

Utah, there is no single issue area of greater concern than education. I am proud of the way Utah has been educating the children of my State. Our schools and teachers are among some of the best anywhere. Although we spend less per student than many other States, we are getting a great bang for our buck.

As a strong supporter of education, I have been pleased to play an active role in every piece of education reform legislation that has come before the Congress in the past 28 years. I attended public schools, as did my children and now my grandchildren, and I have faith in our Nation's schools. I look forward to working closely with Ms. Spellings and the Department of Education, particularly as I return to the Senate Committee on Health, Education, Labor, and Pensions.

I have been impressed by the President's complete confidence in Ms. Spellings and her ability to serve our Nation and its most valuable asset, our children, as our top educator.

While Ms. Spellings' credentials and experience are very impressive, none is greater than her role as a mother and primary educator of her two daughters, Mary and Grace. Without a doubt, the home is the greatest classroom.

We are all aware of Ms. Spellings' background of service in Texas as chief education advisor to then-Governor George W. Bush. I have been pleased to work with Ms. Spellings during the past four years in her capacity as the Assistant to the President for Domestic Policy. Since the announcement of her nomination by President Bush, I have received numerous letters in support of Ms. Spellings by various groups and individuals concerned about education issues.

Education is the hallmark of domestic issues. While I believe our Nation's education system ranks among the finest in the world, we can still make improvements. Funding for schools is vital, and I have consistently supported federal funding to assist our Nation's teachers, schools, and students. I will continue to support programs to enrich and improve our school system.

Ms. Spellings has indicated her strong commitment to the No Child Left Behind Act, NCLB, signed into law by President Bush on January 8, 2002. I have been supportive of NCLB. Even those who don't agree with everything in NCLB agree that they are now focused on making sure every child is progressing, and they are using innovative approaches to tracking student achievement and motivating them to meet the new standards.

For example, an inner-city school in Utah with a large number of students in low-income, non-English-speaking families is using funds from NCLB to purchase a student tracking database that shows how each child is doing in each subject with every teacher. They know who needs the extra help and in what areas. They are enlisting the support of parents, teachers, and the com-

munity to make sure that these kids get the help they need. And they are having great results. Test scores are up. Honor roll is up. Parents are more satisfied. Students are taking pride in their education. And, that's what NCLB is all about.

Of course, this does not mean the law is perfect. We need to fund it better, and too many schools do not make Annual Yearly Progress or AYP because they just do not understand what is required, or misinterpreted the law. I think it is going to take some time to adjust. We need to continue to do what is working in NCLB and look at what is not.

Utah has been in the forefront of the debate and was one of the first States to make moves toward possibly opting out of No Child Left Behind, due in part to concerns about retaining State control and objections to federal mandates without sufficient funding.

Make no mistake, I am a strong advocate for local control of education and want to make sure that there is sufficient flexibility for our States. I trust that the Department of Education will keep open lines of communication with the States and localities as we work together to ensure that truly no child is left behind.

I was particularly pleased that during her hearing before the Senate HELP Committee, Ms. Spellings accepted my invitation to personally visit Utah to meet with legislators and educators there. We look forward to her visit.

With her confirmation, Ms. Spellings will replace Secretary Roderick Paige. I would like to take a moment to note outgoing Secretary Roderick Paige's service. During his tenure, he led the implementation of major education reforms. He showed great commitment to providing our children a quality education, notwithstanding their circumstances, thereby honoring the pledge to leave no child behind. While so doing, Secretary Paige demonstrated willingness to consider certain adjustments in an effort to align the implementation of the No Child Left Behind Act with the intent of the law. We thank him for his service.

Without a doubt, Ms. Spellings has many challenges ahead, but I am confident that she will serve our country with dedication and distinction.

I yield the floor.

#### IN HONOR OF DR. MARTIN LUTHER KING, JR.'S BIRTHDAY

Mr. LAUTENBERG. Mr. President, I ask that this statement be inserted in the proper place in the RECORD.

I rise today to honor the life and legacy of Reverend Dr. Martin Luther King, Jr.

While I participated in an event commemorating the life of Dr. King at the Morning Star Community Tabernacle Church in Linden, New Jersey, I felt it was important to pay tribute to the life and legacy of this extraordinary

American on the first legislative day of this 109th Congress.

The impact of Dr. King's life, actions and deeds is just as great today as it was 36 years ago, when his life was taken from us. Dr. King accomplished so much in his short life; he was a pastor, civil rights activist and leader, Nobel Peace Prize recipient, Time magazine's Man of the Year, and in many ways, the emancipator of all Americans.

Dr. King's adherence to nonviolence in the pursuit of social justice left an indelible mark on our nation's history and conscience. Clearly, much progress has been made in the struggle for civil rights, equality and social justice. We rightly pay tribute to the civil rights accomplishments to date, and we rightly attribute much of that progress to Dr. King.

But there is still much to do. And sadly, the current administration has had a disappointing record on civil rights and has shown little interest in shouldering leadership responsibility on these important issues.

Two years ago, on the week before we celebrated the birthday of Dr. King, Jr., President Bush intervened in a case before the United States Supreme Court in an effort to destroy affirmative action, which is effectively "equal education rights" for African Americans and other minority groups.

The case involved the University of Michigan program which used race as one factor among many when selecting incoming students. I joined other United States Senators in an amicus brief in support of the University of Michigan affirmative action program. Thankfully, in its first ruling on affirmative action in higher education admissions in 25 years, the nation's highest court ruled on June 23, 2003, that race can be used in university admission decisions. Justice Sandra Day O'Connor was the eventual deciding vote in the case, saying that affirmative action is still needed in America—but hoped that its days are numbered.

Last year, on Dr. King's 75th birthday, President Bush went to Atlanta and laid a wreath at Dr. King's grave. The very next day, despite protest from the civil rights community and against the expressed will of the Senate, President Bush recess appointed Judge Charles Pickering to the Fifth Circuit Court of Appeals.

President Bush cast aside several significant concerns of the African American and civil rights community. Some of these concerns included: Judge Pickering's support as a State Senator in the 1960s for the Mississippi Sovereignty Commission, which was established to prevent the implementation of *Brown v. Board of Education*; Judge Pickering's opposition as a legislator and Federal judge to voting rights for African Americans; and Judge Pickering's disturbing positions as a Federal judge on two of the key protections of equal voting rights for all Americans—the one person-one vote

Constitutional doctrine and the Voting Rights Act.

These are just two examples of a broader indifference President Bush has shown to the social, economic, and legal obstacles African-Americans are forced to overcome in their ongoing effort to achieve real equality.

Affirmative action has proven beneficial in combating past discrimination and it remains necessary today. Judge Pickering is just one of a host of judicial nominees opposing civil rights President Bush has put forth as part of a larger effort to pack the Federal courts with ultra-conservative ideologues.

Each of us must do our part to advance the legacy of Dr. Martin Luther King, Jr., and to promote civil rights equality. I will continue to provide leadership in the 109th Congress to help minority businesses, increase access to education and health care, improve job growth, and fight racial profiling.

I hope that President Bush and the entire Congress will do the same.

#### TRIBUTE TO STEVE BEASLEY

Mr. BAUCUS. Mr. President. I rise today to say a few words of thanks to Steve Beasley, an outstanding agriculture economist at USDA who recently completed a year-long fellowship on the Senate Finance Committee. Steve's service to the committee, and by extension to the State of Montana, will be remembered fondly and with great appreciation.

A year ago I was able to snag Steve away from his job at the Foreign Agriculture Service at the Department of Agriculture. He brought to us years of experience in foreign market development and capacity-building. During his time with the committee, his expertise proved invaluable as he worked on calculating the effects of the North American Free Trade Agreement on Montana agricultural products, analyzing the effect of agricultural trade liberalization on crop prices over the past few years, as well as helping prepare me for trade missions to Australia, New Zealand, China, Japan, and Thailand.

Half of my State's economy is based on agriculture, and the work Steve did for us will serve us for the next several years as we examine the effects of trade on our economy's largest sector. I am sad to see him go, but I know the USDA is eager to get him back. I thank him for his hard work over this past year, and I wish him all the luck in the future.

#### TRIBUTE TO MR. PAUL KASTEN

Mr. BURNS. Mr. President, Senator BAUCUS and I are honored today to pay tribute to Paul Kasten and thank him for the exceptional service and commitment he has given to the people of Montana. Mr. Kasten served faithfully with the U.S. Postal Service, particularly to Montanans along the Brockway, Paris, Watkins, and Flow-

ing Wells rural mail route loop. As he celebrates a well-deserved retirement, let it be known that he leaves behind a memorable and strong legacy, spanning 57 years of dedicated service to the U.S. Postal Service, his eastern Montana mail route loop, and the people of the State of Montana. We know Congressman REHBERG sends his support and congratulations as well for Paul's significant achievement.

Beginning with a team of horses, Mr. Kasten delivered the mail faithfully to this frontier mail route for 57 noteworthy years, honorably upholding the U.S. Postal Service's code of conduct. In fact, he has gone above and beyond the call of duty on many occasions, delivering groceries and other necessary items to many people along this remote mail route during his tenure. It is clear that Mr. Paul Kasten has ceaselessly served the U.S. Postal Service and the State of Montana for nearly six decades, and is justly deserving of the honor due to him today. It is with great pride that Senator BAUCUS and I bring to the attention of this great body the hard work that Mr. Kasten has completed, both to the State of Montana and to Montana's people. Thank you for all your commendable service, Paul, and we wish you and your family all the best in your future endeavors.

#### ADDITIONAL STATEMENTS

##### HONORING DENNIS WIESE

• Mr. JOHNSON. Mr. President, I rise today to publicly commend the work of Mr. Dennis Wiese, President of South Dakota Farmers Union, SDFU, for his 12 years of dedicated service to South Dakota's farmers, ranchers and rural people. After six and a half terms as President of SDFU, Dennis has decided not to seek reelection and will begin his own consulting business in his hometown of Flandreau, SD.

Over the years, Dennis has been extraordinarily committed to South Dakota agriculture and is a real ambassador for farming and ranching in the state. As chair of the National Farmers Union subcommittee that worked on the farm bill rural development section, Dennis' insight was invaluable, during negotiations on the Farm Security and Rural Investment Act of 2002.

Since its establishment in 1914, South Dakota Farmers Union has consistently been a voice for family farmers and ranchers, always striving to improve the business climate for agriculture and the quality of life for all South Dakotans. Now, 91 years later, SDFU is regarded as the leader on issues concerning concentration in the agri-business sector. I have always been able to rely on Dennis and the SDFU for the backing needed to stand up for the family agricultural producers and the special position they hold America's business and cultural structure. Always looking to improve

the quality of rural living, Dennis has been a consistent champion for fair trade, even when the notion has been unpopular to some. Throughout his presidency, Dennis faced some difficult situations. However, he never lost focus on the concerns that are important to South Dakotans and continued to work for the betterment of rural America.

Under Dennis' leadership, SDFU has enhanced the lives of thousands of South Dakotans through various educational programs, particularly those aimed at the younger generation of farmers. Involvement in the SDFU education program jumped from 389 young producers enrolled in camps in 1997, to over 1,200 participants in the most recent camps. These camps teach young people about the benefits of cooperatives and shared responsibility, as well as the important rural values that make South Dakota stronger. As Dennis noted in his farewell speech to SDFU:

The most important Farmers Union is not the Farmers Union of yesterday. It is not the Farmers Union that I inherited from Dallas Tonsager, or the one we enjoy today. The most important Farmers Union is the one we turn over to the next generation of Farmers Union leaders. The most important Farmers Union is the Farmers Union of tomorrow.

Dennis' hard work as president is reflected in the impressive legacy he leaves behind. SDFU has a strong, expanding membership, and prosperous and thriving education program filled with innovative ideas to revitalize South Dakota's rural communities.

It is with great honor that I share Dennis' accomplishments with my colleagues and publicly commend him for excellently serving South Dakota and family farmers. I wish the very best for him, his wife Julie, and his children Dayton, Kyle, Owen, Austin and Elysa.●

##### HONORING DR. VINE DELORIA, JR.

• Mr. JOHNSON. Mr. President, it is with great honor that I publicly commend Dr. Vine Deloria, Jr., for receiving the American Indian Visionary Award.

Dr. Deloria, a member of the Standing Rock Sioux tribe, is a distinguished Native American scholar whose research, writings, and teaching span history, law, religion, and politics. This award, given by the Native American publication, Indian Country Today, honors those who display "the highest qualities and attributes of leadership in defending the foundations of American Indian freedom." This is an honor Dr. Deloria richly deserves.

Born in 1933 in Martin, SD., Dr. Deloria has been at the forefront of American Indian activism since the 1960s. As executive director of the National Congress of American Indians from 1964 to 1967, Dr. Deloria frequently worked with leaders whose experience dated back to the Indian Reorganization Act of 1934. Consequently, Dr. Deloria attributes his involvement