

gain weight. You have to feed him. That is how you get a steer to gain weight. Testing a child to make him learn is the same thing. You can't test a child into being proficient in English or Spanish.

The No Child Left Behind Act is having a ripple effect throughout the State of Nevada and throughout the country. That is why I am going to sit down with every county superintendent in the State next month and ask them what needs to be fixed. I think I know, but I want to hear them. I want them to have the opportunity to speak to me. We need relief in Nevada, and if we have to do it bit by bit we will. But this law as it stands puts our educational system in peril.

Nevada is not the only State that has problems. I was pleased the Department of Education adopted the principle of this bill last month, as I said. But if we look at the failing school system—look at another chart I have. Look at this one. This really, as far as I am concerned, is showing that it is pathetically horrible.

You can have a school that meets every criterion that is important under the No Child Left Behind Act—except one. Everything is just fine. But if there is limited English proficiency in that school, they are a failing school. If everything else is fine but they have limited English proficiency, they are given the red badge and now they are held up to being a failing school.

It is because they have children in the school who have come to school not being able to speak very good English. They are not dumb. They deserve an education. The No Child Left Behind Act is having a ripple effect throughout Nevada and throughout the Nation.

Nevada is not the only State having difficulties implementing this law; it is a national problem. Thousands of school districts are already trying to juggle school construction costs, increase graduation rates, find money for textbooks that they don't have. Reducing class sizes is impossible. They are figuring out what to do about overcrowded schools.

During the April recess I spoke with concerned citizens of Nevada. I went to several schools in what I call my Capitol Classroom program. I talked about overcrowded schools. There is one high school in Clark County with about 5,000 students in it. There are others almost that big: a high school with 5,000 students. More than 70 percent of our Na-

tion's high schools have 1,500 or more students.

When the President signed the No Child Left Behind Act, he signaled his support for programs that were supposed to help students learn, including smaller schools and smaller classes. In contrast to that promise, in this year's budget the President zeros out the Smaller Learning Communities Program—zero.

I had the good fortune at one time in my career to be chairman of the Democratic Policy Committee. We had one of our retreats up in Wilmington, DE. I brought in there a woman by the name of Deborah Meyer. She was from New York. Deborah Meyer was a school principal of a big school in New York, an elementary school. Her kids were doing so awful that she decided to go to the school authorities and she said: Look, this is not working. Trust me. I want to try something. I want to take this school and, instead of having one school, we are going to have four schools. We are going to have four principals, four separate faculties, four separate lunch hours—everything is going to be like a separate school.

The school administrators said: We have nothing to lose. You are doing so bad you can't do any worse than you have done.

She did that and within one quarter, in 3 months, the scores had risen in every category and Deborah Meyer has become famous because of that and she has gone other places and tried the same thing. We need to understand smaller schools help.

Senator BINGAMAN and I, along with 14 other colleagues, sent a letter to the labor subcommittee requesting funding be restored. Not enough, but \$200 million in the Smaller Learning Communities Program. We really need that.

The President has been given bad advice by the budgeteers down there. Common sense tells us students do best when they receive plenty of personal attention from their teachers. Studies tell us the same thing. According to the Department of Education, research suggests that positive outcomes associated with smaller schools stem from their ability to have close, personal environments where teachers can work with a small set of students, challenging and inspiring them.

They build big schools because it is cheaper. Smaller learning communities can achieve in different ways: small learning centers, core academics, magnet programs, schools within a school,

as I have just described. It would seem to me, if this administration really wanted to help our teachers teach and help our students learn they wouldn't be trying to eliminate a program like this, to create smaller learning communities, which have been proven to do just that.

I touched only on a few things tonight dealing with problems of the No Child Left Behind Act. It is going to take a lot of work to improve this bill and make it what it promised to be, a tool that will help teachers and students in every public school in America. It is a difficult job but we must keep our promise to America's children. We can't afford to leave them behind.

ADJOURNMENT UNTIL 9:30 A.M.
TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 9:30 a.m. tomorrow.

Thereupon, the Senate, at 7:27 p.m., adjourned until Thursday, April 22, 2004, at 9:30 a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate April 21, 2004:

IN THE COAST GUARD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS VICE COMMANDANT OF THE UNITED STATES COAST GUARD AND TO THE GRADE INDICATED UNDER TITLE 14, U.S.C., SECTION 47:

To be vice admiral

VICE ADM. TERRY M. CROSS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS COMMANDER, ATLANTIC AREA OF THE UNITED STATES COAST GUARD AND TO THE GRADE INDICATED UNDER TITLE 14, U.S.C., SECTION 47:

To be vice admiral

REAR ADM. VIVIEN S. CREA

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS COMMANDER, PACIFIC AREA OF THE UNITED STATES COAST GUARD AND TO THE GRADE INDICATED UNDER TITLE 14, U.S.C., SECTION 47:

To be vice admiral

REAR ADM. HARVEY E. JOHNSON

THE FOLLOWING NAMED OFFICER TO SERVE AS THE DIRECTOR OF THE COAST GUARD RESERVE PURSUANT TO TITLE 14, U.S.C. SECTION 53 IN THE GRADE INDICATED:

To be rear admiral (lower half)

RADM (L) JAMES C. VAN SICE

THE ABOVE NOMINATIONS WERE APPROVED SUBJECT TO THE NOMINEES' COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.

COAST GUARD NOMINATION OF GLENN M. SULMASY. COAST GUARD NOMINATIONS BEGINNING GEORGE W. MOLESSA AND ENDING YAMASHEKA Z. YOUNG, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 12, 2004.