for other purposes; which was ordered to lie on the table; as follows:

On page 76, between lines 10 and 11, insert the following:

SEC. \_\_\_\_ Notwithstanding section 8002(b)(1)(C) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7702(b)(1)(C)), the Secretary of Education shall take no action to recover payments under title VIII of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7701 et seq.) received by the local educational agency serving New Town, North Dakota for fiscal year 2000.

**SA 1552.** Ms. MIKULSKI (for herself, Ms. COLLINS, Mr. KERRY, Mr. JEFFORDS, Mrs. CLINTON, Mrs. MURRAY, Mr. DASCHLE, Mr. LIEBERMAN, Mr. BIDEN, Mr. LAUTENBERG, Mr. SARBANES, Mr. KOHL, Mr. LEAHY, Mr. SCHUMER, Mr. EDWARDS, Mr. CORZINE, Ms. LANDRIEU, Mr. BAUCUS, Mr. DURBIN, Mr. DODD, Mr. REID, Mr. NELSON of Florida, Mr. BINGAMAN, Mr. SMITH, Ms. SNOWE, and Ms. CANTWELL) proposed an amendment to amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2004, and for other purposes; as follows:

On page 61, between lines 14 and 15, insert the following:

SEC. \_\_\_\_ In addition to any amounts otherwise appropriated under this Act for programs and activities under the Nurse Reinvestment Act (Public Law 107-205) and for other nursing workforce development programs under title VIII of the Public Health Service Act (42 U.S.C. 296 et seq.), there are appropriated an additional \$63,000,000 for such programs and activities: *Provided*, That of the funds appropriated in this Act for the National Institutes of Health, \$80,000,000 shall not be available for obligation until September 30, 2004: *Provided further*, That the amount \$6,895,199,000 in section 305(a)(1) of this Act shall be deemed to be \$6,958,199,000: *Provided further*, That the amount \$6,783,301,000 in section 305(a)(2) of this Act shall be deemed to be \$6,720,301,000.

**SA 1553.** Mr. DORGAN (for himself, Mr. INHOFE, Mr. LAUTENBERG, Mr. CONRAD, Mr. KERRY, Mrs. MURRAY, Mr. DASCHLE, Mr. NELSON of Nebraska, Mr. JOHNSON, Mr. ALLEN, Mr. HAGEL, Mr. CORZINE, Mr. AKAKA, Mrs. CLINTON, Mr. BAUCUS, and Mr. NELSON of Florida) proposed an amendment to amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2004, and for other purposes; as follows:

On page 76, between lines 10 and 11, insert the following:

SEC. \_\_\_\_ In addition to any amounts otherwise appropriated under this Act for Impact Aid programs, there are appropriated an additional \$26,000,000 for Federal property pay-

ments under section 8002 of the Elementary and Secondary Education Act of 1965, an additional \$160,000,000 for basic support payments under section 8003(b) of such Act, and an additional \$1,000,000 for payments for children with disabilities under section 8003(d) of such Act: *Provided*, That of the funds appropriated in this Act for the National Institutes of Health, \$595,000,000 shall not be available for obligation until September 30, 2004: *Provided further*, That the amount \$6,895,199,000 in section 305(a)(1) of this Act shall be deemed to be \$7,082,199,000: *Provided further*, That the amount \$6,783,301,000 in section 305(a)(2) of this Act shall be deemed to be \$6,596,301,000.

**SA 1554.** Mr. DAYTON proposed an amendment to amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2004, and for other purposes; as follows:

At the end of title III, insert the following: SEC. 306. Notwithstanding any other provision of this Act, the total amount appropriated, out of any money in the Treasury not otherwise appropriated, to carry out parts B, C, and D of the Individuals with Disabilities Education Act shall be \$22,109,931,000, of which \$20,941,000,000 shall be available to carry out part B of the Individuals with Disabilities Education Act (other than section 619 of such Act).

**SA 1555.** Mr. DEWINE submitted an amendment intended to be proposed to amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2004, and for other purposes; which was ordered to lie on the table; as follows:

On page 61, between lines 14 and 15, insert the following:

SEC. \_\_\_\_ To demonstrate the appreciation that the Senate has for, and to further encourage, the efforts of the Director of the National Institutes of Health in implementing the Pediatric Research Initiative under section 409D of the Public Health Service Act, it is the sense of the Senate that—

(1) the Director should continue the Initiative and emphasize the importance of pediatric research, particularly translational research; and

(2) not later than January of 2004, the Director should continue to report to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives on the status of the Pediatric Research Initiative, including—

(A) the extent of the total funds obligated to conduct or support pediatric research across the National Institutes of Health, including the specific support and research awards allocated by the Office of the Director through the Initiative;

(B) the activities of the cross-institute committee on pediatric research in assisting the Director in considering requests for new or expanded pediatric research to be funded through the Initiative;

(C) how the Director plans to budget dollars toward the Initiative for fiscal year 2004;

(D) the amount the Director has expended to implement the Initiative since the enactment of the Initiative;

(E) the status of any research conducted as a result of the Initiative;

(F) whether that research is translational research or clinical research;

(G) how the Initiative interfaces with the Off-Patent research fund of the National Institutes of Health; and

(H) any recommended modifications that Congress should consider in the authority or structure of the Initiative within the National Institutes of Health for the optimal operation and success of the Initiative.

#### AUTHORITY FOR COMMITTEES TO MEET

##### COMMITTEE ON ARMED SERVICES

Mr. SPECTER. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on September 3, 2003, at 9:30 a.m., in closed session to receive a classified Operations/Intelligence briefing regarding ongoing military operations and areas of key concern around the world.

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

##### COMMITTEE ON COMMERCE, SCIENCE AND TRANSPORTATION

Mr. SPECTER. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation, be authorized to meet on Wednesday, September 3, 2003, at 9:30 a.m., in SR-253, for a hearing on the *Columbia* accident investigation board's report on the space shuttle *Columbia* accident.

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

##### COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. SPECTER. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation, be authorized to meet on Wednesday, September 3, 2003, at 2:30 p.m., in SR-253, for a hearing on the proposed lease of Boeing 767 tankers by the USAF.

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

##### COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. SPECTER. Mr. President, I ask unanimous consent that the Committee on Governmental Affairs be authorized to meet on Wednesday, September 3, 2003, at 10:30 a.m., for a hearing titled "U.S. Postal Service: What Can Be Done to Ensure Its Future Viability?"

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

##### COMMITTEE ON THE JUDICIARY

Mr. SPECTER. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a hearing on Wednesday, September 3, 2003, at 10:00 a.m. in the Dirksen Senate Office Building Room 226 on "Judicial Nominations'."

#### Witness List

Panel I: Senators.

Panel II: Carlos T. Bea to be United States Circuit Judge for the Ninth Circuit.

Panel III: Marcia A. Crone to be United States District Judge for the Eastern District of Texas; Phillip S. Figa to be United States District Judge for the District of Colorado; William Q. Hayes to be United States District Judge for the Southern District of California; John A. Houston to be United States District Judge for the Southern District of California; Robert Clive Jones to be United States District Judge for the District of Nevada; and Ronald A. White to be United States District Judge for the Eastern District of Oklahoma.

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

SUBCOMMITTEE ON TERRORISM, TECHNOLOGY, AND HOMELAND SECURITY

Mr. SPECTER. Mr. President, I ask unanimous consent that the Committee on the Judiciary Subcommittee on Terrorism, Technology, and Homeland Security be authorized to meet to conduct a hearing on "Terrorism: First Responders" on Wednesday, September 3, 2003, at 2:00 p.m. in Room 226 of the Dirksen Senate Office Building.

Witness List

Panel I: The Honorable Christopher Cox, United States Representative, R-

CA, 48th District; The Honorable Jim Turner, United States Representative, D-TX 2nd District.

Panel II: The Honorable Warren Rudman, Chair, Independent Task Force on Emergency Responders Washington, D.C.; Mr. Richard Clarke, Senior Adviser, Independent Task Force on Emergency Responders Washington, D.C.; Paul Posner, Ph.D., Managing Director of Strategic Issues, United States General Accounting Office, Washington, D.C.

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

FOREIGN TRAVEL FINANCIAL REPORTS

In accordance with the appropriate provisions of law, the Secretary of the

Senate herewith submits the following reports for standing committees of the Senate, certain joint committees of the Congress, delegations and groups, and

select and special committees of the Senate, relating to expenses incurred in the performance of authorized foreign travel:

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22 U.S.C. 1754(b), COMMITTEE ON APPROPRIATIONS FOR TRAVEL FROM APRIL 1 TO JUNE 30, 2003

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Timothy Rieser:									
United States .....	Dollar .....				1,260.00				1,260.00
Brazil .....	Real .....		1,206.00						1,206.00
Paul Grove:									
United States .....	Dollar .....				2,148.90				2,148.90
Colombia .....	Dollar .....		525.00						525.00
<b>Total .....</b>			<b>1,731.00</b>		<b>3,408.90</b>				<b>5,139.90</b>

TED STEVENS, Chairman, Committee on Appropriations, June 24, 2003.

AMENDED—CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22 U.S.C. 1754(b), COMMITTEE ON ARMED SERVICES FOR TRAVEL FROM OCT. 1 TO DEC. 31, 2002

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Bill Nelson:									
Belgium .....	Dollar .....		1,440.50				69.50		1,510.00
Bosnia .....	Dollar .....		139.00				15.00		154.00
Italy .....	Dollar .....						55.00		55.00
Spain .....	Dollar .....		798.00						798.00
<b>Total .....</b>			<b>2,377.50</b>				<b>139.50</b>		<b>2,517.00</b>

JOHN WARNER, Chairman, Committee on Armed Services, July 1, 2003.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22 U.S.C. 1754(b), COMMITTEE ON ARMED SERVICES FOR TRAVEL FROM APR. 1 TO JUNE 30, 2003

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Maren Leed:									
Germany .....	Euro .....		485.28		5,488.92		5.88		5,980.08
Evelyn N. Farkas:									
Philippines .....	Peso .....		152.41						152.41
Singapore .....	Dollar .....		496.43						496.43
Japan .....	Yen .....		47.64						47.64
Elizabeth King:									
Philippines .....	Peso .....		138.00						138.00
Singapore .....	Dollar .....		511.00						511.00
Japan .....	Yen .....		79.00						79.00
Senator Jack Reed:									
Philippines .....	Peso .....		134.00						134.00
Singapore .....	Dollar .....		410.00						410.00
Japan .....	Yen .....		79.00						79.00
<b>Total .....</b>			<b>2,532.76</b>		<b>5,488.92</b>		<b>5.88</b>		<b>8,027.56</b>

JOHN WARNER, Chairman, Committee on Armed Services, July 1, 2003.

AMENDED—CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22 U.S.C. 1754(b), COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS FOR TRAVEL FROM JAN. 1 TO MARCH 31, 2003

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Delegation Expenses:*									
United Kingdom								593.27	593.27
<b>Total</b>								593.27	593.27

\*Delegation expenses include direct payments and reimbursements to the Department of State under authority of Sec. 502(b) of the Mutual Security Act of 1954, as amended by Sec. 22 of P.L. 95-384.

RICHARD SHELBY,  
Chairman, Committee on Banking, Housing and Urban Affairs, July 28, 2003.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22 U.S.C. 1754(b), COMMITTEE ON BUDGET FOR TRAVEL FROM APR. 1 TO JUNE 30, 2003

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
McLane Layton:									
Romania	Dollar		1,080.00						1,080.00
Russia	Dollar		1,171.00						1,171.00
United States	Dollar				2,328.50				2,328.50
<b>Total</b>			2,251.00		2,328.50				4,579.50

DON NICKLES,  
Chairman, Committee on the Budget, June 30, 2003.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22 U.S.C. 1754(b), COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION FOR TRAVEL FROM APR. 1 TO JUNE 30, 2003

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Kristine Lynch:									
Germany	Euro		1,020.67		798.34				1,819.01
Andrew Minkiewicz:									
Scotland	Pound		2,160.00		1,781.85				3,941.85
<b>Total</b>			3,180.67		2,580.19				5,760.86

JOHN MCCAIN,  
Chairman, Committee on Commerce, Science, and Transportation,  
July 21, 2003.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22 U.S.C. 1754(b), COMMITTEE ON ENERGY AND NATURAL RESOURCES FOR TRAVEL FROM APR. 1 TO JUNE 30, 2003

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Peter B. Lyons:									
Japan	Yen		673.41		189.55				862.96
United States	Dollar				7,317.29				7,317.29
<b>Total</b>			673.41		7,506.84				8,180.25

PETE V. DOMENICI,  
Chairman, Committee on Energy and Natural Resources, June 10, 2003.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22 U.S.C. 1754(b), COMMITTEE ON FINANCE FOR TRAVEL FROM APR. 1 TO JUNE 30, 2003

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Everett Eissenstat:									
United States	Dollar				6,077.00				6,077.00
Switzerland	Franc		938.92						938.92
John Gilliland:									
United States	Dollar				6,077.00				6,077.00
Switzerland	Franc		565.19						565.19
<b>Total</b>			1,504.11		12,154.00				13,658.11

CHARLES GRASSLEY,  
Chairman, Committee on Finance, July 2, 2003.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22  
U.S.C. 1754(b), COMMITTEE ON GOVERNMENTAL AFFAIRS FOR TRAVEL FROM JAN. 1 TO MAR. 31, 2003

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Richard Durbin:									
United States	Dollar				9,129.87				9,129.87
Botswana	Pula		358.00						358.00
South Africa	Rand		1,045.00						1,045.00
Michael Daly:									
United States	Dollar				9,129.87				9,129.87
Botswana	Pula		358.00						358.00
South Africa	Rand		1,045.00						1,045.00
Susan Hardesty:									
Haiti	Dollar		260.02						260.02
Total			3,066.02		18,259.74				21,325.76

SUSAN COLLINS,  
Chairman, Committee on Governmental Affairs, April 29, 2003.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22  
U.S.C. 1754(b), COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP FOR TRAVEL FROM JAN. 1 TO MAR. 31, 2003

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Christopher Bond:									
United States	Dollar				7,178.00				7,178.00
India	Rupee		1,040.00						1,040.00
Malaysia	Ringgit		474.00			166.00			474.00
Singapore	Dollar		422.00						422.00
John Bartling:									
United States	Dollar				7,176.00				7,176.00
India	Rupee		1,040.00						1,040.00
Malaysia	Ringgit		308.00						308.00
Singapore	Dollar		422.00						422.00
Brian Klippenstein:									
United States	Dollar				6,964.00				6,964.00
India	Rupee		1,040.00						1,040.00
Malaysia	Ringgit		308.00						308.00
Singapore	Dollar		422.00						422.00
Senator Maria Cantwell:									
United States	Dollar				405.00				405.00
Mexico	Peso		358.00						358.00
Cuba	Peso		166.00						166.00
Travis Sullivan:									
United States	Dollar				1,631.00				1,631.00
Mexico	Peso		358.00						358.00
Cuba	Peso		166.00						166.00
Total			6,358.00		23,354.00	166.00			29,878.00

OLYMPIA SNOWE,  
Chairman, Committee on Small Business and Entrepreneurship, July 8, 2003.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22  
U.S.C. 1754(b), CONGRESSIONAL EXECUTIVE COMMISSION ON CHINA FOR TRAVEL FROM OCTOBER 1 TO DECEMBER 30, 2002

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Keith Hand:									
Austria	Euro		2,347.28						2,347.28
John Foarde:									
United States	Dollar				8,707.00				8,707.00
China	Yuan		2,324.00						2,324.00
Hong Kong	Dollar		1,644.00			628.00			2,272.00
Belgium	Euro		1,236.00						1,236.00
Lawrence Brown:									
United States	Dollar				6,656.51				6,656.51
Hong Kong	Dollar		2,466.00						2,466.00
China	Yuan		1,108.00						1,108.00
Selene Ko:									
United States	Dollar				5,336.30				5,336.30
Hong Kong	Dollar		3,557.00						3,557.00
Susan Weld:									
United States	Dollar				9,000.98				9,000.98
China	Yuan		3,942.00						3,942.00
Belgium	Euro		1,236.00						1,236.00
Total			19,860.28		29,700.79	628.00			50,189.07

MAX BAUCUS,  
Chairman, Congressional-Executive Commission on China,  
December 17, 2002.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22  
U.S.C. 1754(b), CONGRESSIONAL-EXECUTIVE COMMISSION ON CHINA FOR APRIL 1 TO JUNE 30, 2002

Name an country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Steve Marshall:									
United States	Dollar				6,248.50				6,248.50
China	Yuan		3,228.00						3,228.00
Ira Wolf:									
United States	Dollar				6,248.50				6,248.50
China	Yuan		3,228.00						3,228.00
Anne Tsai:									
United States	Dollar				6,248.50				6,248.50
China	Yuan		3,228.00						3,228.00
<b>Total</b>			<b>9,684.00</b>		<b>18,745.00</b>				<b>28,429.00</b>

MAX BAUCUS,  
Congressional-Executive Commission on China, June 4, 2002.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22  
U.S.C. 1754(b), CAUCUS ON INTERNATIONAL NARCOTICS CONTROL FOR TRAVEL FROM JANUARY 1 TO MARCH 31, 2003

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Eric Akers:									
United States	Dollar				1,479.00				1,479.00
Colombia	Peso		875.00			333.32			1,208.32
<b>Total</b>			<b>875.00</b>		<b>1,479.00</b>	<b>333.32</b>			<b>2,687.32</b>

CHARLES GRASSLEY,  
Chairman, Caucus on International Narcotics Control, June 25, 2003.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22  
U.S.C. 1754(b), SENATOR BILL FRIST, REPUBLICAN LEADER, FOR TRAVEL FROM APR. 12 TO APR. 22, 2003

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Bill Frist:									
Japan	Yen		546.00						546.00
South Korea	Won		622.00						622.00
Taiwan	Dollar		282.00						282.00
China	Yuan		781.00						781.00
Senator Don Nickles:									
Japan	Yen		917.00						917.00
South Korea	Won		622.00						622.00
Taiwan	Dollar		282.00						282.00
China	Yuan		781.00						781.00
Senator Conrad Burns:									
Japan	Yen		917.00						917.00
South Korea	Won		622.00						622.00
Taiwan	Dollar		282.00						282.00
China	Yuan		738.00						738.00
Senator Susan Collins:									
Japan	Yen		917.00						917.00
South Korea	Won		622.00						622.00
Taiwan	Dollar		282.00						282.00
China	Yuan		746.00						746.00
Senator Lincoln Chafee:									
Japan	Yen		817.00						817.00
South Korea	Won		620.00						620.00
Taiwan	Dollar		200.00						200.00
China	Yuan		631.00						631.00
Senator Bill Nelson:									
Japan	Yen		917.00						917.00
South Korea	Won		622.00						622.00
Taiwan	Dollar		282.00						282.00
China	Yuan		781.00						781.00
Senator Ben Nelson:									
Japan	Yen		917.00						917.00
South Korea	Won		622.00						622.00
Taiwan	Dollar		282.00						282.00
China	Yuan		806.00						806.00
Emily Reynolds:									
Japan	Yen		817.00						817.00
South Korea	Won		622.00						622.00
Taiwan	Dollar		282.00						282.00
China	Yuan		731.00						731.00
Steve Biegun:									
Japan	Yen		1,017.00						1,017.00
South Korea	Won		622.00						622.00
Taiwan	Dollar		282.00						282.00
China	Yuan		831.00						831.00
Jim Dohoney:									
Japan	Yen		917.00						917.00
South Korea	Won		622.00						622.00
Taiwan	Dollar		282.00						282.00
China	Yuan		731.00						731.00
Bob Stevenson:									
Japan	Yen		975.48						975.48
South Korea	Won		622.00						622.00
Taiwan	Dollar		282.00						282.00
China	Yuan		831.00						831.00
George Tolbert:									
Japan	Yen		717.00						717.00
South Korea	Won		511.00						511.00

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22  
U.S.C. 1754(b), SENATOR BILL FRIST, REPUBLICAN LEADER, FOR TRAVEL FROM APR. 12 TO APR. 22, 2003—Continued

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Taiwan .....	Dollar .....		200.00						200.00
China .....	Yuan .....		531.00						531.00
Sally Walsh:									
Japan .....	Yen .....		817.00						817.00
South Korea .....	Won .....		622.00						622.00
Taiwan .....	Dollar .....		282.00						282.00
China .....	Yuan .....		831.00						831.00
Delegation Expenses:*									
Japan .....	Yen .....						18,183.90		18,183.90
South Korea .....	Won .....						7,206.45		7,206.45
Taiwan .....	Dollar .....						9,674.81		9,674.81
China .....	Yuan .....						7,663.90		7,663.90
Totals .....			32,433.48				42,729.06		75,162.54

\*Delegation expenses include payments and reimbursements to the Department of State, and the Department of Defense under the authority of Sec. 502(b) of the Mutual Security Act of 1954, as amended by Sec. 22 of P.L. 95-384, and S. Res. 179 agreed to May 25, 1977.

BILL FRIST,  
Chairman, Republican Leader, June 27, 2003.

**ORDERS FOR THURSDAY,  
SEPTEMBER 4, 2003**

Mr. ALEXANDER. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., Thursday, September 4. 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 resume consideration of H.R. 2660, the Labor-HHS-Education appropriations bill.

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

**PROGRAM**

Mr. ALEXANDER. Mr. President, the leader has asked me to make these comments for the information of all Senators.

Tomorrow the Senate will resume debate on the Labor-HHS-Education appropriations bill. The leader asked me to say we made significant progress on the bill today. The leader would also inform all Members that rollcall votes will occur throughout the day tomorrow. As always, Members will be notified when the first vote is scheduled.

On behalf of the leader I would also announce it had been our hope to appoint conferees to the Energy bill during today's session. I understand the other side of the aisle will be prepared to name the conferees tomorrow. Therefore, we will try again during Thursday's session to move forward on the Energy legislation.

**ADJOURNMENT UNTIL TOMORROW  
AT 9:30 A.M.**

Mr. ALEXANDER. 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 7:29 p.m., adjourned until Thursday, September 4, 2003, at 9:30 a.m.

**NOMINATIONS**

Executive nominations received by the Senate September 3, 2003:

**SECURITIES AND EXCHANGE COMMISSION**

PAUL S. ATKINS, OF VIRGINIA, TO BE A MEMBER OF THE SECURITIES AND EXCHANGE COMMISSION FOR A TERM EXPIRING JUNE 5, 2008. (REAPPOINTMENT)

**DEPARTMENT OF TRANSPORTATION**

KAREN K. BHATIA, OF MARYLAND, TO BE AN ASSISTANT SECRETARY OF TRANSPORTATION, VICE READ VAN DE WATER.

**ENVIRONMENTAL PROTECTION AGENCY**

MICHAEL O. LEAVITT, OF UTAH, TO BE ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY, VICE CHRISTINE TODD WHITMAN, RESIGNED.

**SOCIAL SECURITY ADMINISTRATION**

BRADLEY D. BELT, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE SOCIAL SECURITY ADVISORY BOARD FOR A TERM EXPIRING SEPTEMBER 30, 2008. VICE STANFORD G. ROSS, TERM EXPIRED.

**DEPARTMENT OF HEALTH AND HUMAN SERVICES**

JENNIFER YOUNG, OF OHIO, TO BE AN ASSISTANT SECRETARY OF HEALTH AND HUMAN SERVICES, VICE SCOTT WHITAKER.

**DEPARTMENT OF STATE**

WILLIAM J. HUDSON, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF TUNISIA.

**INTER-AMERICAN DEVELOPMENT BANK**

HECTOR E. MORALES, OF TEXAS, TO BE UNITED STATES ALTERNATE EXECUTIVE DIRECTOR OF THE INTER-AMERICAN DEVELOPMENT BANK, VICE JORGE L. ARRIZURIETA, RESIGNED.

**NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES**

JAMES MCBRIDE, OF NEW YORK, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE ARTS FOR A TERM EXPIRING SEPTEMBER 3, 2008. VICE NATHAN LEVENTHAL, TERM EXPIRED.

**SELECTIVE SERVICE SYSTEM**

WILLIAM A. CHATFIELD, OF TEXAS, TO BE DIRECTOR OF SELECTIVE SERVICE, VICE ALFRED RASCON, RESIGNED.

**DEPARTMENT OF DEFENSE**

GORDON ENGLAND, OF TEXAS, TO BE SECRETARY OF THE NAVY. (REAPPOINTMENT)

MICHAEL W. WYNNE, OF FLORIDA, TO BE UNDER SECRETARY OF DEFENSE FOR ACQUISITION, TECHNOLOGY, AND LOGISTICS, VICE EDWARD C. ALDRIDGE, RESIGNED.

**IN THE ARMY**

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

*To be major general*

BRIG. GEN. DENNIS E. HARDY, 0000

**IN THE NAVY**

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant commander*

- MARC E BOYD, 0000
- CHRISTOPHER M DAVIS, 0000
- JACQUELYNN E FISHER, 0000
- DANIEL D HETTLAGE, 0000
- THURRAYA S KENT, 0000
- HEIDI J LENZINI, 0000
- STEVEN J MAVIGA, 0000
- SCOTT D MCLINAY, 0000

- MONICA M RICHARDSON, 0000
- ELISSA J SMITH, 0000
- WENDY L SNYDER, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant commander*

- OLIVIA L BETHEA, 0000
- EDWARD F BOSQUE, 0000
- JOHNNY E BOWEN, 0000
- CHRISTINE J CASTON, 0000
- NICOLE L DERAMUS, 0000
- MICHAEL A FAVATA, 0000
- LISA F FLORES, 0000
- TAWANNA M HOPSON, 0000
- RHONDA M H HUDSON, 0000
- KIMBERLEY C JORDAN, 0000
- ABSOLON S KENT, 0000
- PATRICK S MARTIN, 0000
- ERIN A MCAVOY, 0000
- LEE A C NEWTON, 0000
- SHEILA A NOLES, 0000
- KAREN L SRAY, 0000
- THERESA A TALBERT, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant commander*

- JASON B BABCOCK, 0000
- BOBBY J BECK, 0000
- DARREL T BISHOP, 0000
- RICHARD A BORDEN, 0000
- JOHN BOS, 0000
- STACY A BOWMAN, 0000
- MICHAEL P CADENAZZI JR., 0000
- SAMUEL G CHANGE, 0000
- BARRY W COOK, 0000
- JAMES C COUDEYRAS, 0000
- PATRICK A COUNT, 0000
- JOEL D DAVIS, 0000
- KATHRYNN R FESTA, 0000
- CLARENCE FRANKLIN JR., 0000
- CYNTHIA M FULMER, 0000
- HARRY JURICIC, 0000
- EDWARD N KELLY, 0000
- WILLIAM P KINNISON, 0000
- RUSSELL L MARSH, 0000
- GILBERT MARTINEZ, 0000
- CHARLES W MCCAFFREY, 0000
- KRISTOFER D MICHAUD, 0000
- KURTIS A MOLE, 0000
- DANNY L NOLES, 0000
- TROY D OSTEN, 0000
- DONOVAN I OUBRE, 0000
- CESAR G RIOS JR., 0000
- ANGEL A RIVERA, 0000
- WILLIAM L RODGERS III, 0000
- DONALD L SAVAGE, 0000
- DENISE M SCHIAVONE, 0000
- RICHARD M SCHMIDT, 0000
- TRISHA R SNYDER, 0000
- FRED K STRATTON, 0000
- BRIAN D SWANSON, 0000
- MICHAEL J TODD, 0000
- STEVEN W TUMISKI, 0000
- DAVID C VANBRUNT, 0000
- ALLISA M WALKER, 0000
- JEFFREY L WILLIAMS, 0000
- TIMOTHY J ZINCK, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant commander*

- REID B APPELQUIST, 0000

TIMOTHY J BERGAN, 0000  
 RICHARD A BRAUNBECK III, 0000  
 BEVERLY D COLE, 0000  
 JOSE R CORDERO, 0000  
 DERICK W DIAZ, 0000  
 THOMAS C ENGLAND, 0000  
 ERIKA L GOMPERS, 0000  
 ANTHONY K JARAMILLO, 0000  
 WESLEY J JOSHWAY, 0000  
 ROBERT M KERNER, 0000  
 HUMPHERY G LEE, 0000  
 JIMMY F PATE JR., 0000  
 BERNARD L SIMONSON, 0000  
 BRET A WASHBURN, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant commander*

TRACIE L ANDRUSIAK, 0000  
 DANIEL J COLPO, 0000  
 JOSEPH DITURI, 0000  
 HAROLD W DUBOIS, 0000  
 KENNETH A EBERT, 0000  
 DANIEL W ETTLICH, 0000  
 ALLAN S FELICIANO, 0000  
 JONATHAN C GARCIA, 0000  
 TIMOTHY N HANEY, 0000  
 JON A JONES, 0000  
 JOSEPH J KELLER, 0000  
 PETER A LASHOMB, 0000  
 GEORGE M LAWLER, 0000  
 CARL L PARKS, 0000  
 JOHN T PHELAN JR., 0000  
 JASON L RHOADS, 0000  
 FRANCIS D ROCHFORD, 0000  
 JOHN ROROS, 0000  
 GREGORY D ROSE, 0000  
 JACK W RUST, 0000  
 RONALD J RUTAN, 0000  
 DJUENO S SEARLES, 0000  
 NEIL G SEXTON, 0000  
 BLANCA A SHAEFFER, 0000  
 STEFAN T SIDAHMED, 0000  
 PETER D SMALL, 0000  
 BRIAN K VAZQUEZ, 0000  
 VINCENT C WATSON, 0000  
 DOUGLAS L WILLIAMS, 0000  
 ROBERT A WOLF, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant commander*

TIMOTHY A ANDERSON, 0000  
 KEITH P BARTO, 0000  
 BRADY A BROWN, 0000  
 DAMON B DIXON, 0000  
 CLAUDE F GAHARD JR., 0000  
 CHRISTY J GOODE, 0000  
 CHRISTOPHER R HOLDBROOKS, 0000  
 ROBERT D JONES, 0000  
 RENWICK M MOHAMMED, 0000  
 RICHARD M MURPHY, 0000  
 DEXTER A NEWTON, 0000  
 SEAN D ROBINSON, 0000  
 MICHAEL C ROST, 0000  
 RACHAEL A SPOLEEN, 0000  
 WENDY A TOWLE, 0000  
 DOUGLAS T WAHL, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant commander*

SOWON S AHN, 0000  
 PAUL D ALLEN, 0000  
 ALBERT ANGEL, 0000  
 SCOTT M AYERS, 0000  
 SCOTT J BRADY, 0000  
 ERIC G BROOKS, 0000  
 JEFFREY W CALL, 0000  
 ANDREW J CHARLES, 0000  
 ALEXANDER P DUNMIRE, 0000  
 RICHARD B EDWARDS, 0000  
 TODD N EPLEY, 0000  
 ROBERT G FONTENOT, 0000  
 GARY T FOUTS, 0000  
 CHARLES E HANS, 0000  
 ROBERT F HIGHT JR., 0000  
 JEFFREY J JAKUBOSKI, 0000  
 ROBERT P JOHNS, 0000  
 CHRISTOPHER L JONES, 0000  
 DONALD B JUNE, 0000  
 DOUGLAS M KELCHNER, 0000  
 REBECCA N KERSCHL, 0000  
 CHRISTOPHER R KOPACH, 0000  
 ERIC E LAHTI, 0000  
 ADAM L LANDRY, 0000  
 TIMOTHY P LAWLOR, 0000  
 THOMAS J LAWRENCE, 0000  
 RICHARD J LEGRANDE JR., 0000  
 ROBERT T LEHBOLD II, 0000  
 DOUGLAS A MCWILLIAMS, 0000  
 ALEXANDER W MILLER, 0000  
 CHARLES F MILLHOLLAN, 0000  
 STEVEN A NEWTON, 0000  
 PAUL A POSTOLAKI, 0000  
 ANTONIO QUILLES, 0000  
 JEREMIAH J RABITOR, 0000  
 JEFFREY P RICHARD, 0000  
 PAUL S ROSE, 0000  
 BRIAN K ROWER, 0000  
 FRANK G SCHLERETH III, 0000

JONATHAN E SCHWARTZ, 0000  
 LAWRENCE E SHAFFIELD, 0000  
 PETER N SHEPARD, 0000  
 BRUCE T STARKY, 0000  
 HENRY A STEPHENSON, 0000  
 EARL SYMONDS, 0000  
 TIMOTHY W TERRY, 0000  
 SETH A WALTERS, 0000  
 TROY WEBER, 0000  
 DANIEL L WHITEHURST, 0000  
 CRAIG M WHITTINGHILL, 0000  
 SCOTT D YOUNG, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant commander*

LEON S ABRAMS, 0000  
 ROBERTO M ABUBO, 0000  
 STEVEN W ALLEN, 0000  
 ANTHONY M ANDERSON, 0000  
 DONALD J ANDERSON, 0000  
 LUKE ARKINS, 0000  
 NEEDHAM L AUSTIN III, 0000  
 RUBEN J AVALOS, 0000  
 PHILLIP J BACHAND, 0000  
 SCOTT A BAIR, 0000  
 DAVID G BAKER, 0000  
 THOMAS R BEARDEN, 0000  
 MARK A BELL, 0000  
 DALE R BENNETT, 0000  
 EDWIN BERRIOS, 0000  
 BRIAN T BERRY, 0000  
 DENNIS R BERRY JR., 0000  
 GARY W BLAKESLONE, 0000  
 EDWARD S BLAKESLONE, 0000  
 ETIENNE M BOSCOVITCH, 0000  
 GLEN D BOURQUE, 0000  
 JOSEPH E BRIGHTWELL, 0000  
 MICHAEL T BROADUS, 0000  
 FRED BUCKLEY III, 0000  
 JAMES P BUNNELL, 0000  
 AUDREY V BURTON, 0000  
 MICHAEL E CALDWELL, 0000  
 CHARLES K CARL, 0000  
 SCOTT L CARPENTER, 0000  
 KERRI D CASHION, 0000  
 PATRICK T CHRISTIAN, 0000  
 LINDA L CLAMOR, 0000  
 LACONTA D COLEMAN, 0000  
 STEVEN W CONNELL, 0000  
 THOMAS H COTTON, 0000  
 JOSE M CRUZ, 0000  
 KEVIN CURLEY, 0000  
 DEBBERT E CURRAN, 0000  
 RANDALL A CURTIS, 0000  
 JOSEPH M DADY, 0000  
 MERVIN E DAWSON, 0000  
 BRIAN J DETERS, 0000  
 GREGORY S DEXTER, 0000  
 PAUL DICKSON, 0000  
 KENNETH P DONALDSON, 0000  
 DANIEL E DOOLITTLE, 0000  
 CHARLES W ENSINGER, 0000  
 MICHAEL G FARMER, 0000  
 KIRK FLANAGAN, 0000  
 THOMAS A GARBHART, 0000  
 JAMES J GALOPEA JR., 0000  
 JAMES P GETMAN, 0000  
 KEVIN M GLANCEY, 0000  
 JUAN GONZALEZ, 0000  
 STEVEN P GOODMAN, 0000  
 GREGORY S GORDON, 0000  
 FRANCIS P GORMAN, 0000  
 TODD A GRAF, 0000  
 MICHAEL P GRAMOLINI, 0000  
 JON C GRANT, 0000  
 DAVID L GROESCHEL, 0000  
 RONALD P GUSTIN, 0000  
 WILLIAM A HALL, 0000  
 PAUL E HAMANN, 0000  
 JOHN M HANSEN, 0000  
 TROY L HARE, 0000  
 KEITH A HARRIS, 0000  
 LANCE A HARPEL, 0000  
 JEFFREY T HILL, 0000  
 DONALD T HOLDEN, 0000  
 FREDERICK B HOOD, 0000  
 JESSE L HOWELL III, 0000  
 BILLY D HUNTELL, 0000  
 CHARLOTTE M HURD, 0000  
 MARK L HURSEY, 0000  
 MICHAEL S IRLAND, 0000  
 WILLIAM D IRVIN, 0000  
 GLEN P JACKSON, 0000  
 BRIAN D JACOBSON, 0000  
 VINCENT J JANOWIAK, 0000  
 CHARLES A JOHNSON, 0000  
 DARRON K JOHNSON, 0000  
 JAMES D JOHNSON, 0000  
 PHILIP A JONES, 0000  
 GREGORY J KAYSER, 0000  
 JAMES G KELZ, 0000  
 THOMAS P KENNEDY, 0000  
 JACKIE D KNICK, 0000  
 MARK J KNIGHT, 0000  
 BRYANT S KOHUT, 0000  
 LOWELL R KURZ, 0000  
 DAVID E KUSH, 0000  
 KEITH R LAFOUCADE, 0000  
 THOMAS J LALLY, 0000  
 JEFFREY D LAMB, 0000  
 TIMOTHY B LAWS, 0000  
 MARTIN H LEVERING, 0000  
 DAVID R LEVESQUE, 0000  
 DANIEL L LIDSTER, 0000  
 DWAYNE L LLOYD, 0000  
 MICHAEL J LOGAN, 0000  
 JOHN A LOISELLE, 0000  
 RICHARD A LOTT JR., 0000  
 SHANNON L LOVEJOY, 0000  
 ALLAN J LUCAS, 0000  
 RALPH B LYDICK, 0000  
 DEAN S LYONS, 0000  
 ROBIN A MACLEAN, 0000  
 BRIAN T MAHONEY, 0000  
 DANIEL E MANETZKE, 0000  
 DAVID E MCCONAGHAY, 0000  
 MATTHEW B MCCOY, 0000  
 THOMAS W MCDONALD, 0000  
 ARTIS E MCELHANEY, 0000  
 STEPHANIA Y MCGARITY, 0000  
 BRUCE D MCGEE, 0000  
 RICKY MCIVER, 0000  
 ROBERT N MCCLAFFERTY, 0000  
 CAROL A MCMILLAN, 0000  
 ANGEL M MELENDEZ JR., 0000  
 CHARLES W MILLINER, 0000  
 LUCKY M MOISES, 0000  
 GILBERT P MUCKE, 0000  
 JON P MUMPER, 0000  
 JAMES L MUNIZ, 0000  
 CLIFTON B MYGATT, 0000  
 KENDAL S NAKANISHI, 0000  
 RICHARD A NAYSTATT JR., 0000  
 DAVID K NUHFER, 0000  
 JOHN M O'BRIEN, 0000  
 MARIAN S OGRADY, 0000  
 GERALD R OLIN II, 0000  
 SCOTT D PALUMBO, 0000  
 JEFFREY PARA, 0000  
 RONNIE PARKS, 0000  
 MICHAEL G PASQUARETTE, 0000  
 WILLIAM PENNINGTON, 0000  
 MACKAY C PHILLIPS, 0000  
 MICHAEL T PIECHURA, 0000  
 DARYL PIERCE, 0000  
 RICKY PIERCE, 0000  
 CARLOS A PINERO, 0000  
 WILLARD POINDEXTER, 0000  
 WILLIAM J POWELL, 0000  
 TODD J PROSSER, 0000  
 JOHN P PROTZ JR., 0000  
 CLIFFORD S RADER, 0000  
 ANDREW G RAYMOND, 0000  
 WILLIAM D REABE, 0000  
 EDWARD J RHYNE, 0000  
 STEVEN L RICE, 0000  
 HARRY L ROBINSON, 0000  
 LOREN R ROLLS, 0000  
 KEITH J ROWE, 0000  
 MICHAEL D RUTLEDGE, 0000  
 DAVID B SAUCEDO, 0000  
 JOHN R SAUTER, 0000  
 ANDREW W SCHMITT, 0000  
 MATTHEW H SCHMITT, 0000  
 JOSE A SEIN, 0000  
 GEORGE R SHARP, 0000  
 RICHARD S SHERMAN, 0000  
 ANTHONY W SHIPMAN, 0000  
 TIMOTHY S SHIPMAN, 0000  
 RICHARD E SIMPSON, 0000  
 MARY K SIZEMORE, 0000  
 PHILIP E SMITH, 0000  
 GERALD T SODANO, 0000  
 PETER J STEVENS JR., 0000  
 LAURENCE G STOREY, 0000  
 KURT E STRONACH, 0000  
 MICHAEL STROUD, 0000  
 KENNETH W SZTTA, 0000  
 DONNA L TARPINIAN, 0000  
 MICHAEL C THIBODEAU, 0000  
 GUYTON L THOMPSON JR., 0000  
 KENNETH E TRANTHAM, 0000  
 JAMES A TRUHETT, 0000  
 JOSEPH P TUBBS, 0000  
 GARY L VANERT, 0000  
 PETER J VARGA, 0000  
 EDWARD C VAUGHN, 0000  
 MICHAEL A WALLACE, 0000  
 DARYL F WALLS, 0000  
 MARK E WARNER, 0000  
 CURTIS W WARRENFELTZ, 0000  
 HENRY A WEBB, 0000  
 LARRY G WELLS, 0000  
 DARRELL G WHITE, 0000  
 MICHAEL A WHITT, 0000  
 DELMAS WHITTAKER JR., 0000  
 JOHN A WILHELM, 0000  
 ALLEN M WILLIAMS, 0000  
 ANTHONY G WILLIAMS, 0000  
 GILBERT L WILLIAMS, 0000  
 RICKIE D WILLIAMS, 0000  
 WILLIAM H WILLIAMS, 0000  
 BRUCE A WITT, 0000  
 BYRON WRICE, 0000  
 KEVIN E WRIGHT, 0000  
 CARL ZEIGLER, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant commander*

RAFAEL A ACEVEDO, 0000  
 JOHN R ADAMS, 0000  
 JONATHAN Q ADAMS, 0000  
 MARK T ADAMY, 0000  
 SHANE A AHLT, 0000  
 KELLY V AHLM, 0000  
 BRADLEY A ALANIZ, 0000  
 MITCHELL W ALBIN, 0000  
 BYRON V T ALEXANDER, 0000

ERIK P ALFSEN, 0000  
CHRISTOPHER D ANDERSON, 0000  
DAVID K ANDERSON, 0000  
ERIK C ANDERSON, 0000  
KEVIN S ANDERSON, 0000  
SEAN R ANDERSON, 0000  
TIMOTHY J ANDERSON, 0000  
NICHOLAS E ANDREWS, 0000  
BRADLEY J ANDROS, 0000  
CHRISTOPHER ANGELOPOULOS, 0000  
MICHAEL S ANSLEY, 0000  
JULITO T ANTOLIN JR., 0000  
JULIANA F ANTONACCI, 0000  
PETER L ANTONACCI, 0000  
SCOTT M ASACK, 0000  
KUMAR ATARTHI, 0000  
CONNIE J AVERY, 0000  
ADAM M AYCOCK, 0000  
ROBERT F BAARSON JR., 0000  
ANGELA J BAKER, 0000  
BRADFORD W BAKER, 0000  
DAVID C BAKER III, 0000  
VINCE W BAKER, 0000  
BRYAN W BALGENORTH, 0000  
DAVID J BALSITIS, 0000  
ROGER T S BANKS, 0000  
ROBERT C BARBEE, 0000  
CHRISTOPHER M BARBER, 0000  
MATTHEW P BARENTS, 0000  
STEVEN M BARR, 0000  
ANDREW C BARRY, 0000  
MATTHEW P BARTEL, 0000  
DAVID S BARTELL, 0000  
CHARLES B BASSEL, 0000  
GREGORY J BATCHELDER, 0000  
JUSTIN T BATES, 0000  
LYNDSI N BATES, 0000  
STEWART L BATESHANSKY, 0000  
AMY N BAUERNSCHMIDT, 0000  
WILLIAM H BAXTER, 0000  
CRAIG R BEAL, 0000  
ROBERT D BEAL, 0000  
ADRIAN G BEALE, 0000  
ROBERT E BEBERMEYER, 0000  
BRIAN C BECKER, 0000  
JOEL R BECKER, 0000  
KARL W BECKER, 0000  
PATRICK A BECKER, 0000  
JAMES A BEDARD, 0000  
RYAN J BEDNER, 0000  
CAESAR S BENIPAYO, 0000  
MICHAEL C BIEMILLER, 0000  
JEFFREY M BIERLEY, 0000  
MICHAEL E BIERY, 0000  
DALE D BIGHAM, 0000  
CRAIG W BILYEU, 0000  
JOSEPH P BINGHAM, 0000  
JOSEPH J BIONDI, 0000  
JOHN R BIXBY, 0000  
BRENT M BLACKMER, 0000  
JERRY S BLACKWELL, 0000  
JEFFREY D BLAKE, 0000  
THOMAS E BLAKE JR., 0000  
JAMES R BLANKENSHIP, 0000  
JASON B BLITZ, 0000  
JOHN A BLOCKER, 0000  
TODD D BODE, 0000  
JAMES H BOLIN II, 0000  
TODD A BONHAM, 0000  
WALTER BONILLA, 0000  
TROY D BOOKER, 0000  
DALE W BOFF, 0000  
MARC D BOKAN, 0000  
KEVIN D BORDEN, 0000  
ANDREW J BORDICK, 0000  
MICHAEL L BOSSHARD, 0000  
RANDALL W BOSTICK, 0000  
PAUL D BOWDICH, 0000  
ERIC J BOWER, 0000  
KENDRA M BOWERS, 0000  
BRIAN D BOYCOURT, 0000  
SEAN P BOYLE, 0000  
SCOTT T BRACHER, 0000  
DOUGLAS A BRADLEY, 0000  
DOUGLAS M BRADSHAW, 0000  
TONY R BRANCH, 0000  
MATTHEW J BRAUN, 0000  
EDWARD A BRAY, 0000  
TRACY A BRINES, 0000  
SCOTT A BRIQUELET, 0000  
PHILIP M BROCK, 0000  
CHRISTOPHER D BROWN, 0000  
SEIHO P BROWN, 0000  
MICHAEL R BRUNEAU, 0000  
JEREMY D BRUNN, 0000  
BRANDON S BRYAN, 0000  
JAMES R BRYAN, 0000  
ROBERT B BRYANT, 0000  
JOSEPH G BUCKLER, 0000  
JAMES E BUCKLEY, 0000  
MATTHEW A BUCKLEY, 0000  
CHRISTOPHER J BUDE, 0000  
DOUGLAS R BUEHNE, 0000  
GERALD J BURGHARDT, 0000  
DENNIS M BURKE, 0000  
RICHARD K BURKHART, 0000  
MATTHEW S BURTON, 0000  
CHARLES N BURWICK, 0000  
ERIC V BUSH, 0000  
THOMAS A BUSHAW, 0000  
RICHARD A BUTLER, 0000  
CHRISTOPHER BUZIAK, 0000  
ROBERT L BYERS, 0000  
JEFFREY T CAHILL, 0000  
CHRISTOPHER R CALDWELL, 0000  
DANIEL B CALDWELL, 0000  
JOHN R CALLAWAY, 0000  
CURTIS S CALLOWAY, 0000  
DARRELL S CANADY, 0000  
MARVIN W CARLIN II, 0000  
ANDREW F CARLSON, 0000  
GARY J CARLSON, 0000  
BRUCE L CARLTON, 0000  
CHRISTOPHER J CARMONA, 0000  
DOMINIC S CARONELLO, 0000  
SCOTT A CARPENTER, 0000  
STEVEN M CARPENTER, 0000  
STEVEN B CARROLL, 0000  
RYAN T CARRON, 0000  
JEFFREY J CARTY, 0000  
GREGORY R CASKEY, 0000  
BRIAN L CASPER, 0000  
BRIAN V CELLILLI, 0000  
QUENTIN K CHANDLER, 0000  
VINCENT S CHERNESKY, 0000  
JAMES D CHRISTIE, 0000  
CHRISTOPHER F CIGNA, 0000  
CHAD C CISCO, 0000  
BENEDICT D CLARK, 0000  
MATTHEW C CLAY, 0000  
CHARLES M COHN, 0000  
BRET B COLBY, 0000  
STANFORD P COLEMAN, 0000  
PETER M COLLINS, 0000  
KYLE J COLTON, 0000  
JOHN C COMPTON, 0000  
MICHAEL R CONNER, 0000  
MITCHELL R CONOVER, 0000  
BENJAMIN R COOK, 0000  
TIMOTHY V COOKE, 0000  
STANLEY L COOLEY, 0000  
JEFFREY M COOPER, 0000  
MARK E COOPER, 0000  
ERIC C CORRELL, 0000  
DANIEL P COVELLI, 0000  
ANTHONY C GREGO, 0000  
TYEMAYNE G CRINER, 0000  
RYAN P CRILE, 0000  
RUSSELL A CROW, 0000  
HERMAN A CRUZ, 0000  
ANDRIE T CUEVAS, 0000  
MARVIN W CUNNINGHAM, 0000  
WARREN E CUPPS, 0000  
DOUGLAS W CZARNECKI, 0000  
NOEL J DAHLKE, 0000  
PAUL M DALE, 0000  
JOSEPH J DANTONE III, 0000  
MERRYL DAVID, 0000  
ALEXANDER DAVILA, 0000  
CLEDO L DAVIS, 0000  
DEARCY P DAVIS IV, 0000  
JASON H DAVIS, 0000  
LEONARDO A DAY, 0000  
CARL W DEGRACE, 0000  
TRES D DEHAJ, 0000  
TOM S DEJARNETTE, 0000  
KEVIN H DELAAN, 0000  
PAUL C DEMARCELLUS, 0000  
CHRISTOPHER R DEMAY, 0000  
BRIAN A DENEVE, 0000  
DAVID J DERMODY, 0000  
TRACY G DEWITT, 0000  
SCOTT P DICKINSON, 0000  
MICHAEL J DILLENDER, 0000  
PAUL K DITCH, 0000  
CHARLES S DITTBENNER II, 0000  
JOSH E DITTMAR, 0000  
CORY A DIXON, 0000  
THOMAS E DIXON, 0000  
THOMAS J DIXON, 0000  
H T DOANE, 0000  
CHRISTOPHER G DOBSON, 0000  
CORNEALIS N DONAHUE, 0000  
DARRIN J DONLEY, 0000  
RICHARD K DOUGHERTY, 0000  
JAKE B DOUGLAS, 0000  
RONALD A DOWDELL, 0000  
JOHN B DOWNES, 0000  
KEVIN J DOWNNEY, 0000  
RICHARD H DOWNNEY, 0000  
SCOTT C DOWNNEY, 0000  
DENNIS M DRUMMOND, 0000  
DAVID W DRY, 0000  
DWAYNE D DUCOMMUN, 0000  
JONATHAN C DUFFY, 0000  
ERIC W DUKE, 0000  
GRANT A DUNN, 0000  
JAMES P DUNN III, 0000  
STEVEN M DUPONT, 0000  
ROBERT M DURLACHER, 0000  
JAMES A DUTTON, 0000  
DAVID C DYE, 0000  
JASON C EATON, 0000  
JAMES W EDWARDS JR., 0000  
MICHAEL L EGAN, 0000  
KENNETH EHRSMAN, 0000  
TODD EHRHARDT, 0000  
BLAKE D EIKENBERRY, 0000  
BRIAN P ELKOWITZ, 0000  
JAMES E ELLIS, 0000  
DRIK W ELWELL, 0000  
ERANDON N EMANUEL, 0000  
JOE M EMMERT, 0000  
FERMIN ESPINO, 0000  
MATTHEW D EVANS, 0000  
SETH A EVANS, 0000  
TODD M EVANS, 0000  
DARIN A EVENSON, 0000  
MARC A FASSNACHT, 0000  
JOSEPH FAUTH, 0000  
DAVID A FEATHERBY, 0000  
JOSEPH D FEMINO, 0000  
MARK A FERLEY, 0000  
TOMMY L FIFER, 0000  
TODD A FIGANBAUM, 0000  
ROBERT D FIGGS, 0000  
JOHN A FISCHER, 0000  
JOHN R FITZGERALD, 0000  
CHRISTOPHER E FLAHERTY, 0000  
STEPHEN A FLAHERTY, 0000  
MATTHEW S FLEMMING, 0000  
BRIAN C FLICK, 0000  
GEORGE A FLOYD, 0000  
MICHAEL A FLUDOVICH JR., 0000  
DAVID D FOLDY, 0000  
CHRISTOPHER S FORD, 0000  
CHARLES A FORTINBERRY, 0000  
JERRY D FOSTER JR., 0000  
JOEL W FOSTER, 0000  
DAVID E FOWLER, 0000  
JOHN H FOX, 0000  
EUGENE N FRANKS, 0000  
FRANCIS G FRANKY, 0000  
JOEY L FRANTZEN, 0000  
TODD C FREISCHLAG, 0000  
HARRY P FULTON III, 0000  
JON R GABRIELSON, 0000  
JOHN C GALLEGRO, 0000  
JUSTIN P GANS, 0000  
CHARLES E GARRETT, 0000  
MICHAEL S GARRICK, 0000  
BRENT C GAUT, 0000  
JOHN W GEHLE, 0000  
SAM R GEIGER, 0000  
ROBERT E GENTRY, 0000  
ERIC E GEORGE, 0000  
FRANK E GIANOCARO, 0000  
TIMOTHY M GIBBONEY, 0000  
SCOTT A GILES, 0000  
MARCO P GHORGI, 0000  
CHRISTOPHER F J GLANZMANN, 0000  
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NOEL D J GONZALEZ, 0000  
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JOSEPH A GOODRICH, 0000  
SHAWN M GOODRICH, 0000  
DANIEL C GORDON, 0000  
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WILLIAM M GOTTFELD JR., 0000  
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DARREN B GUENTHER, 0000  
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SCOTT A GUNDERSON, 0000  
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MICHAEL D HAAS, 0000  
CRAIG A HACKSTAFF, 0000  
KEVIN H HAGAN, 0000  
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LEIF E HAMMERMARK, 0000  
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RONALD M HART, 0000  
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SCOTT A HARVEY, 0000  
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RYAN J HELLMAN, 0000  
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CHAD F HENNING, 0000  
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TRENTON D HESSLINK, 0000  
JAMES B HEWETTE III, 0000  
CURTIS J HICKLE, 0000  
TURHAN I HIDALGO, 0000  
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DAMEN O HOPFENZ, 0000  
KEITH A HOLIHAN, 0000  
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 CARLOS MONTANEZ, 0000  
 LUIS M MONTEALEGRE, 0000  
 LIAM J MONTGOMERY, 0000  
 DANIEL MONTTOYA, 0000  
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 PAMELA E NICKRAND, 0000  
 MATTHEW R NIEDZWIECKI, 0000  
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 PETER K NILSEN, 0000  
 ROSIS B NISWANGER, 0000  
 CHRISTOPHER P NODINE, 0000  
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 DAMON E NOLTING, 0000  
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 SCOTT M NOVINGER, 0000  
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 JAMES E OHARRA II, 0000  
 RUDOLPH M OHEHE II, 0000  
 MICHAEL A OLEARY, 0000  
 ROBERT D OLIVER II, 0000  
 CRAIG R OLSON, 0000  
 JASON H OWENS, 0000  
 BARRY C PALMER JR., 0000  
 LAWRENCE E PALMER, 0000  
 TONY S W PARK, 0000  
 TIMOTHY V PARKER, 0000  
 CHESTER T PARKS, 0000  
 ROBERT W PATTERSON, 0000  
 CHESE D PATRICK, 0000  
 ANDREW J PATERSON, 0000  
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 CARL M PEDERSEN, 0000  
 EDWARD K PEIRSON, 0000  
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 SAMUEL D PENNINGTON, 0000  
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 ROBERT E PETERS, 0000  
 ANDREW G PETERSON III, 0000  
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 PAUL E PEVERLY, 0000  
 PATRICK L PFANZ, 0000  
 MICHAEL PFARRER, 0000  
 JASON D PHILLIPS, 0000  
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 TODD J PIERCE, 0000  
 GELL T L PITTMAN III, 0000  
 RICHARD M PLAGGE, 0000  
 JEFFREY M PLAISANCE, 0000  
 TIMOTHY J POE, 0000  
 STEPHEN R POLK, 0000  
 BRODY L PRIETO, 0000  
 PAUL G PROKOPOVICH, 0000  
 JOHN J PUDLOSKI, 0000  
 SAHARI PULLOM, 0000  
 BRIAN K PUMMILL, 0000  
 PHILIP J PYLES, 0000  
 CRAIG A RADOMSKI, 0000  
 CHARLES C RALEY, 0000  
 ARMANDO RAMIREZ JR., 0000  
 BRIAN H RANDALL, 0000  
 TARIQ M RASHID, 0000  
 BRIAN J RASMUSSEN, 0000  
 DAVID P RASMUSSEN, 0000  
 WILLIAM K RAYBURN, 0000  
 VERNON J RED, 0000  
 KELVIN L REED, 0000  
 NATHANIEL R REED, 0000  
 PAUL S REINHART, 0000  
 LLOYD R REINHOLD, 0000  
 BENJAMIN C RENDA, 0000  
 JOHN C RENNING, 0000  
 ARISTIDES G REYES, 0000  
 DAVID W REYNOLDS, 0000  
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 STEVEN M RIEDEL, 0000  
 JOSEPH J RING, 0000  
 MICHAEL J RIORDAN IV, 0000  
 DAVID H RIOS, 0000  
 RONALD RIOS, 0000  
 GEORGE RIVERA, 0000  
 JESS V RIVERA, 0000  
 RAYMOND A RIVERA, 0000  
 RICHARD A RIVERA, 0000  
 SCOTT V RIVERA, 0000  
 TRISTAN G RIZZI, 0000  
 ANTHONY C ROACH, 0000  
 DAVID G ROBERTSON, 0000  
 MATTHEW H ROBINSON, 0000  
 BARRY F RODRIGUES, 0000  
 JOSE L RODRIGUEZ, 0000  
 CHARLES L ROGERS, 0000  
 DOUGLAS W ROSA, 0000  
 ASHLEY C ROSE, 0000  
 ANTHONY E ROSSI, 0000  
 AARON P ROULAND, 0000  
 CHRISTOPHER J RUDIN, 0000  
 STEVEN E RUMPH, 0000  
 MICHAEL K RUMKLE, 0000  
 DAVID J RUPPERT, 0000  
 CHRISTIE M RUSHING, 0000  
 CHRISTOPHER R RUSSELL, 0000  
 JOHN D SACCOMANDO, 0000  
 BRENT D SADDLER, 0000  
 LUIS E SANCHEZ JR., 0000  
 CARLOS SANCHEZ, 0000  
 ROBERT D SANDERS, 0000  
 CHRISTOPHER P SANTOS, 0000  
 STEPHEN F SARAR, 0000  
 ANTHONY M SAUNDERS, 0000  
 MATTHEW I SAUVAGE, 0000  
 MARK A SCHAFER, 0000  
 PAUL M SCHALLER, 0000  
 JASON B SCHEFFER, 0000  
 ANDREW C SCHMIDT, 0000  
 JASON J SCHNEIDER, 0000  
 LAURA A SCHUESSLER, 0000  
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 KEVIN P SCHULTZ, 0000  
 JAYSON V SCHWANTES, 0000  
 MARC S SCOTCHLAS, 0000  
 JAMES E SCOTT, 0000  
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 MARK A SEBLEACH, 0000  
 GEORGE E SEGREDO, 0000  
 JOHN J SEIFERT, 0000  
 CHRISTOPHER M SENENKO, 0000  
 RAMON I SERRANO, 0000  
 CHRISTIAN N SETTLEMIER, 0000  
 ERIC L SEVERSEIKI, 0000  
 DANIEL A SHAARDA, 0000  
 JOHN A SHAFER, 0000  
 WILLIAM K SHAFLEY III, 0000  
 BRIAN J SHEAKLEY, 0000  
 BLAINE T SHEARON, 0000  
 KELLY M SHEKITKA, 0000  
 KENNETH S SHEPARD, 0000  
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 REBECCA M SHERRILL, 0000  
 WILLIAM R SHERROD, 0000  
 MATTHEW B SHIPLEY, 0000  
 BRETT A SHOCKNEY, 0000  
 WILLIAM C SHONEMAKER, 0000  
 THOMAS E SHULTZ, 0000  
 CRAIG M SICOLA, 0000  
 JOSEPH M SILVER JR., 0000  
 DAVID W SIMMONS, 0000  
 STEPHEN D SIMS, 0000  
 TRAVIS D SISK, 0000  
 CHRISTOPHER T SLAYMAN, 0000  
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 XAVIER G SMITH, 0000  
 ALEXANDER T SOE, 0000  
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 GABRIEL E SOLTERO, 0000  
 JEFFREY L SORICELLI, 0000  
 MICHAEL R SOWA, 0000  
 STEVEN K SPEIGHT, 0000  
 ERNEST L SPENCE, 0000  
 JULIE A SPENCER, 0000  
 AXEL W SPENS, 0000  
 ROBERT J SRDAR, 0000  
 ANTHONY J STAFFIERI, 0000  
 BRAD L STALLINGS, 0000  
 HARRY F STATIA, 0000  
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 PAUL J STEINBRENNER, 0000  
 ROBERT L STEPHENSON JR., 0000  
 JASON D STEVENS, 0000  
 DAVID G STILL, 0000  
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 ROBERT P STRAHM, 0000  
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 JEFFREY E STRANGE, 0000  
 MARK G STUFFLEBEEM, 0000  
 MARK B SUCATO, 0000  
 JOHN R SUDDUTH, 0000  
 DAVID C SULLIVAN JR., 0000  
 MICHAEL J SUPKO, 0000  
 ERIC B SVENSSON, 0000  
 CALVIN F SWANSON, 0000  
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 STEVEN M TABORSKY, 0000  
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 BRADLEY B TERRY, 0000  
 JASON R J TESTA, 0000

CHUONG N THAI, 0000  
 WILLIAM G THARP III, 0000  
 HEATH A THOMAS, 0000  
 ROBBIE J THOMAS, 0000  
 ROBERT W THOMAS JR., 0000  
 LANCE E THOMPSON, 0000  
 MICHAEL K TIBBS, 0000  
 ROBERT H TIDBALL, 0000  
 JOHN D TINETTI, 0000  
 SHANNON K TOLLIVER, 0000  
 MARK A TORREANO JR., 0000  
 MICHAEL A TORRES, 0000  
 JAMES K TRAN, 0000  
 HENRY D TRAVIS, 0000  
 KERRY N TRIPP, 0000  
 PAUL J TRUDELL, 0000  
 ROGER A TURPIN, 0000  
 DAVID A URSINI, 0000  
 MARK J VAGEDES, 0000  
 FRANCISCO O VALDEZ, 0000  
 DARIN L VALLETTE, 0000  
 RUSSELL J VANDIEPEN, 0000  
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 DANIEL L VANMETER, 0000  
 NICK A VARES, 0000  
 LARRY P VARNADORE, 0000  
 JANA A VAVASSEUR, 0000  
 JOHN J VECOLI, 0000  
 CHRISTOPHER R VEGA, 0000  
 JASON P VELIVLIS, 0000  
 ALVIN S VENTURA, 0000  
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 RICHARD K VERHAAGEN, 0000  
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 KEVIN H WAGNER, 0000  
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 CEDRIC L WALKER, 0000  
 MICKEY M WALKER II, 0000  
 WAYNE C WALL, 0000  
 MICHAEL E WALLACE, 0000  
 DAVID P WALT, 0000  
 MICHAEL P WARD II, 0000  
 CHARLOS D WASHINGTON, 0000  
 BRYAN D WATERMAN, 0000  
 RONALD WEATHERED, 0000  
 RICHARD F WEBB, 0000

SCOTT L WEBER, 0000  
 RICHARD M WEEDEN, 0000  
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 JENNIFER L WHERATT, 0000  
 BRYAN D WHITCOMB, 0000  
 PAUL J WHITE, 0000  
 WILLIAM WHITE, 0000  
 ULYSSES V WHITLOW, 0000  
 LANCE R WIESE, 0000  
 JENNIFER K WILDERMAN, 0000  
 WILLIAM G WILKINS JR., 0000  
 AMAHL K WILLIAMS, 0000  
 CHRISTIAN B WILLIAMS, 0000  
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 MARK S WITTYCOMBE, 0000  
 FRANK C WITTYWER, 0000  
 COREY D WOFFORD, 0000  
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 STACEY K WRIGHT, 0000  
 MATTHEW J WUKITCH, 0000  
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 ALEJANDRO YBARRA, 0000  
 DAVID J YODER, 0000  
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 STACEY W YOPP, 0000  
 NATHAN S YORK, 0000  
 DANIEL F YOUGH, 0000  
 EARL YOUNG, 0000  
 FORREST O YOUNG, 0000  
 DAVID A YOUTT, 0000  
 JAMES A YSLAS, 0000  
 STEVEN J ZACCARI, 0000  
 ADAM S ZACHER, 0000  
 RANDY ZAMORA, 0000  
 MATTHEW H ZARDESKAS, 0000  
 GREGORY M ZETTLER, 0000  
 TODD A ZIRKLE, 0000