

for Wilderness, a committee formed to celebrate this national achievement: Now, therefore, be it

**SA 4088.** Mr. FRIST (for Mr. ROBERTS) proposed an amendment to the bill H.R. 2121, to amend the Eisenhower Exchange Fellowship Act of 1990 to authorize additional appropriations for the Eisenhower Exchange Fellowship Program Trust Fund, and for other purposes; as follows:

On page 4, on lines 5 and 6, strike “for fiscal year 2004”.

#### PRIVILEGES OF THE FLOOR

Ms. COLLINS. I ask unanimous consent floor privileges be extended to Deborah Barger, a CMA detailee in my office, for the duration of today’s consideration of S. 2845.

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

Ms. COLLINS. I ask unanimous consent that the staff members of the Senate Intelligence Committee be given floor privileges during consideration of the intelligence reform conference report.

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

Mr. LAUTENBERG. Mr. President, I ask unanimous consent that floor privileges be extended to Bob Kenney, a Brookings Legislative Fellow on loan to my office from the Environmental Protection Agency, for the rest of today’s session.

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

#### COMMERCIAL SPECTRUM ENHANCEMENT ACT

Mr. FRIST. I ask unanimous consent that the Senate now proceed to consideration of H.R. 5419, which is at the desk.

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

The legislative clerk read as follows:

A bill (H.R. 5419) to amend the National Telecommunications and Information Administration Organization Act to facilitate the reallocation of spectrum from governmental to commercial users; to improve, enhance, and promote the Nation’s homeland security, public safety, and citizen activated emergency response capabilities through the use of enhanced 911 services, to further upgrade Public Safety Answering Point capabilities and related functions in receiving E-911 calls, and to support in the construction and operation of a ubiquitous and reliable citizen activated system; and to provide that funds received as universal service contributions under section 254 of the Communications Act of 1934 and the universal service support programs established pursuant thereto are not subject to certain provisions of title 31, United States Code, commonly known as the Antideficiency Act, for a period of time.

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

#### LIFESAVING E-911 SERVICE

Mr. FRIST. Mr. President, I wish to engage the Senator from Montana in a

brief colloquy for a point of clarification on the bill,

First, I wish to congratulate the Senator and others who worked tirelessly on this bill. This bill provides critical assistance to State and local governments to help them reach the goals and standards set by Congress and the FCC for bringing lifesaving E-911 service to all Americans. I especially commend the bill’s authors for providing much needed financial assistance in the form of grants for training, equipment and other needs in providing and advancing E-911 service.

I am very proud of my home State’s E-911 leaders. They, along with the wireless industry, have helped make Tennessee one of the Nation’s leaders in wireless E-911 implementation. I am informed that to date all but one of our 95 counties are Phase II E-911 ready, with the goal of reaching 100 percent by the end of this year. Since 1998, our State has committed itself to bringing E-911 service to all its citizens, rural and urban, from Memphis to Mountain City.

However, much work remains to be done. Our State is re-writing its requirements for 911 dispatchers and their training. We currently have no formal training program or academy. In spite of all of Tennessee’s accomplishments, financial challenges continue to grow.

I am concerned that the Federal agency administering the bill’s grant program will not give equal funding and eligibility consideration to States and localities that have achieved E-911 service, thus penalizing States such as Tennessee and others for their accomplishments. Would such an outcome be the intent of the bill’s authors?

Mr. BURNS. I thank the Senator from Tennessee for his question and commend his State for its leadership on E-911 issues. It is not our intent to give any less priority in grant eligibility and funding to States like Tennessee that have made substantial progress in wireless E-911 deployment. We recognize that once a State or local government achieves E-911 service, other challenges and needs exist such as those pointed out by the Senator. So that was not our intent in the crafting of the “grants” provision.

Mr. FRIST. I thank the Senator for that clarification and commend his leadership on this very important legislation.

Mr. FRIST. I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

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

The bill (H.R. 5419) was read the third time and passed.

PROVIDING FOR SINE DIE ADJOURNMENT OF THE SENATE AND HOUSE OF REPRESENTATIVES

Mr. FRIST. I ask unanimous consent that the Senate now proceed to the consideration of H. Con. Res. 531, the adjournment resolution; provided that the concurrent resolution be agreed to, and the motion to reconsider be laid upon the table.

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

The concurrent resolution (H. Con. Res. 531) was agreed to, as follows:

H. CON. RES. 531

*Resolved by the House of Representatives (the Senate concurring),* That when the House adjourns on any legislative day from Tuesday, December 7, 2004, through Friday, December 10, 2004, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned sine die, or until the time of any reassembly pursuant to section 2 of this concurrent resolution; and that when the Senate adjourns on any day from Tuesday, December 7, 2004, through Saturday, December 11, 2004, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned sine die, or until the time of any reassembly pursuant to section 2 of this concurrent resolution.

SEC. 2. The Speaker of the House and the Majority Leader of the Senate, or their respective designees, acting jointly after consultation with the Minority Leader of the House and the Minority Leader of the Senate, shall notify the Members of the House and the Senate, respectively, to reassemble at such place and time as they may designate whenever, in their opinion, the public interest shall warrant it.

Passed the House of Representatives December 7, 2004.

#### ORDERS FOR TUESDAY, JANUARY 4, 2005

Mr. FRIST. I ask unanimous consent that when the Senate completes its business today, it adjourn sine die under the provisions of H. Con. Res. 531.

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

Mr. FRIST. I further ask consent that when the Senate returns on Tuesday, January 4, at 12 noon, following the presentation of the certificates of election and the swearing in of elected Members, and the required live quorum, the morning hour then be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved, and that there then be a period for morning business with Senators permitted to speak for up to 10 minutes each.

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

The Senator from Nevada.

Mr. REID. Mr. President, the hour is late, but let me say that I have some real mixed emotions tonight. I have had this desk for 6 years and it has been a great experience for me to serve as the assistant leader, the whip, of the Senate Democrats. I have learned so

much being on the floor regarding procedures of this very classic body. I am now going to move over one desk. As I have said on this floor previously, I will miss very much my dear friend, my brother, TOM DASCHLE. My ability to function here these past 6 years has been based upon my relationship with Senator DASCHLE.

I look forward to my new job. I look forward to working with my friend, the distinguished Republican leader. I have said publicly and privately what a good experience this will be for me. He has dedicated 12 years of his life, at least, to public service after having been a very distinguished transplant surgeon. I look forward to our relationship. I hope we can do some good things for the country. I am certainly going to try.

I know that the experience of these past 6 years has been made much more interesting as a result of the chairman of the Appropriations Committee, Senator STEVENS, the President pro tempore of the Senate. He is here tonight and this legislation that just passed is an indication of his tenaciousness and the role model he sets for all of us. Six hours ago, none of us could have thought we would have accomplished this. A couple of hours ago, we wished he had not tried. But it is over with now.

I thank the staff very much for working as hard as they do and putting up with our many delays which are necessary to move things forward. I wish everyone a Merry Christmas and a Happy New Year.

Mr. STEVENS. Mr. President, if the Senator would yield just for a second, I want to thank the Senator from Nevada and tell him that I spent 8 years in the whip's job and sought to move left. Unfortunately, it did not happen.

I do congratulate the Senator from Nevada, and we look forward to working with him and the assistant Democratic leader.

I thank, Senator BURNS for his tenaciousness on this bill, and I want to acknowledge the really intense cooperation of the Senator from Arizona, Mr. MCCAIN, and really praise my great and longtime friend Senator BYRD from West Virginia for having recognized the necessity to have this bill passed before we go home for the recess. We are really going to adjourn sine die.

I do congratulate the Senator. He listened to us. It is quite late. He has been quite gracious to proceed with us on the commitment that we will protect the appropriations process in the future and work with him to make certain that the provisions of the law that govern expenditures of the money covered by the bill we just passed be followed, as far as the protection of the Treasury. And we will be consistent with the Constitution, as he has urged us so many times to be.

I thank the Senator for his patience in keeping us in session, and I am prepared to take tickets here as we leave the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. FRIST. I can add very little to what has just been said. But as America has watched and as our colleagues have participated over the last, really, 6 hours, you have seen—not on the floor, but we have all worked together over the course of the day to bring to resolution another major bill before we close out this session. We came to a lameduck, now, several weeks ago. Lameduck sessions are notoriously not very productive. Both the Democratic leader, our leadership, their leadership on the other side of the aisle, again and again said these lameducks never produce very much, if you look at history. A lot of time is spent, although we clearly end up producing something.

I think if you look at this lameduck session and the intervening time before coming back in this week, we can all be very proud of what has been accomplished in the series of bills, the bill we just discussed and the series of bills we passed over the course of the day, and the major intelligence reform bill that was passed. So we have had a very productive session of which we can all be proud.

As the Democratic leader said, I very much look forward to working with him and having this leadership team meet with their leadership team as we move forward in accomplishing what America expects from us.

When the 109th Congress convenes on January 4, we will immediately proceed to the presentation of certificates of election. Following the swearing in ceremonies and the live quorum, the Senate will consider the normal routine housekeeping matters of the 109th Congress beginning.

Once again, I thank everyone who has contributed to our efforts during the past Congress. We always want to mention the pages who are here tonight at a little before 11. They have been here all day. We thank them for their dedication, for their hard work in making the cogs in this body function as well as they possibly could; the law enforcement, the police who, again, are standing right outside the doors with us, from early in the morning until late at night; the cloakroom staff; the clerks who are here before us; the many others who work to keep the institution running. We appreciate their service to this body.

We are going to have a fresh start in January. People are quite tired, producing all of this legislation. It is going to be a fresh start. We all look forward to that. I do wish everybody a happy holiday season.

#### ADJOURNMENT SINE DIE

Mr. FRIST. If there is no further business to come before the Senate, I ask unanimous consent that the Senate adjourn sine die, under the provisions of H. Con. Res. 531.

There being no objection, the Senate, at 10:54 p.m., adjourned sine die.

#### DISCHARGED NOMINATIONS

The Senate Committee on Foreign Relations was discharged from further consideration of the following nominations and the nominations were confirmed:

FOREIGN SERVICE NOMINATIONS BEGINNING WITH DONNA LURLINE WOOLF AND ENDING WITH LISA BOBBIE SCHREIBER-HUGHES, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 16, 2004.

FOREIGN SERVICE NOMINATIONS BEGINNING WITH CYNTHIA A. HALEY AND ENDING WITH WALTER D. PATTERSON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 16, 2004.

The Senate Committee on Energy and Natural Resources was discharged from further consideration of the following nominations and the nominations were confirmed:

KAREN ALDERMAN HARBERT, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSISTANT SECRETARY OF ENERGY (INTERNATIONAL AFFAIRS AND DOMESTIC POLICY).

JOHN S. SHAW, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSISTANT SECRETARY OF ENERGY (ENVIRONMENT, SAFETY AND HEALTH).

The Senate Committee on Health, Education, Labor, and Pensions was discharged from further consideration of the following nomination and the nomination was confirmed:

VERONICA VARGAS STIDVENT, OF TEXAS, TO BE AN ASSISTANT SECRETARY OF LABOR.

#### NOMINATIONS RETURNED TO THE PRESIDENT AT SINE DIE ADJOURNMENT OF 108TH CONGRESS ON DECEMBER 8, 2004

LOUIS S. THOMPSON, OF MARYLAND, TO BE A MEMBER OF THE REFORM BOARD (AMTRAK) FOR A TERM OF FIVE YEARS.

ENRIQUE J. SOSA, OF FLORIDA, TO BE A MEMBER OF THE REFORM BOARD (AMTRAK) FOR A TERM OF FIVE YEARS.

FAYZA VERONIQUE BOULAD RODMAN, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE BROADCASTING BOARD OF GOVERNORS FOR A TERM EXPIRING AUGUST 13, 2006.

PETER CYRIL WYCHE FLORY, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF DEFENSE.

ROBERT LERNER, OF MARYLAND, TO BE COMMISSIONER OF EDUCATION STATISTICS FOR A TERM EXPIRING JUNE 21, 2009.

SUSAN JOHNSON GRANT, OF VIRGINIA, TO BE CHIEF FINANCIAL OFFICER, DEPARTMENT OF ENERGY.

PAMELA HUGHES PATENAUDE, OF NEW HAMPSHIRE, TO BE AN ASSISTANT SECRETARY OF HOUSING AND URBAN DEVELOPMENT.

KIRK VAN TINE, OF VIRGINIA, TO BE DEPUTY SECRETARY OF TRANSPORTATION.

ROGER FRANCISCO NORIEGA, OF KANSAS, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE INTER-AMERICAN FOUNDATION FOR A TERM EXPIRING SEPTEMBER 20, 2006.

KIRON KANINA SKINNER, OF PENNSYLVANIA, TO BE A MEMBER OF THE NATIONAL SECURITY EDUCATION BOARD FOR A TERM OF FOUR YEARS.

ROBERT L. CRANDALL, OF TEXAS, TO BE A MEMBER OF THE REFORM BOARD (AMTRAK) FOR A TERM OF FIVE YEARS.

FLOYD HALL, OF NEW JERSEY, TO BE A MEMBER OF THE REFORM BOARD (AMTRAK) FOR A TERM OF FIVE YEARS.

WALTER H. KANSTEINER, ASSISTANT SECRETARY OF STATE (AFRICAN AFFAIRS), TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE AFRICAN DEVELOPMENT FOUNDATION FOR A TERM EXPIRING SEPTEMBER 27, 2003.

EPHRAIM BATAMBUZE, OF ILLINOIS, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE AFRICAN DEVELOPMENT FOUNDATION FOR A TERM EXPIRING FEBRUARY 9, 2008.

EDWARD BREHM, OF MINNESOTA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE AFRICAN DEVELOPMENT FOUNDATION FOR A TERM EXPIRING NOVEMBER 13, 2007.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10 U.S.C. SECTION 601:

LT. GEN. JOHN D. HOPPER JR., 0000, TO BE LIEUTENANT GENERAL.

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADES INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

COLONEL JAMES T WILLIAMS, 0000, TO BE BRIGADIER GENERAL.