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House of Representatives

The House was not in session today. Its next meeting will be held on Monday, September 13, 2004, at 12:30 p.m.

Senate

FRIDAY, SEPTEMBER 10, 2004

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

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray:

Infinite Spirit, You made heaven and Earth, the sea and all that is in them. Thank You for Your gracious righteousness that is the same yesterday, today, and forever. Help us to find rest and peace in You. Loose us from the chains of addictions that prevent us from doing Your will. Remind us of the foolishness of seeking security apart from You. Make us a righteous Nation so that You will be our shelter and shield. Bless the Members of this body. Help them in the making of laws to execute justice for the oppressed and to set the captives free. Protect them in their work and keep them from those things that lead to ruin.

Today we pause to remember the victims of September 11. Comfort their families and friends and continue to be the shield of protection for America; for You are our rock and our Redeemer. 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.

REMEMBRANCE OF SEPTEMBER 11, 2001

The PRESIDENT pro tempore. Under the previous order, the Senate will observe a moment of silence in remembrance of the events of September 11, 2001.

(Moment of silence.)

LEADER TIME

The PRESIDENT pro tempore. Under the previous order, there will now be a period for the use of leader time. The majority leader is recognized.

REFLECTING ON SEPTEMBER 11, 2001

Mr. FRIST. Mr. President, this morning we in the Senate honor the memory of the victims of the September 11 attacks. Tomorrow, all Americans will take time from the regular course of their weekend to do the same—to reflect in their own personal way on the terrible events of 3 years ago.

The essence of the tragedy of September 11, 2001, remains self-evident: The victims were innocent. They were simply going about their daily lives, working at their desks, answering emergency calls, traveling on business or vacation.

All had families who loved them and still love them to this day. I think of Brenda Vandever of Farragut, TN. She lost her brother, Tony Karnes, in the attack on the World Trade Center Towers. Brenda recently said:

I got over the car crash that my other brother died in, and I dealt with it when my

mom and dad died. But Tony went to work that day thinking just like we do, that nothing is going to happen. You just don't get over that.

We all feel a profound sadness for those who lost loved ones on that fateful day. There is little we can say or do to fill the immense void in their hearts. But we can hope and we can pray that one day the wounds of those who still hurt may heal.

September 11 impressed upon us that life is a precious gift. Every life has a purpose. And I think we all have a duty to devote at least a small portion of our daily lives to ensuring that neither America nor the world ever forgets September 11.

Something that Karyn and I did was to take our three boys, our three sons, to New York City to visit Ground Zero soon after the attacks. We wanted to sear in their minds a lasting and vivid memory of the worst that evil can do in the world but at the same time the best that we can do in America.

Our Nation will, of course, always remember the courage of the emergency workers who rushed to Ground Zero on that fateful day; who rushed to help in Shanksville, PA; who rushed to the Pentagon just a mile from here. These heroes risked their lives, and many lost their lives, so that others may live—or at the very least their families could live—in peace.

Within 24 hours of when terrorists crashed flight 77 into the Pentagon, 76 members of the Tennessee Task Force 1 were on the scene and were hard at work. They were dispatched to rescue but soon discovered that their work would be recovery.

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



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Ken Reeves, a Memphis Fire Department battalion chief, recalled:

I think everybody in the country was of the mindset, "Just let me have something to do," and we had something to do.

Well, they sure did. Tennessee Task Force 1 toiled 16 hours a day for 9 straight days. They slept on cots in a warehouse not too far from here, without air-conditioning. They often lost track of time, devoting every second of the day, every ounce of energy and attention, to a task that was as difficult and as gruesome as it was grueling.

September 11, 2001, drastically altered the future course of our Nation. It also profoundly changed our individual lives. We will forever be touched by the outpouring of compassion, the outpouring of charity, and the kindness of millions of our citizens and people all around the world.

Brenda Vandever said of what she hopes for this and future anniversaries: "I just don't want [Tony] to be forgotten."

To Brenda and to all of the families who lost their loved ones on that morning of September 11, 2001, I say this morning: Your loved ones will not be forgotten. We will remember them, we will honor them, and we will cherish them on this day, every year, for as long as God wills this Nation to endure.

I yield the floor.

RECOGNITION OF THE MINORITY LEADER

The PRESIDENT pro tempore. The Democratic leader is recognized.

REMEMBERING SEPTEMBER 11, 2001

Mr. DASCHLE. Tomorrow, in New York, at the Pentagon, in Shanksville, PA, and in communities all across our Nation, Americans will pause to remember the horror and the extraordinary heroism of September 11. Commemoration ceremonies will be held in firehouses, VFW halls, parks, churches, synagogues, mosques, libraries, and countless other places.

Surely one of the most poignant remembrance events is an exhibit that is being held through Sunday at a small art gallery in New York City, not far from where the twin towers once stood. It is an exhibit of artwork by children who lost family members—mostly parents—when the towers came crashing down.

We all lost so much, so quickly, on that terrible day. But few lost more than the children of September 11. Three thousand children lost a parent in the terrorist attacks on America. Nearly two dozen of those children never met their fathers; they were born after September 11.

Many thousands more children lost someone close to them: a grandparent, a brother or sister, an aunt or uncle.

Over the last 3 years, 400 of the children of September 11 have sought com-

fort, strength, and answers in therapy programs offered by the WorldTrade Center Family Center at South Nassau Communities Hospital on Long Island. The exhibit this weekend showcases art these children have created during their therapy sessions.

With the permission of the children and their families, I would like to show you some of their work.

This was painted by a 9-year-old son of a New York City firefighter who died in the collapse of the towers. This is a baseball diamond. In the outfield are two huge crosses. The little boy who painted this picture said it is a picture of the moment he first realized how much he missed his dad. He had just hit a home run; he was rounding the bases and looked up to search for his father's face in the stands.

Angels are a recurring image in the children's art. This angel looks like the Statue of Liberty. She is delivering a message to heaven.

A month after the attacks, the children were asked to try to imagine how they might feel about their loss over time. This series of paintings is a collective effort by about 40 of the children of September 11 to answer that question. It is called "Seasons of Grief." It shows four trees. The trees start out separate and alone. By the last panel, they are leaning toward each other, almost as if they are helping to hold each other up.

Even in the depths of unspeakable grief, the children of September 11 understood instinctively that there are sorrows we cannot bear alone, but there is nothing we cannot get through together. That is a lesson we all understood—immediately and instinctively—on that terrible day.

Three years later, what we remember about September 11 is not only the shock, and horror, and grief. We also remember the stunning heroism of the firefighters climbing the stairs—the passengers and crew members of Flight 93 defying their hijackers and the rescue workers toiling day and night.

We remember, too, how differently, and clearly, we seemed to see things after the attacks. We saw beyond the old labels. We were not black, white, red, brown, yellow, rich or poor, Republicans or Democrats. We were one people, indivisible—broken-hearted but not broken apart. Our recognition of our common bonds was our comfort, and our strength.

Three years later, we remember the great kindness and generosity with which people treated each other—even total strangers, even thousands of miles from the attack sites.

Don and Adele Hight own a family ranch in Murdo, SD. On September 11, they had already struggled through 2 years of drought. They sold 100 calves and donated the proceeds—more than \$40,000—to help victims of the attacks. The manager of the local Livestock Association called their donation "an act of kindness, generosity and true Americanism."

The Smith Equipment Company in Watertown, SD, makes heavy duty torches. In the days after the attacks, their cutting supplies were in high demand. So 175 employees at Smith Equipment volunteered to work around the clock to produce tons of equipment and rush it to Ground Zero.

A week after the Twin Towers fell, two men from Sioux Falls loaded up a pickup truck with \$20,000 worth of donated steel-toed boots, tube socks, and work gloves, drove to New York, distributed the protective gear to rescue workers at Ground Zero, and then got back in their truck and drove straight home.

All across South Dakota, school children, Scout troops, church organizations, employees and customers of small businesses, and countless others donated money for victims relief funds. At least one couple donated their tax-refund checks. People stood in line to donate blood. Some enlisted, or re-enlisted, in the military. People sacrificed. And they prayed for those who died, and the families they left, for the surviving victims, the rescue workers, and for our wounded nation.

Part of the sadness many of us feel as we approach this third anniversary of September 11 has to do with how divided our Nation sometimes feels now.

We cannot reclaim those we lost on September 11. But we can reclaim the sense of unity and generosity that their sacrifice inspired in us. It is still there. It is still within us.

The families of September 11 have endorsed a project called "One Day's Pay." It encourages people to observe the anniversary of September 11 by donating one day's pay, or one day's labor, to a community organization—to channel our sadness and anger for constructive purposes.

Those of us who have the privilege of serving our Nation in elected offices have another job to do as well. We can—and we must—work together, in good faith, to make America safer—without sacrificing the freedoms that make America great. We do not have the luxury of delay.

The terrorists who attacked us struck at the symbols of our financial and military might because they thought those symbols were America's greatest strengths. They were wrong. The real measure of America's greatness is not in glass and steel. It is in our people. It is in our shared commitment to freedom and democracy—and to each other. As the children of September 11 understood instinctively, we need each other.

Wherever we find ourselves tomorrow morning, let us remember not only the horror of September 11, but also the unity and the kindness we witnessed that day. And let us vow to honor those we lost by keeping the spirit of September 11 alive in our hearts. If we do, then, in a real way, those we lost will live on forever.

I yield the floor.

RESERVATION OF LEADER TIME

The PRESIDENT pro tempore. The remainder of the leader time will be reserved.

The majority leader is recognized.

SCHEDULE

Mr. FRIST. Mr. President, we will resume consideration of the Homeland Security appropriations bill directly. As I indicated last night, the chairman and ranking member have made substantial progress on the bill. We will continue that progress over the course of today. As we announced yesterday, there will be no rollcall votes during today's session. We do expect amendments to be offered. That will begin shortly—during consideration of the bill this morning. I understand we have some cleared amendments that we may dispose of shortly. I will defer to the chairman for an update. We can begin that process shortly.

Any votes that may be ordered on the pending amendments will be ordered to occur on Monday. Senators should expect more than one rollcall vote during Monday's session. We will say more about the timing of these votes before we close later today.

Again, our goal is to complete this bill on Tuesday or early Wednesday morning. This will require the cooperation of all Senators as we move toward completion of this important legislation. We have made real progress and we will continue to make real progress over the course of the day.

The PRESIDENT pro tempore. The Democratic leader is recognized.

Mr. DASCHLE. Mr. President, I reiterate what the majority leader has just announced and articulated. We have made progress. I appreciate the cooperation we are getting on both sides. We have gotten to the point where there is absolutely no reason why we cannot finish this bill prior to the time we adjourn for Rosh Hashanah next week.

We will continue to work as we have this week to winnow down the amendments, to have time limits on what amendments need to be offered, and we will work with the majority leader to ensure we can reach that goal. I am confident we can and we will continue to work at it throughout the day and on Monday.

Mr. FRIST. Mr. President, thank you. I think the progress has been made, and I will also state while the Democratic leader is here, we are making real progress on intelligence reform, both recommendations in terms of the relationship with the executive branch as well as internal organization and reorganization and potential reform there.

A lot of people do not see that much is going on, but we are working throughout the day, each and every day, on what we both have mentioned this morning is very important business that we need to act on before we complete the session.

At this juncture I think we will turn to the chairman.

DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2005

The PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of H.R. 4567, which the clerk will report.

The legislative clerk read as follows:

A bill (H.R. 4567) making appropriations for the Department of Homeland Security for fiscal year ending September 30, 2005, and for other purposes.

Pending:

Nelson of Florida amendment No. 3607, to provide funds for the American Red Cross.

Schumer amendment No. 3615, to appropriate \$100,000,000 to establish an identification and tracking system for HAZMAT trucks and a background check system for commercial driver licenses.

The PRESIDENT pro tempore. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I ask unanimous consent to speak for up to 6 minutes as in morning business.

Mr. REID. Mr. President, we have no objection as long as Senator DURBIN is recognized for a like amount of time.

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

The Senator from Tennessee is recognized for up to 6 minutes and the Senator from Illinois is recognized for up to 6 minutes.

ON THE ANNIVERSARY OF 9/11

Mr. ALEXANDER. I thank the chairman for the time and the leadership.

I simply wish to join our leaders today in remembrance of the tragic events of September 11. As I remember those events, I remember more how clearly our country pulled together in response. September 11 is one of our worst days but it brought out the best in us. It unified us as a country and showed our charitable instincts and reminded us of what we stood for and stand for. It showed that we had the resolve to fight against terrorism. We put partisanship aside in our Government offices. We began to proudly say to the rest of the world, we know what it means to be an American.

The best way we can remember September 11 is to remember why this is an exceptional country. We are the only country in the world that has taken people from so many different backgrounds, which is a great achievement by itself, but an even greater achievement is that we have turned all of that variety and diversity into unity. That unity depends upon a few principles in which we believe: liberty, equal opportunity, individualism.

President Bush has eloquently spoken of the American character since September 11. But we in the Senate have a role to play, too. That is why, with the support of many other Senators on both sides of the aisle, I have been working hard to harness that spirit to help us remember for generations to come what it means to be an Amer-

ican. That means teaching it to our children and to those who become new citizens of our country.

One of the great tragedies of education in this country today is that high school seniors perform worse in American history than in any other subject for which they are nationally tested. That is not right. The assistant Democratic leader, Senator REID, and I proposed legislation last year which passed the Senate without a dissenting vote to create summer academies for outstanding students and teachers in U.S. history. The House still needs to act on this bill.

The Senator from Massachusetts, Mr. KENNEDY, and I have introduced legislation that would allow our Nation's report card to test eighth graders and high school seniors on U.S. history, on a pilot State-by-State basis. This will help us know where it is being taught well and where it is not so improvements can be made. Shining the spotlight on these results also encourages school districts to work harder to teach American history and civics as well.

The Senator from New York, Mr. SCHUMER, and I have introduced legislation to preserve the oath of allegiance in its present form, so that oath—to which all new citizens swear on naturalization—is given the same respect as we give to the Pledge of Allegiance, to the national anthem, and to the American flag.

While that legislation is pending in committee, with the support of the chairman, the Senator from Mississippi, the Senate unanimously passed yesterday an amendment to the Homeland Security appropriations bill to prevent the oath from being changed during the next fiscal year while the Senate works its will on the legislation proposed by the Senator from New York and me.

I am also working on a second amendment to that legislation to establish a new foundation that will work with the Office of Citizenship to promote the teaching of English, history, and civics to the soon-to-be new citizens of our country and to other new citizens. We are a nation of immigrants. We are proud of that. We should do our best to help those who are new to our country become thriving members of our society so they can learn our history, learn about citizenship, speak our common language. That will help them on the path to the American dream.

The Senate has been hard at work over the last 2 years to help enshrine the values and history that bind us together as Americans. Nothing could be more important as we remember September 11, as we mourn those we lost, but take pride in what was found, our national unity. The best way to remember September 11 is to remember what it means to be an American.

I yield the floor.

The PRESIDING OFFICER (Mr. SMITH). The Senator from Illinois may speak for up to 6 minutes.

AMERICA HAS CHANGED

Mr. DURBIN. Mr. President, this week we mark two significant dates. Tomorrow, September 11, the third anniversary of our attack which will truly live in infamy as the attack on Pearl Harbor. It is a moment when we reflect on what has happened to America since that time.

A member of the diplomatic corps once asked me: Did Osama bin Laden win that battle? The answer, clearly, is no. But did he change America? The answer, clearly, is yes.

We are debating in the Senate a bill for billions of dollars to be spent in defense of America, which we might not have even considered 3 years ago. Now it is reality.

In a few moments I will leave to go to National Airport. Before I board my flight back to Illinois, I will take off my shoes and my belt and my watch and I will hold my arms out to be "wanded," to make certain that I am safe enough to go on the airplane. America has truly changed.

But our values have not changed. Ted Sorensen may be one of the greatest speech writers in the history of our Nation. On May 21 he delivered a commencement address at the New School University of New York where a friend and former colleague, Bob Kerry, is president.

I ask unanimous consent that Mr. Sorensen's commencement address be printed in the RECORD.

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

COMMENCEMENT ADDRESS OF THEODORE C. SORESEN UPON RECEIVING AN HONORARY DOCTOR OF LAWS DEGREE FROM NEW SCHOOL UNIVERSITY

A TIME TO WEEP

As a Nebraska émigré, I am proud to be made an Honorary Doctor of Laws by another Nebraska émigré, President Kerrey . . . at an institution founded by still another, Alvin Johnson.

Considering the unhealthy state of our laws today, they probably could use another doctor.

My reciprocal obligation is to make a speech.

This is not a speech. Two weeks ago I set aside the speech I prepared. This is a cry from the heart, a lamentation for the loss of this country's goodness and therefore its greatness.

Future historians studying the decline and fall of America will mark this as the time the tide began to turn—toward a mean-spirited mediocrity in place of a noble beacon.

For me the final blow was American guards laughing over the naked, helpless bodies of abused prisoners in Iraq. "There is a time to laugh," the Bible tells us, "and a time to weep." Today I weep for the country I love, the country I proudly served, the country to which my four grandparents sailed over a century ago with hopes for a new land of peace and freedom. I cannot remain silent when that country is in the deepest trouble of my lifetime.

I am not talking only about the prison abuse scandal—that stench will someday subside. Nor am I referring only to the Iraq war—that too will pass—nor to any one political leader or party. This is no time for politics as usual, in which no one responsible

admits responsibility, no one genuinely apologizes, no one resigns and everyone else is blamed.

The damage done to this country by its own misconduct in the last few months and years, to its very heart and soul, is far greater and longer lasting than any damage that any terrorist could possibly inflict upon us.

The stain on our credibility, our reputation for decency and integrity, will not quickly wash away.

Last week, a family friend of an accused American guard in Iraq recited the atrocities inflicted by our enemies on Americans, and asked: "Must we be held to a different standard?" My answer is YES. Not only because others expect it. WE must hold ourselves to a different standard. Not only because God demands it, but because it serves our security.

Our greatest strength has long been not merely our military might but our moral authority. Our surest protection against assault from abroad has been not all our guards, gates and guns or even our two oceans, but our essential goodness as a people. Our richest asset has been not our material wealth but our values.

We were world leaders once—helping found the United Nations, the Marshall Plan, NATO, and programs like Food for Peace, international human rights and international environmental standards. The world admired not only the bravery of our Marine Corps but also the idealism of our Peace Corps.

Our word was as good as our gold. At the start of the Cuban Missile Crisis, former Secretary of State Dean Acheson, President Kennedy's special envoy to brief French President de Gaulle, offered to document our case by having the actual pictures of Soviet nuclear missiles in Cuba brought in. "No," shrugged the usually difficult de Gaulle: "The word of the President of the United States is good enough for me."

Eight months later, President Kennedy could say at American University: "The world knows that America will never start a war. This generation of Americans has had enough of war and hate . . . we want to build a world of peace where the weak are secure and the strong are just."

Our founding fathers believed this country could be a beacon of light to the world, a model of democratic and humanitarian progress. We were. We prevailed in the Cold War because we inspired millions struggling for freedom in far corners of the Soviet empire. I have been in countries where children and avenues were named for Lincoln, Jefferson, Franklin Roosevelt and John F. Kennedy. We were respected, not reviled, because we respected man's aspirations for peace and justice. This was the country to which foreign leaders sent not only their goods to be sold but their sons and daughters to be educated. In the 1930s, when Jewish and other scholars were driven out of Europe, their preferred destination—even for those on the far left—was not the Communist citadel in Moscow but the New School here in New York.

What has happened to our country? We have been in wars before, without resorting to sexual humiliation as torture, without blocking the Red Cross, without insulting and deceiving our allies and the U.N., without betraying our traditional values, without imitating our adversaries, without blackening our name around the world.

Last year when asked on short notice to speak to a European audience, and inquiring what topic I should address, the Chairman said: "Tell us about the good America, the America when Kennedy was in the White House." "It is still a good America," I replied. "The American people still believe in

peace, human rights and justice; they are still a generous, fair-minded, open-minded people."

Today some political figures argue that merely to report, much less to protest, the crimes against humanity committed by a few of our own inadequately trained forces in the fog of war, is to aid the enemy or excuse its atrocities. But Americans know that such self-censorship does not enhance our security. Attempts to justify or defend our illegal acts as nothing more than pranks or no worse than the crimes of our enemies, only further muddies our moral image. 30 years ago, America's war in Vietnam became a hopeless military quagmire; today our war in Iraq has become a senseless moral swamp.

No military victory can endure unless the victor occupies the high moral ground. Surely America, the land of the free, could not lose the high moral ground invading Iraq, a country ruled by terror, torture and tyranny—but we did.

Instead of isolating Saddam Hussein—politically, economically, diplomatically, much as we succeeded in isolating Khadafy, Marcos, Mobutu and a host of other dictators over the years, we have isolated ourselves. We are increasingly alone in a dangerous world in which millions who once respected us now hate us.

Not only Muslims. Every international survey shows our global standing at an all-time low. Even our transatlantic alliance has not yet recovered from its worst crisis in history. Our friends in Western Europe were willing to accept Uncle Sam as class president, but not as class bully, once he forgot JFK's advice that "Civility is not a sign of weakness."

All this is rationalized as part of the war on terror. But abusing prisoners in Iraq, denying detainees their legal rights in Guantanamo, even American citizens, misleading the world at large about Saddam's ready stockpiles of mass destruction and involvement with al Qaeda at 9/11, did not advance by one millimeter our efforts to end the threat of another terrorist attack upon us. On the contrary, our conduct invites and incites new attacks and new recruits to attack us.

The decline in our reputation adds to the decline in our security. We keep losing old friends and making new enemies—not a formula for success. We have not yet rounded up Osama bin Laden or most of the al Qaeda and Taliban leaders or the anthrax mailer. "The world is large," wrote John Boyle O'Reilly, in one of President Kennedy's favorite poems, "when its weary leagues two loving hearts divide, but the world is small when your enemy is loose on the other side." Today our enemies are still loose on the other side of the world, and we are still vulnerable to attack.

True, we have not lost either war we chose or lost too much of our wealth. But we have lost something worse—our good name for truth and justice. To paraphrase Shakespeare: "He who steals our nation's purse, steals trash. 'Twas ours, 'tis his, and has been slave to thousands. But he that filches our good name . . . makes us poor indeed."

No American wants us to lose a war. Among our enemies are those who, if they could, would fundamentally change our way of life, restricting our freedom of religion by exalting one faith over others, ignoring international law and the opinions of mankind; and trampling on the rights of those who are different, deprived or disliked. To the extent that our nation voluntarily trods those same paths in the name of security, the terrorists win and we are the losers.

We are no longer the world's leaders on matters of international law and peace. After we stopped listening to others, they

stopped listening to us. A nation without credibility and moral authority cannot lead, because no one will follow.

Paradoxically, the charges against us in the court of world opinion are contradictory. We are deemed by many to be dangerously aggressive, a threat to world peace. You may regard that as ridiculously unwarranted, no matter how often international surveys show that attitude to be spreading. But remember the old axiom: "No matter how good you feel, if four friends tell you you're drunk, you better lie down."

Yet we are also charged not so much with intervention as indifference—indifference toward the suffering of millions of our fellow inhabitants of this planet who do not enjoy the freedom, the opportunity, the health and wealth and security that we enjoy; indifference to the countless deaths of children and other civilians in unnecessary wars, countless because we usually do not bother to count them; indifference to the centuries of humiliation endured previously in silence by the Arab and Islamic worlds.

The good news, to relieve all this gloom, is that a democracy is inherently self-correcting. Here, the people are sovereign. Inept political leaders can be replaced. Foolish policies can be changed. Disastrous mistakes can be reversed.

When, in 1941, the Japanese Air Force was able to inflict widespread death and destruction on our naval and air forces in Hawaii because they were not on alert, those military officials most responsible for ignoring advance intelligence were summarily dismissed.

When, in the late 1940s, we faced a global Cold War against another system of ideological fanatics certain that their authoritarian values would eventually rule the world, we prevailed in time. We prevailed because we exercised patience as well as vigilance, self-restraint as well as self-defense, and reached out to moderates and modernists, to democrats and dissidents, within that closed system. We can do that again. We can reach out to moderates and modernists in Islam, proud of its long traditions of dialogue, learning, charity and peace.

Some among us scoff that the war on Jihadist terror is a war between civilization and chaos. But they forget that there were Islamic universities and observatories long before we had railroads.

So do not despair. In this country, the people are sovereign. If we can but tear the blindfold of self-deception from our eyes and loosen the gag of self-denial from our voices, we can restore our country to greatness. In particular, you—the Class of 2004—have the wisdom and energy to do it. Start soon.

In the words of the ancient Hebrews:

The day is short, and the work is great, and the laborers are sluggish, but the reward is much, and the Master is urgent.

Mr. DURBIN. Mr. President, Mr. Sorensen said at one point in his speech something we should reflect on as we think about September 11. He said of America:

Our greatest strength has long been not merely our military might but our moral authority. Our surest protection against assault from abroad has been not all our guards, gates and guns or even our two oceans, but our essential goodness as a people. Our richest asset has been not our material wealth but our values.

We were world leaders once—helping found the United Nations, the Marshall Plan, NATO, and programs like Food for Peace, international human rights and international environmental standards. The world admired not only the bravery of our Marine

Corps but also the idealism of our Peace Corps.

Mr. Sorensen's words are a reminder that if we are to win this war against those who wish us ill, those terrorists and those who use terrorism as a tactic, we need not only a strong national defense, we need strong homeland security, but we also need to project the values of America in a positive way, not just with the forming of troops in formation but also with the forming of values in countries desperate to have a future that emulates the freedoms of the United States.

THE SACRIFICE OF OUR SOLDIERS

Mr. DURBIN. Mr. President, the second noteworthy event this week was, of course, the acknowledgement that we have lost over 1,000 soldiers in Iraq. It has touched my State of Illinois. Some 50 people from my State have been killed in the war in Iraq, hundreds seriously wounded.

I ask unanimous consent that an article from the Chicago Tribune dated September 9, 2004, be printed in the RECORD.

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

[From the Chicago Tribune, Sept. 9, 2004]

DOWNSTATE TOWN STUNG BY DEATHS; 2 SOLDIERS DEAD, 15 HURT IN IRAQ

(By Deborah Horan and H. Gregory Meyer)

PARIS, IL.—The worst attack yet on Illinois Army National Guardsmen serving in Iraq left two soldiers dead and 15 wounded, and it left the Downstate town where their unit is based stung by the news and fearful for the safety of survivors.

Mortar rounds pounded the 1544th Transportation Company southwest of Baghdad late Sunday afternoon, killing Sgt. Shawna Morrison, 26, of Paris and Spec. Charles Lamb, 23, of Martinsville, said Lt. Col. Alicia Tate-Nadeau, a Guard spokeswoman. Three of the 15 wounded were seriously injured, she said.

In Paris a radio station has put patriotic songs on heavy rotation while locals drive cars tied with yellow ribbons saying "Pray for our troops." Morrison was the unit's first female fatality, and the first soldier from Paris to die in Iraq.

"This is the first one to hit our community," said Jim Cooper, the father of a 20-year-old guardsman who is stationed at the base that came under attack. "It has really brought this home. It opens up a lot of people's eyes. They say, 'Hey, I know so-and-so. He may be next.'"

The deaths brought the unit's total fatalities to four as the nation's total military deaths in Iraq since last year's invasion edged past 1,000.

The 1544th, headquartered in a brick armory in this town of 9,000, contains about 260 soldiers from four states, Tate-Nadeau said.

Shirley Furry had posted a message under the price board outside her Citgo station in Paris reading "In memory of Shawna." The young woman worked there several years ago, Furry said. Morrison's mother called Furry Sunday night.

"I said, 'Oh, no,'" Furry recalled. "She said, 'Yeah, she's gone.'"

Morrison attended the University of Illinois at Urbana-Champaign and worked two jobs, one as a waitress and the other as a bartender, to put herself through school.

"She's always been very independent," said her father, Rick Morrison. "She never

asked us for a dime from day one when she moved out."

Morrison was called up in November, sent to Kuwait in December and arrived in Iraq by February where she worked in communications, her father said. And while she was nervous before the deployment, she was most worried about rumors of spiders the size of paper plates that could jump 6 feet.

"We spent many hours looking for spider spray," her father said. "And she never saw one."

Sgt. Scott Johnson, a member of the 1544th who was wounded in Iraq in May, said Morrison and Lamb had contrasting notions of comfort on base. "Shawna, she was really looking to settle in. She rounded up a couple of the nicer mattresses to make sure she slept well at night," he said. "Charles, he would rough it. He was kind of an outdoorsman. He didn't mind getting dirty."

Lamb, who grew up in a rural area near Martinsville, about 25 miles southwest of Paris, was a "farm boy," said Mark Harris, his agriculture education teacher at Casey-Westfield High School, where he graduated in 1999.

A live wire as a student, Lamb was active in the FFA, formerly known as Future Farmers of America, and trained for forestry, livestock and dairy competitions. A trip to Kansas City for an FFA convention was a big deal to him.

"I think one of the reasons he signed up for the service was to help other people out, make a better life and see the country," Harris said.

Before he was called up for active duty, he had worked as a mechanic in Martinsville and had recently married, said a former employer.

"He was planning on coming back," said a shop co-owner, Shirley Goodwin. In Iraq he also worked as a mechanic.

Cooper leads a support group for families of soldiers from the 1544th. He said that when attacks take place, he's the one who calls families whose sons and daughters weren't hurt.

"I can tell them they're OK, but I can't give them any guarantees," he said. "The unit is still running out there. It makes it scary."

His son is also based at Logistical Base Seitz, the camp outside Baghdad where Morrison and Lamb were killed, but he was uninjured in Sunday's mortar shelling.

"Everybody's upset," he added. "It is hard to walk into a store without somebody recognizing me and saying, 'How's your son?'"

Mr. DURBIN. Mr. President, this article speaks of one National Guard unit, the 1544th Transportation Company from Paris, IL. This unit of the Illinois National Guard has sustained almost half of the deaths and more than half of the injuries that our National Guard in Illinois has sustained, and just this last week two soldiers were killed and 15 wounded after another attack in Iraq.

It is a grim reminder that we are in a situation in Iraq with no end in sight. With 140,000 of our best and bravest in the field offering their lives every day for America, the fact that we would invade this nation of Iraq without a plan to deal with its reconstruction and pacification is the strongest condemnation of any government, and yet that is where we are today.

This morning it was reported on the news that if there is an election in Iraq—and I pray there will be—some

sections of that country will not even be able to vote because they are under the control of terrorists and guerrillas. That is an indication of how far we still have to travel before the day arrives when our troops can come safely home from Iraq, realizing that in reality their mission has been accomplished.

As we reflect on 9/11, we reflect on our values. As we reflect on the heroes of America and think of those on 9/11, remember, too, the thousands still serving our Nation overseas from towns such as Paris, IL, and many just like them who offer their lives every day in defense of the values of this Nation.

I yield the floor.

The PRESIDING OFFICER. The Senator from Mississippi is recognized.

Mr. COCHRAN. Mr. President, I assume we are now on the Homeland Security appropriations bill for fiscal year 2005?

The PRESIDING OFFICER. The Senator is correct.

Mr. COCHRAN. Mr. President, first of all, I thank the leadership for making available time in the schedule for the handling of this bill and giving us a chance to consider amendments that are proposed by other Senators to the bill as reported by the Senate Appropriations Committee. It is important to note that yesterday's action and the action of the full committee so far have set the tone for the consideration of this bill.

First of all, to remind Senators, the bill contains funding at a level of \$33.1 billion. Mr. President, \$32 billion is for discretionary spending; the remainder is for mandatory programs or the allocation of funds that are collected under other provisions of law. This represents an almost 10-percent increase in funding for the next fiscal year as compared with the funding that is appropriated for this fiscal year, 2004.

The fiscal year begins on October 1, as everyone knows. Substantial increases are included in this legislation for the activities of the Coast Guard as well as the Transportation Security Administration. The bill fully funds the President's requested activity for Project BioShield, which is a very important new endeavor to further enhance the security of our country against bioterrorism. The bill also provides funding for a new program that is designed to enhance security for our country by using new technologies to identify and verify visitors coming into the country using visas. This program is called United States Visitor and Immigration Status Indicator Technology. Of course, it has its own acronym, US VISIT, so it is easy for us to remember.

One other feature of this year's appropriations bill is the limitation that we are provided as a result of a provision included in the defense appropriations conference report that limits, in effect, the discretionary spending of all appropriations bills for fiscal year 2005.

The limitation is at a level of \$821.9 billion. That is enforced through a mechanism of the Budget Act which permits points of order to be made on amendments that would seek to increase the bill's funding beyond the level of its allocation, which was established by the Appropriations Committee.

We are pleased that the Senate has recognized the validity of that limitation. Yesterday we were able to exercise that point of order successfully to defeat amendments that would have increased spending beyond that allocated level of funding. We are at the limit of the allocation that is available to our subcommittee. The \$32 billion in discretionary funding is the limitation that is provided to the Homeland Security Appropriations Subcommittee.

Today we are pleased to consider any other amendments Senators may wish to offer. We are ready to debate and dispose of amendments. We can agree to some, I hope, and we are happy to work with Senators throughout the remainder of this session. We are happy the leader has indicated that any votes that may be ordered will go over to next week. There will not be any recorded votes on this bill today.

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. 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.

Mr. REID. Mr. President, it is my understanding we are now on the Homeland Security appropriations bill?

The PRESIDING OFFICER. The Senator is correct.

AMENDMENT NO. 3578

Mr. REID. Mr. President, on behalf of Senator BAUCUS, I send an amendment to the desk. It is amendment No. 3578. I think it is already at the desk.

The PRESIDING OFFICER. Without objection, the pending amendments are set aside.

The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID], for Mr. BAUCUS, for himself, Ms. CANTWELL, Mrs. CLINTON, Mr. CONRAD, Mr. DORGAN, Mr. LEVIN, Mrs. MURRAY, Mr. SCHUMER, Ms. STABENOW, and Mr. BURNS, proposes an amendment numbered 3578.

Mr. REID. 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 make available to the Under Secretary for Border and Transportation Security \$200,000,000 to establish and operate air bases in the States of Michigan, Montana, New York, North Dakota, and Washington and to permit fees for certain customs services to be collected until June 1, 2005)

On page 39, between lines 5 and 6, insert the following new section:

SEC. 515. (a) The total amount appropriated by title II for the Office of the Under Secretary for Border and Transportation Security under the heading "AIR AND MARINE INTERDICTION, OPERATIONS, MAINTENANCE, AND PROCUREMENT" is hereby increased by \$200,000,000. Of such total amount, as so increased, \$200,000,000 shall be available for the establishment and operation of air bases in the States of Michigan, Montana, New York, North Dakota, and Washington.

(b) Section 13031(j)(3) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(j)(3)) is amended by striking "March 1, 2005" and inserting "June 1, 2005".

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. Mr. President, this is quite an important amendment for our Nation's security. I think it will help strengthen a key component of our national security strategy. We all know our Nation's security begins here at home, by securing our land borders, our airspace, and also our maritime ports. As we work to get the latest explosive screening technology in our airports, or to inspect more containers arriving in our Nation's ports, we should not forget the critical role of our vast northern border.

Contrary to what some people may think, out on the northern border we are no strangers to illegal crossings. The topography in my State of Montana makes it very difficult to protect our border. Customs and Border Patrol are doing a great job with the resources they have, but Immigration and Customs enforcement investigators are just a little bit undermanned. They share valuable information they collect on illegal entries with numerous agencies.

But when it comes to tracking and intercepting unauthorized aircraft, our military planes fly much too high and too fast to provide proper service along our northern border. As we beef up our security on other borders, especially in the South and on the coasts, the northern border has become the Nation's backdoor that we cannot afford to leave unlocked.

While I am pleased the Department of Homeland Security has just established the first of five planned airbases along the northern border that Congress authorized nearly 2 years ago, I am also quite concerned. Why? Because the pace is so slow in standing up these bases. One of the sites the Department of Homeland Security has chosen is in Great Falls, MT. Between Malmstrom Air Force Base, the Air Force National Guard at Great Falls International Airport, and the community that supports these assets, we are ready to take on this new mission. We are ready. We are set. We are happy. We are glad. We want to do it. The mission is to help secure the northern border, not just for our State of Montana but for all Americans.

However, we are told we will have to wait. We will have to wait for more than 3 years to get the planned airbase up and running in Great Falls. With all due respect, I do not think as a nation we can wait. We cannot afford to wait.

There are too many problems with the current funding schedule for the northern border air wing. First, the schedule is stretched out over far too long a period of several years. Once the first base in Bellingham, WA, is really up and running, what is going to happen? It is pretty obvious. Drug runners and other would-be terrorists and malcontents will simply move eastward toward Montana's northern border, and still further east over other parts of our northern border.

Under the current funding schedule, they are going to enjoy a full 3 years of exploiting the gaps in our Air Wing coverage before all five bases along the northern border—that is, the States of Washington, Montana, North Dakota, Michigan, and New York—have been established.

There is a second problem. What is that? It is that the budget allows just enough money to buy each base its requisite planes: two helicopters and a fixed-wing aircraft. But once each base opens its doors, it won't even be able to operate 5 days a week for 8 hours a day. The dollars just are not there for the operation. So I say, when it comes to securing our Nation, obviously, this is not good enough. We have to get up and running right away.

Two months ago, when a plane deviated from its course over Washington, DC—we all remember it—the Air and Marine Operations Command and Control at March Air Force Base in Riverside, CA, was watching—way out in California. Local aircraft were dispatched, and the Capitol complex was emptied. Luckily, it was just the Governor of Kentucky. I should not say "just." It was the eminent Governor of Kentucky. But the system worked because a local plane was available and staffed to respond. The folks in Riverside are responsible for detecting unauthorized aircraft flying at low altitudes anywhere in the United States, but so far they have just one plane, staffed barely 40 hours a week, in Washington State, to dispatch if they get a hit anywhere on the 3,000-plus-mile-long northern border.

So let's be clear. Congress has already authorized the establishment of a northern border air wing with five airbases that will be responsible for tracking, identifying, and intercepting any unauthorized aircraft that attempts to cross the northern border into U.S. airspace. But if we are going to take securing the northern border seriously, then we must take funding seriously. So my amendment makes sure the funding is there to get all five airbases operational 7 days a week this next year.

I thank very much the chairman of the subcommittee, Senator COCHRAN, and thank Senator BYRD, and many others, for helping to work to get this crucial amendment in order so it will be adopted and, more importantly, to make America safer.

I yield the floor.

Mr. BYRD. Mr. President, I commend the Senator from Montana for his

amendment and Senator FRIST and Senator COCHRAN for their cooperation in working on this amendment. This amendment provides \$170 million for four homeland security programs, in addition to the \$200 million provided for security on the Northern border.

First, \$50 million is included for the fire grant program. With this amendment, the total in the bill for equipping and training fire personnel is \$750 million, an increase of \$4 million over fiscal year 2004. Last year, the Department received over \$2.6 billion of applications from 20,366 applicants. Clearly, there is a real need for this additional funding.

Second, the amendment provides \$50 million for the Federal air marshals program. Last year, despite the continuing terrorist threat to our airlines and despite the fact that the number of flights grew by 6 percent last year, the number of Federal air marshals fell by 9 percent. This amendment will reverse that trend and allow the Department to move toward the staffing goal that was established after 9/11.

Third, \$50 million is provided for grants to nonprofit organizations, to help secure their at-risk facilities. Numerous reports from the Department of Homeland Security and the FBI indicate that al-Qaida has turned its focus to so-called soft targets such as hospitals, universities and houses of worship.

Finally, the amendment provides \$20 million for the Emergency Management Performance Grants program. This valuable program provides resources to States to prepare for all types of emergencies. The program's all-hazards planning approach ensures that States prepare, not just for terrorist attacks, but also for hurricanes, floods, earthquakes and other types of disasters.

Again, I thank the Senators for their cooperation and I urge adoption of the amendment.

The PRESIDING OFFICER. The majority leader is recognized.

AMENDMENT NO. 3616 TO AMENDMENT NO. 3578

Mr. FRIST. Mr. President, I send an amendment to the desk and ask for its consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Tennessee [Mr. FRIST], for himself, Mr. BYRD, Mr. COCHRAN, Mr. SPECTER, Ms. MURKOWSKI, Mr. VOINOVICH, Mr. DEWINE, Mr. BURNS, Mrs. CLINTON, Ms. MIKULSKI, Mrs. MURRAY, and Mr. KENNEDY, proposes an amendment numbered 3616 to amendment No. 3578.

Mr. FRIST. 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:

On page 2, line 5 insert:

"(b) The total amount appropriated under the heading 'IMMIGRATION AND CUSTOMS ENFORCEMENT, FEDERAL AIR MARSHALS' is hereby increased by \$50,000,000. Of such total amount, as so in-

creased, \$50,000,000 is for the continued operations of the Federal Air Marshals program.

"(c) The total amount appropriated under the heading 'OFFICE OF STATE AND LOCAL GOVERNMENT COORDINATION AND PREPAREDNESS, STATE AND LOCAL PROGRAMS' is hereby increased by \$50,000,000. Of such total amount, as so increased, \$50,000,000 is for discretionary assistance to non-profit organizations (as defined under section 501(c)(3) of the Internal Revenue Code of 1986) determined by the Secretary of Homeland Security to be at high-risk of international terrorist attacks.

"(d) The total amount appropriated under the heading 'OFFICE OF STATE AND LOCAL GOVERNMENT COORDINATION AND PREPAREDNESS, FIREFIGHTER ASSISTANCE GRANTS' is hereby increased by \$50,000,000. Of such total amount, as so increased, \$50,000,000 is for the program authorized by section 33 of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2229).

"(e) The total amount appropriated under the heading 'OFFICE OF STATE AND LOCAL GOVERNMENT COORDINATION AND PREPAREDNESS, EMERGENCY MANAGEMENT PERFORMANCE GRANTS' is hereby increased by \$20,000,000. Of such total amount, as so increased, \$20,000,000 is for emergency management performance grants."

On page 2, line 5 strike "(b)" and insert "(f)".

Mr. FRIST. Mr. President, this is an amendment worked out in a bipartisan manner with the chairman and the ranking member of the Homeland Security Appropriations Subcommittee and the ranking member of the Finance Committee. I thank Senators Cochran, Byrd, and Baucus for their cooperation. This is an amendment that is cosponsored by Senators BYRD, COCHRAN, SPECTER, MURKOWSKI, VOINOVICH, DEWINE, BURNS, CLINTON, MIKULSKI, and MURRAY. It is a very simple amendment but an important amendment to provide a small amount of additional resources for some critical areas in our war against terrorism here at home.

The Baucus amendment extends custom user fees that will expire next March. He extends the fee for 3 months. This extension increases the offsetting receipts in the Federal budget by \$370 million during that period of time. Senator BAUCUS uses these additional resources to increase funds for a northern border protection program. Senator BURNS is also a cosponsor of that amendment. However, the Baucus-Burns amendment allocates \$200 million of resources for this activity, leaving approximately \$170 million in additional resources to fund other homeland security programs.

Working with Senators on both sides of the aisle, Senator BYRD and I have crafted a second-degree amendment that further targets this additional \$170 million in funds as follows: An additional \$50 million for firefighters—Senator MURKOWSKI and other Senators have been supporters of finding additional funds for our dedicated firefighters; an additional \$50 million for Federal air marshals; \$50 million for 501(c) nonprofit organizations that the Secretary of Homeland Security determines to be at risk of terrorist attacks—I, along with Senators SPECTER,

BYRD, and MIKULSKI, have focused on the need to provide assistance to these soft targets as churches, synagogues, mosques, and various nongovernmental organizations that can fall prey to terrorists are at risk—and an additional \$20 million to emergency management performance grants. This is a program strongly supported on both sides of the aisle—on our side, championed by Senator VOINOVICH—to meet the needs of our State and local governments.

I believe the amendment has been cleared on both sides. I appreciate once again the cooperation of all involved in finding a way to provide additional resources to this important bill without violating the Budget Act or adding to the Federal deficit. Again, these amendments have been worked out on both sides of the aisle, and I urge their adoption.

Mr. SPECTER. Mr. President, I have sought recognition to discuss an amendment which I have been working on since the Subcommittee on Homeland Security marked up the bill in July which would provide much-needed resources to address the security needs of high-risk nonprofits. I am pleased that we have worked out a compromise where this language will be included as part of Senator BAUCUS's amendment on custom user fees. This language will appropriate \$50 million for a program at the Department of Homeland Security, DHS, to provide security enhancements and training to nonprofit organizations determined to be at high risk of international terrorist attacks. Funds would be distributed by DHS based on risk assessments, in consultation with State and local authorities.

The \$50 million figure is firm, and there is no doubt that there will be a need for more than \$50 million. This is a start. This is a start on the protection of 501(c)(3)s, and the discretion of the Secretary of Homeland Security is limited to establishing the priority for the use of the \$50 million. The assistance is intended for basic security enhancements to protect American citizens from car bombs and other lethal terrorist attacks. It is intended to be used for installation of equipment such as concrete barriers, blast-proof doors, mylar window coatings, and hardened parking lot gates, as well as associated training.

The Director of Central Intelligence has stated that al-Qaida has turned its attention to "soft targets." Al-Qaida's willingness to attack soft targets of all types has been made readily apparent with attacks in the United States, England, Canada, Spain, Germany, Iraq, Tunisia, Kenya, Morocco, and Turkey, including an international Red Cross building, synagogues, train stations, hotels, airports, restaurants, night clubs, and cultural and community centers.

Many of these soft targets are nonprofit organizations which provide vital health, social, community, educational, and other services to millions of Americans every day. If nonprofit

organizations are forced to divert funds to cover the entire cost of security measures, those funds will deplete resources for vital human services, including capacity to respond to disasters.

I have been encourage to support this language by a wide cross section of America's nonprofits. Supporters of this measure include: American Association of Homes and Services for the Aging; American Jewish Committee; American Jewish Congress; American Red Cross; American Society of Association Executives; Association of Art Museum Directors; Association of Jewish Aging Services of North America; Independent Sector, National Assembly of Health and Human Service Organizations; National Association of Independent Colleges and Universities; Theater Communications Group; Union of Orthodox Jewish Congregations; United Jewish Communities, representing 155 Jewish Federations; United Synagogue of Conservative Judaism; United Way of America; and YMCA of the USA.

The assistance would be delivered pursuant to pending authorizing legislation which Senator MIKULSKI and I have introduced as S. 2275 which was ordered reported by the Governmental Affairs Committee. I thank the chairman and other Senators involved in moving this important amendment forward, and I urge my colleagues to support this effort through the conference committee and to the President's desk.

Ms. MIKULSKI. Mr. President, today I rise to support and cosponsor Senator FRIST's second-degree amendment to provide much-needed funding for homeland security. This amendment provides increased funding in three vital areas, Federal air marshals, fire grants and emergency management grants, and for the first time, it would give assistance to nonprofit institutions that are at high risk of terrorist attack.

Insuring that the brave men and women who are our first responders have the resources they need is one of my highest priorities. We must do our best to protect the protectors and they protect us everyday. These are the people who risk their lives to keep us safe. The bill before us today actually cuts funding and the step we take today to increase funding by \$50 million for the fire grant program is a step in the right direction. But it is a first step.

Our Nation's firefighters need more resources. They need to replace aging fire engines and rescue vehicles, and they need self-contained breathing masks. Additional money for the Fire Grant Program is not just about new equipment—it is about saving lives. It is about making sure that our firefighters and rescue workers are well prepared, whether it is a terrorist attack or a hurricane. These brave men and women will be the first on the scene and we need to make sure that they have the tools they need to protect against threats to American lives.

It is my hope that as we proceed with this bill in the coming days, we will be

able to add additional funding to provide the resources that fire departments across the Nation so desperately need. That is why I applaud my colleagues for taking this first step—the next step is to ensure that we include additional funding to bring this model program up to the full funding level of \$900 million. On Monday, I will offer an amendment to take that final step and make sure that our firefighters have all the resources that they need. I hope that my colleagues will join me then as we have all joined Senator FRIST today, in supporting those much needed increases in fire grant funding.

This amendment also takes a great first step in helping nonprofit organizations who are at risk for terrorist attack. As the majority leader knows, I have worked closely with my colleague from Pennsylvania, Senator SPECTER on legislation to create a program to help nonprofits who serve communities throughout the Nation but who are threatened daily by the risk terrorist attack. Today, I am proud to provide funding to make our communities stronger and safer by protecting these "soft targets" of terrorism all over the United States.

We are all aware of recent terrorist attacks in the United States, Spain, Germany, Iraq, Tunisia, Kenya, Morocco, and Turkey. These attacks by al-Qaida on an international Red Cross building, synagogues, train stations, hotels, airports, restaurants, night clubs, and cultural centers, show its willingness to attack "soft targets" of all types in order to conduct its campaign of terror.

I want to make sure that our communities are safe and the buildings where citizens live, learn, and work are strong and secure to safeguard American lives in the vent of a terrorist attack. Local communities are on the front lines in our war against terrorism. This Congress must do its share to make sure that they do not have to bear the full cost of this war. We can do that by helping to provide funds for security enhancements in buildings that Americans visit everyday.

In this amendment we simply provide an additional \$50 million to enhance the security and safety of high-risk nonprofits. This funding will jumpstart the effort to make security improvements to these "soft targets" of terrorism. These nonprofits are worried now, they are under threat now, and then need our help now. This Congress must act now to make these nonprofits and the communities that they serve safer and stronger.

As a Nation, our priority in fighting the war on terror is to be safer, stronger, and smarter so that we are able to better detect, prevent and respond to acts of terrorism. This bill gets us one step closer to meeting those goals by making vulnerable targets smarter in detecting and preventing terrorist attacks and by making sure that if terror strikes one of these facilities, security

and safety measures are in place to protect the lives of those inside and around these buildings.

Nothing the Senate does is more important than providing America security and Americans safety. I urge my colleagues to support this amendment because it does exactly that. In the battle to protect our Nation from terrorist attacks, we must be sure to provide assistance to first responders and to these high-risk nonprofit organizations that provide vital health, social, cultural, and educational services to the American people.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 3616.

The amendment (No. 3616) was agreed to.

Mr. REID. Mr. President, I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 3578, AS AMENDED

The PRESIDING OFFICER. The question is on agreeing to amendment No. 3578, as amended.

The amendment (No. 3578) was agreed to.

Mr. COCHRAN. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

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

The motion to lay on the table was agreed to.

Mr. FRIST. Mr. President, earlier this morning, Chairman COCHRAN offered on my behalf a bipartisan amendment that was adopted. Combined with the second degree bipartisan amendment I offered to Senator Baucus's amendment, we have provided almost \$700 million in additional funds in this bill to enhance programs for our domestic security.

We did this without increasing the Federal deficit, because the increased spending was offset with the extension until September 2005 an expiring custom user fee. That extension raised nearly \$700 million.

Let me be the first to acknowledge that this offset is included in other legislation that is in various conferences such as the FSC bill and the highway bill. But until legislation is enacted to truly extend this provision, it remains a real offset.

Final legislation will sort out the use of this offset before it becomes law.

The amendment I offered and cosponsored by Senator COCHRAN, BYRD and VOINOVICH provided increased resources for critical areas of homeland security:

An additional \$120 million for Customs and Border Protection, Salaries and Expenses. Some of these funds will be used to provide for radiation detection devices, additional border inspectors and border patrol agents;

an additional \$80 million for Immigration and Customs Enforcement to provide additional investigation personnel and additional detention facilities;

an additional \$81 million for rail and transit security grants;

and an additional \$36 million for State and Local Governments' emergency management performance grants.

Again I thank all of my colleagues who worked on this amendment and appreciate the cooperation of Senator BYRD in finding a responsible approach to increased homeland security funding while not adding to the Federal deficit this next year.

Mr. COCHRAN. 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. STEVENS. 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. STEVENS. Mr. President, although I will be speaking on intelligence matters and other matters relating to the CR, I ask unanimous consent that my statement not be considered a violation of the Pastore rule and I be able to speak on general matters.

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

PROBLEMS WITH A CONTINUING RESOLUTION

Mr. STEVENS. Mr. President, a lot of people are talking about a continuing resolution for appropriations this year. This is not a normal year. This is the end of Congress. This Congress goes out of being. We will come back next year and have to deal with new bills. I want to talk a little bit about the problem of a continuing resolution for a series of bills.

For instance, my State had over 5 million acres of timberland burned this year. Forest fires were just enormous. We have provided in the Interior bill moneys for hazardous fuels reduction to try to reduce the fires, really, on some of the wildlands of the United States. If we had that money we could probably prevent what we call follow-on fires. Where lightning fires strike, the next year they strike almost in the same place. The next year they strike almost in the same place. But as they do in years following a fire, they are hitting timber that has been dried out, burned, dried out, and it is just like kindling. It just causes the whole area to burn more and then more and then more. The way to stop that is to do the hazardous fire reduction program, go into the area that burned and take that timber out—try to plant new trees, but at least do something to prevent a follow-on fire the following year. If the Interior bill doesn't pass, there will not be that money available.

We have additional money for the Indian Health Service this year. We have had substantial problems in health areas in the Indian community. That money wouldn't be available under a CR.

Many people don't know what a CR is. It is a continuing resolution which

continues the moneys that were appropriated in 2003 to be spent in 2004; now that same amount of money is going to be spent in 2005. Judgments of 2003 of what should be happening in 2004 are not valid in 2005. We need each of these bills this year more than we ever have before.

Take, for instance, the hurricanes that just happened. We have in the budget request what is called the beach renourishment policy. It is a one-time funded program to try to replace some of these beaches that have been lost in the hurricane season. There are approximately 43 projects already outlined that have to be funded this year in order to undertake this new concept. It is sort of like the fires concept. If we move in and repair these beaches now, a subsequent follow-on hurricane will not aggravate the damage and leave even further destruction in the area. Again, unless we get the Energy and Water bill, it will not be done. There will be no dredging of the low-use waterway and harbors that have had extensive damage. These hurricanes change the bottom of the sea in the areas adjacent to the shore of where the hurricanes come ashore. We need new money to deal with that. The only way to get it is to get an Energy and Water appropriations bill passed.

If you look at the Department of Energy, we have a whole series of items requested by the President and approved by the Appropriations Committee on energy and water. The budget this year requests \$1.16 billion more than was enacted for this fiscal year of 2004. A continuing resolution will carry the figures for 2004 forward as long as the continuing resolution continues until Congress passes a bill next year.

But meanwhile, the money that is needed for security and the safeguard problems of our national weapons labs, the President asked for \$706 million to make those laboratories more safe and more secure.

He asked for \$6.9 billion in energy environmental management activities. That is an increase over 2004. This is expected to have a specific effect on the environmental cleanup activities in Tennessee, Washington, Idaho, and South Carolina.

In terms of energy supply, we have money this year for energy research, including renewable resources such as hydrogen, solar, wind, and biomass. The President's request this year is \$835 million, a 13-percent increase over 2004.

I will come back later. I don't want to monopolize the time. I keep reminding the Senate that we cannot operate under a CR for 2005. It is not possible.

Take the Department of Agriculture: The 2005 bill is not passed and the medical device user fee authority expires at the end of this fiscal year because we did not provide the required level of funding authority. This bill takes care of that. If the bill does not pass, there won't be funding to maintain the participation rates for the WIC Program.

The budget request is underestimated by over \$300 million. That would be required to continue the program in 2005. That would not be available under 2004 money.

This Homeland Security bill is an example. If it does not pass, the counterterrorism food safety money for FDA will not be available.

There are a whole series of things. I am sure the chairman, my distinguished friend from Mississippi, has described that in more detail.

But the real problem with our thinking about a continuing resolution is money would not be available to other Departments to meet emergency situations—some caused by natural events such as hurricanes and fires and others caused by changes in the security requirements of the departments of the Government which have security requirements. They are conducting their business differently now after the Department of Homeland Security examined how they handled buildings and security of employees. Each one of them now has a mandate to change the way they do business. We have provided the money for those new directions in the 2005 bills. That money for the security of the Federal buildings will not be available under the 2004 program without substantial reprogramming, which couldn't be done until well into next year.

I am trying to make the case for the Members of the Senate to think about getting all of these bills done this year. Don't think about a continuing resolution. A continuing resolution will not work for the appropriations process this year.

I yield the floor.

Mr. REID. Mr. President, I ask unanimous consent that the pending amendments be set aside for purposes of offering an amendment.

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

AMENDMENT NO. 3617

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

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID], for Mr. LAUTENBERG, proposes an amendment numbered 3617.

Mr. REID. 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 ensure that the Coast Guard has sufficient resources for its traditional core missions)

On page 14, line 2, strike "\$5,153,220,000, of which \$1,090,000,000 shall be for defense-related activities;" and insert "\$5,253,220,000 of which \$1,090,000,000 shall be for defense-related activities; and of which, \$100,000,000 shall be for non-homeland security missions defined by Sec. 888(a)(1) of Public Law 107-296."

Mr. REID. Mr. President, this amendment calls for \$100 million for the U.S.

Coast Guard. Senator LAUTENBERG at a subsequent time will come and debate this matter. It is my understanding that the leadership wishes to have this as one of the votes that would occur on Monday evening.

AMENDMENT NO. 3618

Mr. COCHRAN. Mr. President, on behalf of myself and Senators FRIST, BYRD, and VOINOVICH, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Mississippi [Mr. COCHRAN], for Mr. FRIST, for himself, Mr. COCHRAN, Mr. BYRD, and Mr. VOINOVICH, proposes an amendment numbered 3618.

Mr. COCHRAN. 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 make available to the Department of Homeland Security additional funds)

On page 39, between lines 5 and 6, insert the following new section:

"SEC. . (a) The total amount appropriated under the heading 'CUSTOMS AND BORDER PROTECTION, SALARIES AND EXPENSES' is hereby increased by \$120,000,000. Of such total amount, as so increased, \$40,000,000 is provided for radiation detection devices, \$40,000,000 is provided for additional border inspectors, and \$40,000,000 is provided for additional border patrol agents.

"(b) The total amount appropriated under the heading 'IMMIGRATION AND CUSTOMS ENFORCEMENT, SALARIES AND EXPENSES' is hereby increased by \$80,000,000. Of such total amount, as so increased, \$40,000,000 is provided for additional investigator personnel, and \$40,000,000 is provided for detention and removal bedspace and removal operations.

"(c) The total amount appropriated under the heading 'OFFICE OF STATE AND LOCAL GOVERNMENT COORDINATION AND PREPAREDNESS, STATE AND LOCAL PROGRAMS' is hereby increased by \$81,000,000. The total amount provided in the aforementioned heading for discretionary grants is increased by \$81,000,000. Of that total amount, as so increased, the amount for rail and transit security grants is increased by \$81,000,000.

"(d) The total amount appropriated under heading 'OFFICE OF STATE AND LOCAL GOVERNMENT COORDINATION AND PREPAREDNESS, EMERGENCY MANAGEMENT PERFORMANCE GRANTS' is hereby increased by \$36,000,000. Of such total amount, as so increased, \$36,000,000 is provided for emergency management performance grants.

"(e) In Section 13031(j)(3) of the Consolidated Omnibus Budget Reconciliation Act of 1985 as amended by this bill, strike 'June 1, 2005' and insert 'September 30, 2005.'"

Mr. COCHRAN. Mr. President, this amendment increases funding for the Department of Homeland Security fiscal year 2005 appropriations bill. It is fully offset by an extension of customs user fees to September 30, 2005.

Specifically, this amendment will add funds for the following programs:

\$40 million for additional radiation detection devices,

\$40 million for additional border inspectors,

\$40 million for additional border patrol agents,

\$40 million for additional investigators,

\$40 million for detention and removals of illegal aliens,

\$81 million for additional rail and transit security grants, and

\$36 million for additional emergency management performance grants.

Mr. REID. Mr. President, as indicated by the cosponsor of this amendment, it is totally supported on this side. We appreciate the chairman of the committee moving forward on this most important amendment to increase funding for these agencies as set forth therein.

The PRESIDING OFFICER. Is there further debate on the amendment? If not, this question is on agreeing to the amendment.

The amendment (No. 3618) was agreed to.

Mr. COCHRAN. Mr. 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.

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

The PRESIDING OFFICER (Mrs. DOLE). Without objection, it is so ordered.

Mr. DOMENICI. Madam President, parliamentary inquiry: Is it appropriate now in morning business for the Senator from New Mexico to speak?

The PRESIDING OFFICER. We are not in morning business.

Mr. DOMENICI. I ask unanimous consent I be permitted to speak for up to 10 minutes.

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

The Senator from New Mexico is recognized.

DEMAND FOR OIL

Mr. DOMENICI. Madam President, I want to share some highlights from this week's news about oil and its effect on our economy. Yesterday's Washington Post quoted Dr. Alan Greenspan's testimony before the House Budget Committee.

The economy is doing reasonably well. If it weren't for the oil spike, I would be very optimistic where the economy is going.

Chairman Greenspan said the spring surge in energy prices weakened the economy more than analysts expected. He suggested that uncertainty about oil prices continues to cloud the economic outlook.

Financial analysts have also lowered the forecast expectations for our American economy growth over the next year. For example, an economist with Global Insight said:

Persistent high prices of oil remain a shadow over the recovery.

On Wednesday, the President of OPEC stated that high oil prices would undermine the economies of the United States and Europe by 2 percent. These high prices exist primarily because of soaring demand for oil in tightly stretched markets.

In its weekly report, the Energy Information Administration reported that spare capacity to pump more oil is near the lowest in decades. EIA said global oil production is running around 99 percent of estimated capacity. Just yesterday, the EIA stated in its short-time market outlook that it expected oil prices to average \$40 until mid-2005 despite OPEC efforts to increase oil production. Low surplus capacity is obviously with us. Similarly, the Paris-based International Energy Agency acknowledged the same. Given the limited spare capacity, some people are worried about whether there will be sufficient oil to meet demand. We all know what that will do if it continues.

Yesterday in the Wall Street Journal there was an article entitled, "Demand for Oil Could Outstrip Supply." In the article, the Washington-based oil-forecasting group, PFC Energy, warned that the energy industry may be without the capacity to produce sufficient oil to meet the needs. In their study, the PFC maintains the world will not be able to produce more than 100 million barrels a day, only 20 percent more than the current global supply of 82 million barrels a day.

Oil analysts who believe we are running out of oil or that we have peaked are still in the minority, but the numbers are getting more and more ominous. We should heed these warnings.

PFC concluded that the limits of global oil production will mean the demand for oil will have to be curbed and alternative sources of energy will have to be found.

Herman Franssen, the President of PFC and a former chief economist for the International Energy Agency, said the PFC's conclusion tells policymakers that they have a decade to put our house in order. For instance, it takes that long to retool the car industry to use another fuel. We must begin working on that, and we are. Well, we do not have a decade to put our house in order. We cannot afford to wait until the house crashes in around us taking our economy, our energy security, and our future well-being down with it.

We need to act now before this session of Congress ends. We must show the American people that our economy and our energy security matter, that they are important.

We must show the American people we are willing to take steps to lessen our oil dependency by producing alternative sources of fuel that sends a signal to the world we are going to have more natural gas because we take steps, with far more renewables, that we are going to clean up coal so we can use it. Yes, we may even provide some incentives so we might produce, nuclear powerplants to add to this fast

pace. We need to correct the shortcomings of our electricity supply so we do not have any blackouts anymore.

Well, guess where these things and more are found. They are not running around in the sky. They are not here in the rhetoric. They are in a bill. They are in an energy bill. We produced it and we lost it by two votes. Those who said they did not like it on the Democrat side said it was because of an additive clause regarding MTBE. It is a Government-approved additive. There was something in the bill that said we are going to protect those who manufacture it because they are not to blame for what happens downstream. However, we were led to believe that was enough to kill the bill. We took it out.

Madam President, up there at the desk, ready to be called up, ready to become our energy policy—because the House will accept it with some modification of MTBE that will not be the hold-harmless provision, but yet we do not get anything from the other side that indicates they would let us have a bill, they would let us pass a bill.

I think the American people—because we have not called the bill up and let them kill it like they did one time, two times—are wondering. But I do not want them to wonder anymore. We have a very good energy bill. We have it ready to get passed. If the question is, Why haven't you done it, it is not on this side. It is not on this chairman who worked 18 months to get a bill, with a lot of help from all sides, and ultimately the House. It is the Democrats who will not let us get this bill, plain and simple.

If anybody on that side in a position of authority—the leader on that side, Senator BINGAMAN on that side—would say, well, we need an energy bill, we are part of the problem in America, we want to solve it—if they just say that, Americans, we would have a bill in 24 hours. I urge that we try to do that.

I am very concerned we are short of oil, but we are not sending any signals that we are going to have a major policy shift that will permit us to have alternatives and not become dependent on the world for natural gas. Can you imagine that with the chief new energy source—natural gas—we are moving in the direction, without this energy bill, where soon we will say: What happened? We are in the same muddle on natural gas as oil. We will become dependent on foreign countries.

Pretty soon we will say, well, we use natural gas to fuel our powerplants because it is clean. We are using it in our homes and businesses because it is great. But what do you think about that? We are dependent on foreign countries again.

We are leaving offshore natural gas, which can be drilled for, we are leaving it there because we need to change some rules or they cannot do it. We are leaving natural gas in Alaska that can be used—not the argument over crude oil in the wilderness area; that should

be done for America, but that is not the issue in this bill. In this bill it is natural gas, in large quantities, delivered to Chicago for dispersion in America. Why don't we do that? Well, we cannot do it if we cannot pass a bill.

So I do not need the whole 10 minutes. Perhaps I made my point. I hope so. I have been here twice this week. I guarantee you, if we do not make some movement soon, some people on the other side are going to get tired of seeing me down here, but I will be here.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. CORZINE. Madam President, I ask unanimous consent to lay aside the pending amendments so I can propose an amendment to the current Homeland Security appropriations bill.

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

AMENDMENT NO. 3619

Mr. CORZINE. Madam President, I send an amendment to the desk on behalf of myself and Senators Lautenberg, Schumer, and Boxer, and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from New Jersey [Mr. CORZINE], for himself, Mr. LAUTENBERG, Mr. SCHUMER, and Mrs. BOXER, proposes an amendment numbered 3619.

Mr. CORZINE. 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 appropriate an additional \$100,000,000 to enhance the security of chemical plants)

On page 19, line 17, strike "\$2,845,081,000" and all that follows through "grants" on page 20, line 11, and insert the following: "\$2,945,081,000, which shall be allocated as follows:

"(1) \$970,000,000 for formula-based grants and \$400,000,000 for law enforcement terrorism prevention grants pursuant to section 1014 of the USA PATRIOT Act (42 U.S.C. 3714): *Provided*, That the application for grants shall be made available to States within 45 days after the date of enactment of this Act; that States shall submit applications within 45 days after the grant announcement; and that the Office of State and Local Government Coordination and Preparedness shall act within 15 days after receipt of an application: *Provided further*, That each State shall obligate not less than 80 percent of the total amount of the grant to local governments within 60 days after the grant award; and

"(2) \$1,300,000,000 for discretionary grants for use in high-threat, high-density urban areas, as determined by the Secretary of Homeland Security: *Provided*, That \$150,000,000 shall be for port security grants; \$15,000,000 shall be for trucking industry security grants; \$10,000,000 shall be for intercity bus security grants; \$150,000,000 shall be for rail and transit security grants; \$100,000,000 shall be for enhancing the security of chemical plants".

Mr. CORZINE. Madam President, this amendment addresses one of the most serious security threats facing our Nation: the threat of a terrorist attack on

a chemical facility. As in my State, the great State of North Carolina has had some accidents with regard to chemical plants recently, and many people believe it is one of the greatest vulnerabilities in our infrastructure.

I have discussed this issue many times, as it is vital to my State, which has a heavy concentration of chemical plant facilities. There are thousands of these facilities across the Nation that can release and expose tens of thousands of Americans to highly toxic gases—some fatal, some leading to great illness. It should not be lost on the American public that we will be remembering the 20th anniversary of Bhopal this year where as many as 7,000 people have ultimately passed from a chemical plant explosion. It was tragic at the time.

There are many other instances, and there is a great risk associated with these plants. The reality is that many of them were built at an earlier time in our economy where now there are surrounding densely populated areas. That is why this has been a great concern to people who think about homeland security right in our neighborhoods. It is the reason we need to make sure that what could be attractive targets for terrorists are properly addressed in the Homeland Security appropriations process.

Unfortunately, there are currently no Federal standards for chemical facilities. The private sector has been left to do whatever it chooses completely on a voluntary basis. I believe there are many chemical facilities where people have done a good job. It is in their self-interest to protect their employees, themselves, their proprietary interests, and they have done a good job. But that does not mean that all facilities have. Quite frankly, since there are no standards and no accountability requirements, we don't know. We are vulnerable, at least according to all of the experts who review homeland security. We are putting at risk literally millions of Americans. It is an unacceptable risk, from my standpoint.

According to EPA, there are 123 facilities in 24 States where a chemical release could expose more than 1 million people to highly toxic chemicals. We have a chart showing where about 100,000 Americans are at risk. But there are 123, 8 of which are in my State, where 1 million people could be exposed to toxic chemicals. There are about 750 facilities in 39 States where a chemical release could expose more than 100,000 people, and there are nearly 3,000 facilities spread across 49 States where a chemical release could expose more than 10,000 people to toxic chemicals.

It is a broad problem around the Nation. It is acknowledged. I have discussed many times this issue in the Senate Chamber, on the Environment and Public Works Committee. It needs to be addressed. I don't think we ought to be discussing this after there is a problem; we ought to be talking about it and correcting the issue ahead of

time. There are no standards. The numbers are pretty staggering.

There are others who might define exposure somewhat differently. I noticed recently the Department of Homeland Security, instead of looking at a 360-degree circumference around a chemical plant, has tried to talk about the prevailing wind patterns in an area and lower the numbers. But we are still talking about literally millions of Americans being exposed to the possibility of toxic air masses coming out of one of these plants. It is time to act. It is not enough to just use words and talk about voluntary standards. Frankly, there is ongoing work in the EPW Committee to come up with a compromise proposal. I am supportive of the idea that we want to move forward.

This security issue is real and present and needs to be dealt with. In fact, the Department of Justice, a year and a half before September 11, issued a report on April 16, 2000, about chemical plants. That was mentioned in the Hart-Rudman report. In almost every situation that someone speaks to homeland security, chemical plants show up in the discussion. But the Justice Department writes in the April 18, 2000, report:

We have concluded the risk of terrorists attempting in the foreseeable future to cause an industrial chemical release is both real and credible . . . Increasingly, terrorists engineer their attacks to cause mass casualties to the populace and/or large-scale damage to property. Terrorists or other criminals are likely to view the potential of a chemical release from an industrial facility as a relatively attractive means of achieving these goals.

It couldn't be stated more clearly. And that was before September 11. If we thought there were risks then, we have to believe there are risks now. That report should have awakened us.

We have comments after September 11 from people who are importantly involved in our homeland security efforts. For example, in congressional testimony, Governor Ridge said:

The fact is, we have a very diversified economy and our enemies look at some of our economic assets as targets. And clearly, the chemical facilities are one of them. We know that there have been reports validated about security deficiencies at dozens and dozens of [plants].

Let me tell you about some of the reports to which Governor Ridge may have been referring. The Pittsburgh Tribune-Review conducted a major investigation about chemical plant security across the country—Pennsylvania, Houston, Chicago, New Jersey, elsewhere. They found that intruders had unfettered access to some of the Nation's deadliest stockpiles of toxins and explosives. Security was so lax that in broad daylight a reporter could easily walk up to tanks, pipes, and control rooms. If there is any intellectual integrity in these reports, this is absolute proof that we have inconsistency, at best, with regard to implementation of security requirements or security arrangements at a lot of our chemical plants.

I am not just relying on press reports. In fact, I have visited chemical facilities myself, seen lax security, some in my own State. The fact is, we have to move on this. I visited one plant in New Jersey that had gaping holes in the security fence. Along with a reporter from CBS 60 Minutes, I walked right onto a plant. This is one that was a member of the society that is espousing voluntary standards. While it was not all that much fun moving into one of these plants, it was easy to have accomplished. Had we been terrorists with just a small explosive device, we could have easily caused a tragic and truly catastrophic release of toxic chemicals.

It is uncertain about what the loss of life would be, but it happened to be another plant in New Jersey that is located right under a freeway, with no guards or anything to keep somebody from pulling up, faking a flat tire, and tossing a hand grenade over the side wall of an overpass into a chemical plant facility. It is actually one of the largest exposures of the various plants in America. And, again, it was a plant that was a member of the Chemical Society, which talks about standards.

This is something which I think we need to recognize, that it is not always the highest common denominator we have to work with. We have to worry about the exposures at the lowest common denominator. It is a real threat and problem. We need to address that.

Let me add that I have not come down to bash the chemical industry, because I don't believe this is representative of everyone in the industry. Many are doing everything the standards ask and call for. We need to assure the American people we are doing that everywhere. We would not accept that we have OK security at one nuclear powerplant but not at another. We have standards and accountability applying to those situations because it is a risk to the people in and around those communities. We demand 100-percent attention to detail. These plants can be as deadly and as negative for the communities they are in as anywhere else.

We need to make sure everyone is acting in good faith—not only the good actors but everyone. That is why I feel so strongly that we need to move the kind of legislation Chairman INHOFE is working on in the EPW Committee. We all need to get together and get away from purely voluntary standards and into something that is actually more important for all of us to do in order to make sure all facilities are addressed.

That is why, 3 years ago, I first introduced the Chemical Security Act. My bill would have required chemical facilities to assess their vulnerabilities, establish priorities in the Nation, develop plans to improve security, and use inherently safer technologies. We have had to move away from that to get something done. But I think we still need those plans and we need accountability to make sure the plans

are in place. I would like to see us work with safer technologies that are available. I think we can help some of the companies transition financially if that were necessary. But I do think we need to move forward.

So far, we have not been able to get legislation passed and the exposure continues at least with some subset of the facilities around. I think it is time for us to move. I thought my approach was common sense, fairly simple, and it actually gave a lot of flexibility. It has been frustrating not to see this legislation dealt with. When it was first introduced, it got a 22-0 supporting vote in the EPW Committee, until the process of lobbying and other considerations came into play and a lot of folks backed away from it.

I am hopeful people will wake up to the reality that there is real exposure in our communities. It is time to act. Hot air and lots of words by people doing television shows, "60 Minutes," and writing newspaper articles is not enough. We need to have accountability and real standards to protect the American people. I know I feel that way about our folks in New Jersey, and I am going to feel as if I have not done my job if one of our plants is attacked and people lose lives because we have not done what we need to do to make sure they are safe. This is a place that recognizes the problem—by the way, every time we send out a Code Orange, we cite plant facilities as one of the areas that needs to be attended to by State and local law enforcement. That is where my amendment comes in today. I am not actually talking about this particular bill at this point in time. It actually hasn't come through another process.

In this particular amendment, the appropriations bill, I think there is the opportunity to make a modest first step by appropriating money to support State and local efforts to enhance chemical plant security. As I said, when we raise the code levels, we are asking State and local folks to go out and provide extra security around these plants. By the way, you may wonder why the public is doing the work in providing the security; but since it is happening, I think we ought to provide resources to make that happen.

The amendment I am introducing would provide \$100 million for that purpose. Funds could be used, for example, to strengthen law enforcement's presence around chemical plants, prepare officials for responding to a terrorist attack in a chemical facility—a complicated issue, not exactly like fighting fire; it is somewhat different. It will provide assistance to plant managers and other steps State and local officials might take to protect their communities.

This is a straightforward amendment. We need to put money and resources into this potentially deadly concern in our homeland security. Not unlike port and rail security, I think

this is an area where there is general recognition that there is exposure and we need to move forward.

As I have said, there are literally millions of people who have exposure. We have a legacy of these chemical plants being located in densely populated areas, not everywhere. We should prioritize. We ought to have a different standard for ammonia plants in South Dakota than when you are in Carney, NJ, in the midst of 12 million people in the metropolitan area of New Jersey and New York. There is a difference. But we need to make sure we have security plans that people are held accountable to, both industry and the local communities. So I am hopeful we will be able to positively consider this \$100 million first step—a small step—and I will ask for a positive conclusion.

Assuming that a point of order is raised against this amendment—I don't see anybody on the floor, but maybe the Chair will do it. It may not happen. I will leave that for another time. I hope we can have a positive consideration of this amendment to protect chemical plants.

Madam President, I see the Senator from Massachusetts rising. I certainly don't want to stand in the way of his accessing the floor. I was going to speak as in morning business on the economy. I intended it to be for 10 to 15 minutes.

Mr. KENNEDY. I am glad to wait. We look forward to hearing the Senator's assessment of the state of our economy today, as one of those who has critical insight and opinions regarding the economy. I know the Senate will benefit from his comments.

Mr. CORZINE. I appreciate that courtesy from the Senator from Massachusetts.

Mr. CORZINE. Madam President, I ask unanimous consent for up to 15 minutes to speak as in morning business with respect to the economy.

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

THE ECONOMY

Mr. CORZINE. Madam President, over the summer, I came to the floor and gave a series of various discussions on something I care deeply about, at least from my background, and have some reason to have opinions about, and that is the state of our economy.

It is absolutely vital for all of us in the Senate to try to get economic policies that put people to work and make sure the economy is growing in a way that everybody shares the benefits of America's bounty. I think there is a tremendous responsibility on all of our parts to be serious about examining policies that lead to long-term economic growth that can put us in a position where Americans are at work, they have access to health care, and they have access to a very constructive quality of life as we go forward.

Quite obviously, I think we can do better. In fact, I am one who believes the 1990s was one of the greatest periods of economic well-being our Nation

has seen throughout its history. We can go through the litany of 22 million new jobs, incredibly solid productivity growth, went from huge budget deficits to a balanced budget.

As one who came from the private sector, I saw incredible entrepreneurial energy in the 1990s. It maybe got a little too energetic at the close of the decade, but the fact was that we were moving ahead. Real wages were moving ahead. We were reducing poverty. There were lots of good indicators going on. We were actually beginning to edge away a little bit at even the health insurance problem in this country.

Things have changed in the last 3½ years, for lots of reasons. We have suffered a very severe set of economic setbacks, in my view. One does not have to be a rocket scientist or analyst to understand that we have lost jobs, on balance, over the 3½ years. It may be growing at the moment, but the composite picture is we have lost jobs. We have not gained 22½ million; we have lost jobs. We have outsourced a lot of our high-quality jobs. We have lost whole industries to the exporting of jobs overseas.

A lot of our manufacturing jobs—in New Jersey, we are down to one auto manufacturing plant that is going to close in another 18 months. It used to be the heart and soul of our business. We had a great textile industry, just like I am sure was the case in North Carolina. It is gone. Many of those jobs have gone overseas. The quality of jobs that have replaced them has often been lacking, certainly, in economic well-being, absolute status of those jobs, and benefits that accompany them.

While we have had a recovery of sorts with regard to our stock market, we are still way off the top of where stock values were in the 1990s, and certainly for the last year we have been bouncing along. There has been no direction and it is not one that I think anybody would say is a strong economic boon for those who are interested in equity values.

Maybe more importantly, we have mortgaged our future. We have a budget deficit that exploded. We actually have another deficit, the trade deficit, the current account deficit, which are really long-run indicators of the eroding health of our economy. They may not bite us tomorrow or a month from now, but one cannot continue to have to borrow more money overseas to finance both personal debt and Federal Government debt—which is what we are doing right now with the kind of current account deficit—without having our dollar erode and the underlying values in America lost over a long period of time. It is coming. It is not whether, it is when.

We have a zero savings rate in this country. That is not the way to build productive capacity as we go forward.

There is a huge difference between the 1990s and where we are now. I think, though, when one puts all of this

together, maybe the most significant problem facing our country gets down to the human level. It is the issue that is on the minds of individual Americans, and that is the continuing and dreadful squeeze that we see on the middle class.

The vast majority of Americans who go to work every day, who drive this economy—two-thirds of our economy is driven by consumer expenditures, and that is the middle class. Those folks are suffering right now from what truly is a squeeze. Real income has declined. It is not debatable. It is real. The last 3½ years we have seen real income for the Americans who are in the lower 60 percent or the 60 percent from the bottom up diminish even more than the top. But every American on average has lost real income in the last 3½ years. They have been forced to pay higher prices that have outstripped income.

By the way, for the most vital elements of a family's budget, it is worse, it really is. Even though the Consumer Price Index might register one way, when one is talking about things that are absolutely vital to a family's well-being: health care, access to higher education, college tuition costs, energy prices to fuel the car and heat the home and keep the air-conditioner running, or property taxes, we may have cut taxes in Washington, but what is going on at the State and local level—in New Jersey, they are up about 10 percent each year over the last 3 years cumulative, and we have seen the real cost of living for individuals, apart from these questions of CPI and PPI and all the indexes, the things that really bite at an individual, the middle class family's pocketbook, has gone up.

I think there is a real problem. Between 2000 and 2003, family income fell by \$1,535 or 3 percent. In fact, it has declined every year under the current administration, and the declines have been even steeper for those who are not lucky. I talked about the 60 percent of families, building up from the lowest level income in the country, and there it has declined by 4.6 percent. So it is a real deal. This is not something that can be denied. These are factual numbers. It is something that we seem to turn our backs on.

Contrast that with the record in the 1990s and during President Clinton's tenure in office. The typical family income increased \$7,200 compared to a \$1,500 decline. I think that is a pretty decent standard to measure whether things are working for middle class Americans and for Americans in general.

Let us look at what happened at the cost of living: gasoline prices up 19 percent over the last 3½ years, college tuition costs up 28 percent, family health care premiums up 45 percent. I did not put out the figures on property taxes but, as I said, they have gone up 10 percent each year in my home State. I know it is different in other places.

Another cost that has gone up under President Bush, an indicator of the

current state of our economy, is the cost of Medicare. Just 1 week ago today, mysteriously the Friday before Labor Day, we had an announcement that there has been a 17-percent increase in Medicare premium costs. It kind of gets lost in the shuffle, although I do not think this one is going to get lost because people are going to find out that they are paying a heck of a lot more for their Medicare premiums. We tried to slip through this 17-percent increase, which by the way is reflective of a 72-percent increase in Medicare premiums in the last 3½ years.

By the way, from 1996 to 2000, it was 7 percent. Again, we are talking about the 1990s versus what we now see. Let us compare that with that little bit under 3-percent increase in Social Security benefits that has gone on over the same period of time. We are spending everything that comes out, or close to—actually it is about 60 percent of what we have had in increases in Social Security premiums right into Medicare premium increases that are being charged now.

This is a problem. Given these dramatic price increases and the decline of family income, there is no wonder that families feel squeezed. They have to. We are moving in the wrong direction on way too many of these indicators, and I think it is time that we take a look at the policies that are leading to this.

Under President Bush, moving on to another perspective, we have lost 1.6 million private sector jobs. Mysteriously we have actually created a lot of jobs in the Government sector. That reduces that job loss down to about a million. We are growing the Government, but we are not growing our private sector. I thought it was supposed to be the other way around. It is unprecedented in modern times that we are actually losing jobs.

Remember, the population is growing and productivity is going up. And we are losing jobs? We may have had a growth spurt of sorts—it has actually been pretty anemic by any historical standards because we need almost 200,000 jobs a month just to stay up with population growth. But the fact is, we have had the first administration since the 1930s—it is not that we have a Hoover-level economy, but it is the first President since Herbert Hoover that we have actually seen job losses in this economy.

It is hard to believe. That is a pretty tough standard. Americans want to work. They want to build a better world for their kids and their grandkids. Creating jobs is how we do that, and that is not happening. It is certainly not happening with quality jobs.

We have all heard when you lose a job and then you get a job, afterwards there is a big deterioration in the economic well-being associated with that job. On average it is \$9,000 less. In those industries that are contracting

versus where people are hired, going from \$33,000 down to \$24,000, that is not the way to drive a healthy economy, particularly one that is so consumer-driven. I believe people will spend a little less money if they were making \$33,000 and now they are making \$24,000. You can talk about it in terms of arithmetic or you can talk about it in terms of well-being of the family and ability to pay, this is a problem in terms of quality of jobs, numbers of jobs, and the ability of people to have real income.

I believe it is reflective of the poor policies to truly stimulate job growth in this country. We are putting all our eggs in a very narrow segment of people who are already doing well, whether it is through tax cuts or the advantages we have in this society. This is not a complaint about people doing well. That is great. But we need to have the resources to invest in other things that will make a difference in people's lives. We need to have tax breaks that get our American companies to produce jobs here at home, not outsource them. We need to have the resources to help corporate America and small business do something about health care. We need to share that burden so they are not cutting jobs because the cost of benefits is too high. We need to do something about that now, and we need the resources to do it without blowing up the budget deficit way beyond where it is when we have an entitlement problem just around the corner on Social Security and other elements.

We talked earlier about 19 percent fewer people have health care now. The reason is, it is so costly. A lot of individuals just avoid it because they can't stick with those costs. Companies are cutting their health care benefits because it has turned into the biggest expense they have, certainly the biggest growing expense. We need some policies that actually address that and are making an effort on that. We have not heard anything on that in the last 4 years.

There is a real plan on the table, talking about catastrophic health insurance, making sure every child is insured, making sure we have tax credits for small business and offering Federal employees health benefits to small business so we have bigger pools. There are a lot of things to do. We are not doing it, and it is undermining the basic health and well-being of our economic society. And that is outside the context of realizing that 5 million people are without health insurance.

There is a lot to be done here. There has been a lot lost. All of this is in the context of where we have gone from budget surpluses—a couple of hundred billion on an annual basis—to what was announced this week of a \$422 billion deficit, the largest ever, and there is not much of a prospect we are going to get that under control in the next few years. This is from the bipartisan Congressional Budget Office. I think we are

talking about \$2.3 trillion over the next couple of years, with a whole bunch of things missing. It is a difficult, severe economic circumstance that I believe our current set of policies allowed to be.

It is time for a change. I think our colleague Senator KERRY has great plans.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. CORZINE. I ask for 1 additional minute.

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

Mr. CORZINE. There is so much to do—on health care, job creation, and job training. We need the resources to be able to do it. We need to have sound policies to be able to underwrite rational Medicare policy, health care policy. We have put ourselves into a position where we have no money to invest in that, not in a serious way.

There is a lot of work to do. The American people understand there is a difference between the economic success we have had because we had the discipline and the foresight to do the things that make a difference, to create those 22 million jobs, to create real income growth, and what we have had in the last 3½ years, which has done just the opposite and particularly has been heavyhanded and harsh on middle-class America. I hope when we get to elections we will make the economic choices that will relieve that economic squeeze and make a difference in people's lives because it is truly important if we are going to have a longrun, sustained economic well-being for the Nation in the years and decades ahead.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. LAUTENBERG. Madam President, I ask unanimous consent to set aside the pending business, and I call up amendment No. 3617, which is currently at the desk.

The PRESIDING OFFICER. Without objection, it is so ordered. The pending amendment is laid aside.

AMENDMENT NO. 3617

Mr. LAUTENBERG. Madam President, I rise to address an amendment that will ensure the Coast Guard will have adequate funding to complete its homeland security missions without sacrificing its traditional duties. In this appropriations bill, the one that is before us, the Senate would provide \$5.15 billion in operating expenses for the Coast Guard. That is \$250 million less than the amount authorized and \$20 million less than the President's request.

This amount is supposed to cover operations for all Coast Guard missions, both nonsecurity and security related. But the General Accountability Office has found that in times of elevated security levels, the Coast Guard has had to delve into the budget for traditional missions that are currently performed by the Coast Guard. This amendment will cover the shortfall by adding \$100 million for work on nonhomeland-security-related missions.

We have even appropriated money for the Iraqi Coastal Defense Force. With \$260 million in the emergency supplemental last year for border enforcement in Iraq, we have gone out and purchased Chinese-built patrol boats shipped by a German company to Iraq, where we are training their crews to perform antismuggling operations, harbor and coastline defense, search and rescue operations, and various other operations in Iraq. If we can find money for the Iraqi Coastal Defense Force, surely we can fully fund our own Coast Guard.

One month ago we enacted the Coast Guard and Marine Transportation Act of 2004 which reauthorizes the Coast Guard for fiscal years 2005 and 2006. Due to the leadership of Chairman MCCAIN, Ranking Member HOLLINGS, as well as subcommittee leaders, Chairman SNOWE and Ranking Member JOHN KERRY, this important legislation was enacted. This law authorizes some very important work and gives even more responsibility to the Coast Guard, which the occupant of the chair knows, coming from a coastal State like North Carolina. The Coast Guard is always being given more work, more demands, performing with less resources, fewer people, and still doing an outstanding job. But there is a point at which they just can't do that anymore. The work they do, we forget, includes work on oil pollution, marine safety, improved fisheries enforcement, and work finding alternatives to double-hull vessel designs. This authorizes adequate funding. This authorization provided for the additional \$100 million in my amendment to ensure that the budgets for traditional missions are not raided. The President signed this act into law 1 month and 1 day ago, so there is an established need for this amendment.

I want to be clear. My amendment does not add back the entire \$251 million that was authorized but was left out here. Rather, it recaptures only \$100 million out of that. The amendment would not affect the homeland security budget of the Coast Guard.

Last year my staff heard from a New Jersey constituent who is in the Coast Guard. We have Coast Guard training facilities in the State of New Jersey.

He told my staff that due to budget cuts, his unit was forced to share personal equipment like specialized suits and other gear intended to be worn by one individual.

He said that this made it difficult to do his job, but he and his colleagues were making do.

Nonetheless, I find this disturbing.

Because of inadequate budgeting, even the Coast Guard Commandant, Admiral Collins, has been forced to do what I like to call the "OMB Dance."

This is the "Dance" where agency heads come before Congress and squirm while they tell us that they can "made do" with a clearly inadequate budget.

They don't volunteer details about how these funding shortfalls threaten their ability to carry out their missions effectively.

Some of the traditional missions of the Coast Guard include search-and-rescue, marine safety, drug interdiction, aids to navigation, ice breaking operations, living marine resources, migrant interdiction, marine environmental protection, and other law enforcement activities.

In their report, the GAO discovered that "resource hours" for many of traditional functions are still well below pre-9/11 levels. For instance, search-and-rescue is down 22 percent. Foreign fishing enforcement is down 16 percent, permitting further abuse of the available supply of fish life. And interdiction of illegal drugs is down 44 percent.

When we send Coast Guard cutters to the Middle East, it affects us at home.

The administration will tell you, and I am sure you will hear during debate, that based on "performance factors," these areas have not been hurt—that they are doing their job more efficiently now, with better intelligence. Once again, you can only squeeze so far.

But how do you measure how many drug shipments were not seized?

How do you measure how many illegal aliens were not intercepted?

Or how many foreign fishing vessels violated international treaties and fished in U.S. waters without getting caught?

Under this bill, some of these functions are now considered "defense-related," but not all of them.

We must provide adequate resources for the Coast Guard to complete all of their missions.

If we continue to treat their non-homeland budget as a security slush fund, we will end up paying for it in other ways.

I urge my colleagues to support this amendment.

We have an understanding that there will be a vote on this amendment on Monday afternoon.

I yield the floor.

The PRESIDING OFFICER (Mr. SMITH). The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, I see my friend from Florida who has urgent business. I ask unanimous consent to be recognized after he concludes his remarks.

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

INTELLIGENCE REFORM

Mr. GRAHAM of Florida. Mr. President, I thank my colleague and good friend, Senator KENNEDY, for his courtesy in allowing me to make these remarks at this time.

Mr. President, this is a propitious moment.

At exactly 8:46 tomorrow—Saturday—morning, we will observe the third anniversary of the crash of American Airlines Flight 11 into the North Tower of the World Trade Center.

That moment changed our Nation and our world forever—and in the hours and days that followed the terrorist attacks of September 11, 2001, we in public office undertook an important obligation.

We vowed, in the memory of the nearly 3,000 innocent people who died that day, to take action to prevent attacks of that magnitude from ever happening again within our homeland.

In his speech delivered before a joint session of Congress on September 20, 2001, President Bush put it this way:

Americans are asking, How will we fight and win this war?

We will direct every resource at our command—every means of diplomacy, every tool of intelligence, every instrument of law enforcement, every financial influence, and every necessary weapon of war—to the disruption and to the defeat of the global terror network.

Unfortunately, one day before the third anniversary of 9/11, we have not met that commitment.

We have failed to adequately focus on what it will take to fight this new threat, one that calls for new thinking and new governmental infrastructure.

The No. 1 requirement for meaningful reform is strong and consistent Presidential leadership.

We have seen leadership lacking at several crucial turning points in recent history, both before September 11, 2001 and since.

I have believed for many months—since well before the final report of the independent 9/11 Commission was released in July—that the problems in our intelligence community are not a mystery, they are known weaknesses that simply have yet to be fixed.

I commend the 9/11 Commission for its fine work, especially chairman and former Governor of New Jersey Tom Kean and vice chairman and former Congressman from Indiana Lee Hamilton.

And I am optimistic that their report has shaken our nation's leaders out of their lethargy and caused them to focus on the need for reform of our intelligence gathering and analysis.

But the record is clear. The 9/11 Commission's work built on a series of commissions and studies that offered recommendations for reform of the intelligence community going back nearly a decade.

But those recommendations were—tragically—all but ignored.

Just to mention the reports that were before the Congress and before the President, I would date these efforts to 1995, when Congress created the Commission on the Roles and Capabilities of the United States Intelligence Community, also known as the Aspin-Brown Commission.

Its final report was issued on March 1, 1996.

Since then, there have been the Advisory Panel to Assess Domestic Response Capabilities for Terrorism Involving Weapons of Mass Destruction, also known as the Gilmore Committee, which issued the first of its five reports in December 1999, the National Commission on Terrorism, also known as the Bremer Commission, which issued its report in June 2000, and the National Commission on National Security in the 21st century, also known as

the Hart-Rudman Commission, which issued its final report in January of 2001.

I ask unanimous consent to have printed in the RECORD the membership of each of these commissions, which demonstrates the quality of the individuals who studied these problems and made recommendations.

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

Members of independent commissions that have reviewed the Intelligence Community:

Hart-Rudman Commission (2001): Gary Hart (co-chair), Warren Bruce Rudman (co-chair), Anne Armstrong, Norm R. Augustine, John Dancy, John R. Galvin, Leslie H. Gelb, Newt Gingrich, Lee H. Hamilton, Lionel H. Olmer, Donald B. Rice, James R. Schlesinger, Harry D. Train, Andrew Jackson Young, Jr.

Bremer Commission (2000): L. Paul Bremer (chairman), Maurice Sonnenberg (vice chairman), Richard K. Betts, Wayne A. Downing, Jane Harman, Fred C. Ikle, Juliette N. Kayyem, John F. Lewish, Jr., Gardner Peckham, R. James Woolsey.

Gilmore Commission (1999): James S. Gilmore, George Foresman, L. Paul Bremer, Michael Freeman, William Garrison, Ellen M. Gordon, James Greenleaf, William Jenaway, William Dallas Jones, Paul M. Maniscalco, John O. Marsh, Kathleen O'Brien, M. Patricia Quinlisk, Patrick Ralston, William Reno, Kenneth Shine, Alan D. Vickery, Hubert Williams. Non-voting participants: John Hathaway, John Lombardi, Michael A. Wermuth, Jennifer Brower.

Aspin-Brown Commission (1996): Appointed by Pres. Clinton: Les Aspin, Warren B. Rudman, Lew Allen, Zoe Baird, Ann Caracristi, Stephen Friedman, Anthony S. Harrington, Robert J. Hermann, Paul D. Wolfowitz. Appointed by Congress: Hon. Tony Coelho, David H. Dewhurst, Rep. Norman D. Dicks, Sen. J. James Exon, Hon. Wyche Fowler, Rep. Porter Goss, Lt. Gen. Robert E. Pursley, Sen. John Warner.

Mr. GRAHAM of Florida. Mr. President, finally, there is the report of our own House-Senate Joint Inquiry into the intelligence failures that surrounded 9/11, which I had the honor of co-chairing with Representative PORTER GOSS.

The Joint Inquiry file our report with its 19 recommendations in December 2002.

I ask unanimous consent to have printed in the RECORD the names of the members of the House and Senate Intelligence Committees in the 107th Congress who served on the Joint Inquiry.

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

HOUSE PERMANENT SELECT COMMITTEE ON INTELLIGENCE, 107TH CONGRESS MEMBERSHIP
Porter J. Goss, R—Florida, Chairman
Nancy Pelosi, D—California, Ranking Democrat

REPUBLICANS

Doug Bereuter, Nebraska
Michael N. Castle, Delaware
Sherwood L. Boehlert, New York
Jim Gibbons, Nevada
Ray LaHood, Illinois
Randy "Duke" Cunningham, California
Peter Hoekstra, Michigan
Richard Burr, North Carolina

Saxby Chambliss, Georgia
Terry Everett, Alabama

DEMOCRATS

Sanford D. Bishop, Georgia
Jane Harman, California
Gary A. Condit, California
Tim Roemer, Indiana
Silvestre Reyes, Texas
Leonard L. Boswell, Iowa
Collin C. Peterson, Minnesota
Bud Cramer, Alabama

Timothy R. Sample, Staff Director
Michael W. Sheehy, Democratic Counsel

Mr. GRAHAM of Florida. The declassified version was released to the public on July 24, 2003.

I filed legislation, S. 1520, September 11, the Memorial Intelligence Reform Act, to implement those recommendations 1 week later on July 31, 2003. Each of these panels, in common, concluded major changes were needed to better protect the American people, including such steps as much longer human intelligence capabilities. Yet we did not see the leadership that was needed to fully implement any of those recommendations. Rather, when it comes to reforming our intelligence community, our Nation's leaders can be described as lethargic, at best, negligent, at worst.

Let me be clear, my condemnation is not directed only at the current administration but previous administrations, as well. For instance, in my judgment, the Clinton administration was guilty of two principal failures. One, it did not seriously consider or initiate the changes necessary to move our intelligence agencies into the 21st century; second, it did not take adequate steps to wipe out the al-Qaida training camps in Afghanistan, camps which produced thousands of extremists trained in the effective skills of terrorism.

The blame is not totally at the White House. This Congress deserves blame for its failure to move with a greater sense of urgency. I will discuss those failures in a future date.

Now we have the 9/11 Commission report. We are likely to see passage of an intelligence reform package before the election. I am convinced the American people will recognize that valuable time has been lost in the 3 years since September 11, 2001, and should we suffer another terrorist strike on our land before these reforms are fully implemented, we will not be able to dodge tough questions about why we failed to respond sooner.

It is abundantly clear that had we heeded the lessons to be learned from September 11, we might have avoided the embarrassing failures of intelligence on weapons of mass destruction that led us into the war in Iraq. President Bush should have exercised his full powers as Commander in Chief in the hours immediately after September 11 by calling together the leadership of the agencies whose failures contributed to that tragedy. The President should, in the bluntest of terms, have demanded a full review and a report and steps to correct these deficiencies to be

submitted to the Oval Office within no longer than 100 days.

The No. 1 lesson of September 11 is obvious: Our intelligence on the terrorist threat was unreliable. It was subject to major gaps of necessary information and analysis. Had we applied exactly those same lessons learned as we prepared for the war in Iraq, the President would have had less confidence in the intelligence he was being given on issues such as weapons of mass destruction and the conditions that our military men and women would face during and after the initial assault.

Ponder this: What a difference that would have made as we learn from the Senate Intelligence Committee report on the problems of pre-Iraqi war intelligence. If we do not now take action to remedy those weaknesses, we will not be able to avoid accountability for our failure to detect and deter the next attack.

As has been demonstrated over the past decade, the fundamental opponent of intelligence reform is inertia and the natural tendency to maintain the status quo. Before we can get people to reject the status quo, there has to be, first, an agreement as to what are the problems to which the status quo has contributed.

I have found that the medical model of first diagnosing a problem and then prescribing a remedy to be a useful prescription with social problems. Today, I want to give the diagnosis of our intelligence community that a careful physician might offer. Next week, I will come to the Senate to offer my prescription.

This is what I consider to be five major problems and challenges facing American intelligence. One, the failure to adapt to a changing adversary and a changing global threat environment. Just as it was difficult 40 years earlier for the intelligence community to make the transition from the practices of the OSS against Germany and Japan, today's intelligence community has found it even more difficult to shift from the cold war to the war on terror.

Our new enemy is distinctly different than we are. It is a non-nation state, asymmetrical in the extreme. It is motivated by a religious belief that denies the legitimacy of governments which intrude on the direct relationship which should exist between all law and man. We are almost deaf to the numerous, frequently arcane languages that our new adversaries speak. As a people and as a nation, the United States has limited expertise in their cultures. By the failure to make the transition to this new world we inhabit and the new threats we face, American intelligence is rendering itself less and less capable of bringing the security which our citizens need and deserve.

A second failure is the repeated instances in which the intelligence community did not provide effective, strategic intelligence. In the summer of 2001, intelligence was reporting to

American decisionmakers that, yes, al-Qaida was something of a threat to U.S. interests, but outside the country, not inside the homeland of the United States. So while we spent hundreds of millions of dollars to fortify our embassies abroad, we did virtually nothing to increase the safety of domestic commercial aviation.

As the planning for the war was intensifying in the winter and spring of 2003, Secretary of Defense Rumsfeld and Deputy Secretary of Defense Wolfowitz reached two conclusions which were validated by intelligence, much of which came from the intelligence agencies within the Department of Defense. They claimed that after the war the U.S. troops would be received as liberators and that the Iraqi people would shower our troops with flowers, as the American soldiers had been welcomed in Paris in 1944. They went on to say that the Iraqis would turn on the faucets of that nation's oil riches and pay for the occupation and rebuilding of their nation. Sadly, of course, neither of these projections has come true.

The third failure is the failure to establish within the intelligence community broad priorities and then to deploy the resources of the intelligence community behind those priorities. In December of 1998, former CIA Director George Tenet declared terrorism was the intelligence community's primary target, that America was at war with al-Qaida.

The problem is that within the CIA and the other intelligence agencies few heard the battle cry and even fewer responded.

Rather than set up intelligence systems to validate convenient political notions, we need a system that pursues mutually agreed-upon priorities.

Fourth, the intelligence community has not implemented the policies necessary to recruit, train, reward or sanction, maintain the talents or diversify its human intelligence capabilities.

The U.S. human intelligence at the end of the cold war has been described as very deep in our knowledge of the Soviet target, almost ignorant about everything else.

In the places where we most need human intelligence, such as in the Middle East and Central Asia, we are woefully deficient.

The intelligence community's current recruitment and training regimes, which rely heavily on college campus career days, has been inadequate to overcome this handicap.

We are confronting terrorists with a band of men and women who are enthusiastic to perform the challenging intellectual work of an analyst or the dangerous undertaking of an operative, but often lack the necessary skills to be effective.

In my opinion, we need to rethink our system of intelligence recruitment, training, and performance evaluation.

The fifth failure is the failure to realize that many of the most important

decisions made by the intelligence community that were previously described as tactical have now become strategic.

Unfortunately, the level and perspective of those tasking the gathering of that intelligence has not changed, often with highly adverse consequences.

One of the reasons that congressional oversight of the intelligence community exists is because in 1960, in the days before a planned summit between President Eisenhower and Soviet leader Nikita Krushchev, the Soviet Union downed an American U-2 spy plane.

The tension surrounding the plane's mission and its downing aborted the summit, and that enraged Senator Mike Mansfield. This is what Senator Mansfield said:

Not a single member of the Cabinet nor the President exercised any direct control whatsoever over the ill-fated U-2 flight at the critical moment at which it was launched.

He continued that the decision to undertake the flight

"owes its origin more to bureaucratic inertia, lack of coordination and control and insensitivity to its potential cost than it does to any conscious decision of politically responsible leadership."

In other words, a tactical blunder had set back a strategic goal.

Today, even more than in 1960, tactical intelligence gathering operations need to show an appreciation—a greater appreciation than is true today—for their strategic implications.

Mr. President, it has been 3 years since we suffered the horror of September 11. The time to act is long since past.

In future days, I will discuss recommendations to address what I think are the major challenges we face, and to urge the courage and commitment, will and urgency, to protect the American people in the way that we failed to do on September 11, 2001.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized.

THE ADMINISTRATION'S INCOMPETENCE ON IRAQ

Mr. KENNEDY. Yesterday, the Senate Armed Services Committee held two hearings to consider the reports by General Fay and General Jones and the report by former Defense Secretary Schlesinger about the Abu Ghraib prison debacle.

The abuses at Abu Ghraib are just one part of a much larger failure, for which our soldiers have been paying a high price since day one. Because of the Bush administration's arrogant ideological incompetence and its bizarre "mission accomplished" mentality, our troops and our intelligence officers and our diplomats had neither the resources nor the guidance needed to deal with the worsening conditions that steadily began to overwhelm them and continue to do so.

On issue after issue in Iraq, the administration has failed the basic test of competence.

Before the war, the administration mishandled the intelligence, causing great damage to U.S. respect in the world, making the war on terrorism far harder to win. It is preposterous for the administration to pretend that the war in Iraq has made America safer. No President in America's history has done more damage to our country and our security than President Bush.

The American people know where the buck stops.

The administration bungled prewar diplomacy on Iraq, leaving us isolated and unable to obtain real allied support.

The administration failed to consider the possibility that the liberation of Iraq might not be the cakewalk they predicted. They failed to consider the possibility that their preoccupation with Iraq could undo much of our achievement in Afghanistan and give the al-Qaida terrorists time to regroup and plan murderous new assaults.

Far too many of our soldiers were not adequately trained for their mission in Iraq and they did not have adequate equipment for their missions either.

The administration failed to send enough troops to do the job of keeping the peace. They disbanded the Iraqi army, and they are struggling now to recreate it.

The administration's failures have also put a huge strain on the Army and our Reserve Forces and imposed great hardships on the families of our soldiers.

The number of insurgents in Iraq has gone up. The number of brutal attacks has gone up, and so have the casualties.

When President Bush recklessly declared "mission accomplished," the civilian leaders in the Department of Defense took him seriously and left our Armed Forces in Iraq underprepared, understaffed, and underled for the mission that was only just beginning.

President Bush has stated that the war in Iraq was a catastrophic success. He is half right—the war has been a catastrophe.

The war has been a catastrophe for our soldiers, who were foolishly sent to war with no plan—no plan—to win the peace.

The war has been a catastrophe for their loved ones.

The war has been a catastrophe for our Nation's standing in the world and for the war on terror. As I have said, it has distracted us from the real threat of al-Qaida in Afghanistan and elsewhere, made the war against terrorism far harder to win, and made America more hated in the world than at any other time in our history.

Nothing I have said detracts from the extraordinary heroism of our soldiers. They have responded to their mission in Iraq with immense courage and dedication. But their outstanding service

does not and cannot excuse the incompetence of their civilian leaders.

That incompetence was on vivid display again yesterday, in the Armed Services Committee, where we heard testimony on the report by General Jones and General Fay about Iraq. Their findings were chilling.

Their report states point blank that the Pentagon expected our troops, under General Sanchez, to provide stability and support for the Coalition Provisional Authority "in a relatively nonhostile environment" in Iraq. Those are the exact words of the report—"a relatively nonhostile environment."

That description is no surprise. The administration had been doing its best to convince the American people that the war would be easy.

In February 2003, Secretary Rumsfeld told troops that the war "could last, you know, 6 days, 6 weeks, I doubt 6 months." As Secretary Rumsfeld well knows, it has now been three times as long as that, with no end in sight.

In March 2003, Vice President CHENEY said we would "be greeted as liberators" and dismissed out of hand any suggestion that we would be viewed as conquerors in a long, bloody occupation.

Before the war, the Pentagon flagrantly ignored the postwar planning carried out by the State Department in its "Future of Iraq" project. The civilian leaders at the Defense Department were dismissive of any opposing view. They were convinced that the war would be easy, cheap, and fast.

They ridiculed General Shinseki, then Chief of Staff of the Army, and Larry Lindsey, formerly President Bush's top economic advisor, who said that a successful war in Iraq would require hundreds of thousands of soldiers, and hundreds of billions of dollars.

They put their own ideology above practical military planning, and we continue to see the catastrophic results today.

Simply put, the civilians at the Pentagon did not anticipate or prepare for the insurgent fighting that occurred, despite the prewar warnings from military leaders.

Even after the shameful failure at Abu Ghraib came to light, the administration continued to pour out statements that were completely at odds with the facts.

On May 7 this year, Secretary Rumsfeld testified before the Armed Services Committees of both Houses of Congress. He told Senators that "a small number of the U.S. military" had perpetuated the abuses. He told the House that "a few members of the U.S. military were responsible." A week later, President Bush tried to minimize the scandal by saying it involved "disgraceful conduct by a few American troops."

But as we now know, it wasn't just a few bad apples at Abu Ghraib.

The Fay Report found 54 military intelligence, military police, medics, and

civilian contractors who had "some degree of responsibility or complicity in the abuses that occurred at Abu Ghraib. Leaders in key positions failed to properly supervise the interrogation operations at the prison."

The Fay Report identified not just individual failures but systemic failures, including: "inadequate interrogation doctrine and training, an acute shortage of MP and MI soldiers, the lack of clear lines of responsibility between the MP and MI chains of command, the lack of clear interrogation policy for the Iraq Campaign."

The Schlesinger Report found that military leaders in and out of Iraq and civilian leaders in the Department of Defense "failed in their duties and that such failures contributed directly or indirectly to detainee abuse." The report faults the Secretary of Defense and the Chairman of the Joint Chiefs of Staff for failing to "set in motion the development of a more effective alternative course of action." Plainly, senior leaders did not do what was necessary to prevent these abuses.

Secretary Rumsfeld told the Armed Services committee that the abuses were brought to light by Specialist Joseph Darby in January 2004, and the military chain of command "acted promptly on learning of those abuses."

This claim, too, is false. Senior leaders had ample warning that these abuses were occurring long before January 2004.

General Jones' report found that indications and warnings had surfaced at General Sanchez's level "that additional oversight and corrective actions were needed in the handling of detainees," including at Abu Ghraib.

The report pointed to many specific warnings from within the Army about clear problems that were ignored by the Pentagon's civilian leadership. It cited an incident in which a detainee was abused at Camp Cropper after a prison riot. It cited investigations by the Army's Criminal Investigative Division into incidents of abuse and disciplining soldiers. It cited the death of a CIA detainee at Abu Ghraib. It cited the totally inadequate filing system for tracking detainees, which consisted of a hodge-podge of computers and filing boxes.

The civilian leaders at the Pentagon also had ample warnings from outside the Army, which they also ignored. The International Committee of the Red Cross reported on abuses in the prisons as early as May 2003, soon after the fall of Baghdad. During a visit to Abu Ghraib 5 months later, in October 2003, Red Cross inspectors were so upset by what they found that they halted their visit and demanded an immediate explanation from U.S. military authorities. Yet the worst abuses at the prison occurred over the next 3 months, from October to December of that year.

Clearly, Secretary Rumsfeld misled the Congress and the American people when he said that the leadership had

acted swiftly to address the abuses, when in fact, they allowed abuses to continue and allowed the situation to fester. They acted only when the public disclosure of the abuses in the press made it impossible for their cover-up to continue.

The administration then attempted to minimize the abuses at Abu Ghraib as part of its overall strategy to bury any bad news from Iraq and hide its incompetence, or worse, from the American people. But as these reports show, the catastrophe is far too great to be wished away with political spin.

The Jones-Fay report states very clearly that "the military police and military intelligence units at Abu Ghraib were severely underresourced."

The report says that a failure to distinguish between Iraq and other theaters of operation led to "confusion" about which particular interrogation techniques were authorized in Iraq.

It says, "The intelligence structure was under-manned, under-equipped, and inappropriately organized for counter-insurgency operations."

What the report is saying, put in plain language, is that the operation was botched—totally botched.

We know from General Taguba's report that few, if any, of the military police assigned to Abu Ghraib were trained on how to run a prison, or even on the basic requirements of the Geneva Conventions.

Yesterday, the generals told us that additional missions had overwhelmed General Sanchez's headquarters, leaving them unable to manage the growing crises at Abu Ghraib and unable to respond to the many warning signs from the Red Cross.

We heard over and over again about the impossible strains imposed on General Sanchez and his headquarters, because he was suddenly forced to take on two huge missions in Iraq—supporting the Coalition Provisional Authority and beginning the reconstruction—in addition to fighting a growing insurgency.

The Jones-Fay report says that General Sanchez was missing two-thirds of the personnel needed for his own command in Iraq. It says "of the 1,400 personnel required, the [Fifth] Corps staff transitioned to only 495, or roughly a third, of the manning requirements." This was barely enough to fight the war, and far too few to rebuild a country or supervise the detention system.

The obvious basic questions are who put our military forces in this untenable position? Who decided that the war would be short, cheap, and easy? Who decided that the war was over and that we needed to start rebuilding Iraq? Who decided to play "Mission Accomplished?"

The problems at Abu Ghraib are just symptoms of these larger failures. We sent our troops into battle without enough life-saving body armor and armor for their humvees on patrol. Those shortages were allowed to last for over a year, while our casualties continued to mount.

We had far too few troops in place to prevent the looting of Baghdad and many other parts of the country.

Huge ammunition depots went unguarded, and insurgents kept getting materials and bombs to use against our troops.

We disbanded the Iraqi military, at one time the fourth largest military in the world, only to begin training a new one from scratch when the blunder was finally admitted.

In his report, General Jones gave us a definition of a leadership failure: where "leaders did not take charge, failed to provide appropriate guidance", "failed to accept responsibility or apply good judgment". By this standard, and on this record, President Bush and his administration are clearly guilty of leadership failure.

Despite these colossal failures of leadership and this gross incompetence, no one has been held accountable.

The military holds its soldiers accountable for leadership failures. A few weeks ago, the Navy fired the captain of the USS *John F. Kennedy* aircraft carrier for running over a small boat in the Persian Gulf. The Navy didn't hide incompetence and gloss it over. It responded decisively and plainly stated that it had "lost confidence" in the captain's ability to operate the carrier safely. He was the eleventh commanding officer of the Navy to be fired this year alone. The Navy fired 14 commanding officers in 2003.

In February 2004, the Commanding Officer of the frigate USS *Samuel B. Roberts* was fired for a "loss of confidence," after he spent a night off the ship during a port visit to Ecuador.

In October 2003, the Commanding Officer of an EA-6B Prowler Aircraft Squadron lost his job after one of his jets skidded off a runway. The Navy cited a "loss of confidence" when they made the decision to dismiss him.

In December 2003 and January 2004, Commanding Officers of the submarine, *Jimmy Carter* and the frigate USS *Gary* were fired, both for "loss of confidence."

For military officers in the Navy, the message is clear—if you fail, you're fired. The message to the civilian leadership in this administration is equally clear—if you fail there will be no consequences and no accountability, even if 1,000 American lives are lost.

It is time for the Department of Defense run a tighter ship at all levels of command, including the civilian leadership. The civilian leaders at the Pentagon should be held at least to the same standard of accountability that military officers in the Navy are held to.

Obviously, it is different to place overall blame on our military leaders when their only fault may well be that they couldn't talk their arrogant civilian leaders out of a flawed plan for Iraq.

But someone must be held accountable for the massive failures in Iraq. The buck has to stop somewhere!

Civilian control of the military is one of the great cornerstones of our democracy. But what if the civilian leaders don't know what they're doing, and mindlessly order our troops into battle unprepared?

Alfred Lord Tennyson said it well in those lines in his famous poem, "Charge of the Light Brigade":

Not tho' the soldiers knew
Someone had blundered.
Theirs not to make reply,
Theirs not to reason why,
Theirs but to do and die.

This is what the administration has done to our troops in Iraq, and if Tennyson were writing today, he might well call his poem, "The Charge of the Bush Brigade."

Clearly, there must be accountability for this breathtaking incompetence, which has resulted in the death of over a thousand American soldiers so far, put more in daily danger, and weakened America's national security.

Yesterday, at the Armed Services Committee, former Defense Secretary Harold Brown described the key to accountability:

At each level, the question is loss of confidence. And in the Navy, the loss of confidence goes with grounding your ship. At a higher level the loss of confidence has to be determined on a basis that's somewhat broader, the full performance. And I think that applies at the highest military levels. And it applies at the level of the Secretary of Defense and his staff. . . . And the electorate has to decide on the basis of its confidence at election time.

This administration has had its chance—and it failed the basic test of competence. If failed to deploy adequate forces in Iraq to win the peace. It failed at Abu Ghraib. It failed in granting sweetheart deals to Halliburton. It has failed the loss of confidence test, the basic test of Presidential leadership.

The President seeks re-election based on his ability to fight the war on terror.

The administration has lost confidence of the so-called "coalition of the willing." Country after country is withdrawing troops, leaving America responsible for 90 percent of all the troops on the ground and 90 percent of all casualties.

On November 2d, the American people will decide, whether a majority of the country have lost confidence in the President's leadership because of his failures in Iraq and his failures on a wide range of immense important domestic issues as well. There can only be one answer—America needs new leadership. As I have said before, the only thing America has to fear is 4 more years of George Bush.

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

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

MORNING BUSINESS

Mr. ALLEN. Mr. President, I ask unanimous consent that there be a period of morning business for debate only, with Senators permitted to speak therein for up to 10 minutes each.

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

THIRD ANNIVERSARY OF THE SEPTEMBER 11, 2001, TERRORIST ATTACKS

Mr. ALLEN. Mr. President, I rise this afternoon to offer my thoughts on the eve of the third anniversary of the September 11, 2001, terrorist attacks. Rather than show divisiveness and criticism, or talk about politics, I think it is important to reflect on how much that tragedy has changed our lives and challenged all of us—not just Republicans, not just Democrats, but all Americans—to do all that we can to protect all that is good and wholesome about America.

Tomorrow, Saturday, American families will be doing what they have done for generations in the early fall. In Charlottesville, the University of Virginia will be hosting the Tar Heels from North Carolina; in Columbia, SC, the University of Georgia football team will be playing the Gamecocks of South Carolina; in Richmond, Saturday night, there will be more than 100,000 fans there for the big NASCAR race; at the wonderful and traditional Wrigley Field in Chicago, the Cubs will be playing the Florida Marlins; and families, in the afternoon, will be having cookouts in their backyards; others will be gathered as a family at their dinner tables.

During all of these wonderful, truly American events, we will all pause to remember a day when such innocence was shattered by the vile, hate-filled attacks on our homeland that manifested themselves so viciously in New York City, at the Pentagon in Arlington, VA, and in Somerset County, PA. We will remember the loss of 3,000 Americans that day, and we will pray for their souls and certainly pray for their families. We will remember friends and we will remember neighbors lost on that day.

At all of those sporting events, when the National Anthem is sung, I venture to guess that song will be sung with greater vigor, more loudly, and with greater patriotism than one would normally hear. When they conclude those final lines talking about how we are the "land of the free," and because we are the "home of the brave," we will be thinking of our troops who are serving and protecting us in precarious positions in Afghanistan, Iraq, and prosecuting the war on terrorism.

In some ways, September 11, 2001, seems a long time ago. Yet we have done so much in only a few years, and we will continue to do so in the future, to prevent such attacks on America.

Our focus in Government and our private lives has obviously profoundly

changed. We see it with our fortified airports, greater protection in our public buildings, our shipping ports, and even cyberspace.

We have strengthened and updated law enforcement capabilities and intelligence, and our work on the Senate floor in the next few weeks will further enhance those efforts with meaningful improvements and the use of innovations of technology to better gather and analyze counterterrorism information.

We have been more vigilant in watching enemies and threats at home and abroad. We have intercepted financial assistance to terrorists.

Yes, through it all, the fabric of our Nation has become stronger and more appreciated as we face these unprecedented challenges. Our resolve and our focus is more clear. Our determination to protect freedoms here and around the world is greater than ever before.

We are so appreciative of the men and women in uniform who are protecting us, whether in Afghanistan or Iraq or on ships around the world. For our security, they are taking the offensive to the terrorists overseas. We are grateful for those who are active or maybe in the Guard or in the Reserves, or their employers here at home. Of course, we are so grateful to their families who have sent their sons and daughters, their loved ones and their friends overseas to protect us.

Our economic ingenuity, our competitiveness, our strength is being rekindled and reignited by free people and free enterprise. In many ways, those who brought us harm on September 11 surely miscalculated the character of the American people. We are a Nation of bravery and heroism.

I will never forget the stories about the first responders in New York City going into the Trade Centers, breathing their last breaths of life trying to save a few more innocent victims. The same with the Pentagon. The responders came in not only from Arlington but all over northern Virginia, from Maryland, and even some from the District of Columbia, rushing into acrid, toxic air, trying to save those who had been hit, whether on the plane, but mostly those who were the surviving or people working at the Pentagon. These people ignored their personal safety. They rushed into harm's way to help their fellow Americans on that day.

Yesterday, I was at the Pentagon. In fact, I went in through the side of the Pentagon where American Airlines Flight 77 crashed into it. It is all rebuilt. It is strong, in fact stronger than ever. The reason I was at the Pentagon is the Secretary of the Navy, Secretary England, decided to name two new marine landing ships. They are named the USS *Arlington*, because that is where the Pentagon is and was hit, and Somerset after Somerset County, PA, to honor the victims of 9/11 who died in Pennsylvania and Virginia. These two ships will be a tangible demonstration of our shared resolve in this country.

For our friends, neighbors, and loved ones who lost their lives, they will be fitting reminders of their sacrifice.

One of those who lost their lives was a captain of American Airlines Flight 77, Captain Chic Burlingame. He had with him a wonderful poem. It is a poem his brother and sister gave to me. We were making sure he was properly buried at Arlington Cemetery, and I have kept it in my pocket until the Phoenix Project had the rebuilding of the Pentagon. Where I get my neckties and get dressed every morning, I have this picture they gave me. The picture is important, but also what is important is what is on the back of it, and that is a poem Captain Burlingame had on him when they crashed into the Pentagon. It is entitled "I Did Not Die."

I will share the poem with my colleagues.

Do not stand at my grave and weep.
I am not there, I do not sleep.
I am a thousand winds that blow,
I am the diamond glints on snow.
I am the sunlight on ripened grain.
I am the autumn's gentle rain.
When you waken in the morning's hush,
I am the swift uplifting rush
Of quiet birds in circled flight.
I am the soft stars that shine at night.
Do not stand at my grave and cry.
I am not there, I did not die.

Tomorrow, we will be coming together, as is our tradition, to be cheering teams, grilling hamburgers and hot dogs, gathering around tables with those we love and those whom we cherish even more and, yes, indeed, we will pause. We will remember. We will never forget.

Three years after that terrible day that changed our lives, America has come back strong. Everything that makes us good is more appreciated than ever. We are resolved more than ever to stand strong for freedom. I am confident that with the wholesome character of our American people, justice will prevail and liberty will endure.

I yield the floor, and 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. HARKIN. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

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

HEALTH CARE

Mr. HARKIN. Mr. President, while Congress was in recess, the news media have reported several important studies in the field of wellness and disease prevention. Collectively, these studies are another loud wake-up call. It is time for fundamental change in our approach to health care in the United States.

I have been saying for years that currently we have a sick care system, not a health care system. We have a system that, if you get sick, you get care.

But there is precious little support, incentives or otherwise, to keep you healthy in the first place. We are paying very dearly for this foolish choice of having a sick care system rather than a health care system.

The latest evidence comes from a new study by health economist Kenneth Thorpe. Mr. Thorpe found it cost \$200 billion more in 2000 to treat diseases and conditions in this country than it did in 1987. Just 15 health conditions accounted for a whopping 56 percent of the growth in spending between 1987 and 2000. Indeed, a closer look shows that just five conditions accounted for one-third of the \$200 billion increase: heart disease, pulmonary conditions, mental disorders, cancer, and hypertension. What do all these conditions have in common? In many if not most cases, these conditions are preventable. The Thorpe study also confirmed that chronic conditions, which are responsible for more than 75 percent of all health care expenditures, cost tens of billions of dollars more than just two decades ago.

Diabetes is one of those chronic conditions responsible for the explosion in health care costs. Yet experts agree that the impact of diabetes can be dramatically reduced by encouraging treatment guidelines on diet, exercise, and other preventive measures. The same is true for other chronic conditions. By emphasizing prevention and by following best practices guidelines, we can dramatically reduce health spending.

It is alarming to me that many health experts now predict that the generation of kids growing up today will be the first that does not live longer than their parents' generation. Let me repeat that. Health experts now predict that the generation of kids growing up today will be the first generation that does not live longer than their parents' generation.

As many children return to school this month, there is fresh evidence that we are failing them in terms of wellness and disease prevention. Consider a study released this week by the National Institute for Health Care Research and Educational Foundation. The study found that only 16 percent of kindergarten programs meet recommendations of the Centers for Disease Control and Prevention for daily physical education. Instead, about 60 percent of kindergarten programs offer physical education less than twice a week; 13 percent offer physical education less than once a week. On average, grade school kids spend less than an hour a week in PE classes.

As many of my colleagues know, because of the No Child Left Behind Act and its obsession with testing and preparing for tests, many schools are eliminating recess in the elementary years and further neglecting PE in the middle and senior high school years. Some new elementary schools are being built without playgrounds. Make no mistake; this neglect of physical

education has severe consequences. Obesity has nearly tripled since 1970, and about 16 percent of children are now overweight. However, the study I just mentioned suggested that adding 1 hour of physical education per week could decrease the occurrence of overweight by as much as 10 percent. The study also found that schools with low-income or minority students have a greater likelihood than their peers to have no physical education in kindergarten. This is deeply troubling as these groups are especially at risk for obesity.

On a related note, we received further evidence last month about the potential risk of diabetes and obesity associated with soft drink consumption. A study published in the *Journal of the American Medical Association* shows that women who drink at least one serving of nondiet soda or fruit punch per day have a greater risk of gaining weight and developing type 2 diabetes than women who do not. Women who consume one or more sweetened drinks per day are 83 percent more likely to develop diabetes than those who drink less than one serving per month. During the period of the study, women who drank at least one serving of sweetened drinks per day gained an average of 17 pounds, compared with an increase of only 6 pounds for women who drank less than one serving per month.

So why in the world are we allowing the proliferation of vending machines filled with unhealthy foods and soft drinks in our schools? We are sending all the wrong signals to our kids. We put in all these vending machines with soft drinks up and down the hallways in our schools. It is saying to our kids, not only is that allowable, it is acceptable, it is encouraged that you have a soft drink during the day.

How many parents know—how many people know? Not even parents, how many young people know that one 20-ounce soft drink, sweetened soft drink, Coke, Pepsi, RC, whatever, one 20-ounce drink—that is what you get out of the vending machines now—contains the equivalent of 16 teaspoons of sugar?

I asked someone, you get a 20-ounce Coke or Pepsi—I don't mean to pick on one or the other, but when you get a 20-ounce Coke, you think nothing about drinking it. What if someone measured out 16 teaspoons of sugar into a cup and said: Here, eat this. You would think they were crazy. But they will drink a 20-ounce soft drink that has the same thing in it. And you wonder why people are getting diabetes.

The good news this month is that an additional four States will be offering the Free Fruit and Vegetable Program I started in the farm bill in order to encourage healthier eating habits at the earliest possible age. The bad news is that thousands of schools are continuing to make room for vending machines selling candy, soda pop, and other junk food on school grounds.

We are missing a prime opportunity to reduce the health risks facing our

children by not emphasizing prevention, healthy lifestyles. A new study published in the *Pediatric Journal* found that 10 percent of pediatric patients were obese; however, only half of those patients were noted by the physician to be obese. What this means is we are missing a critical opportunity to diagnose obesity and intervene at the earliest stage—during childhood—when lifestyle changes can be easier to make.

We also have new information from the American Cancer Society. More than a dozen cancers are linked with obesity, and the American Cancer Society estimates that of the 563,000 cancer deaths each year, excess weight is a factor in more than 16 percent of the cases. While overall cancer death rates have decreased over the last few years, we know now that obese men and women are at a major increased risk for colorectal cancer. A postmenopausal woman's risk of breast cancer increases by 30 percent if she is overweight and by 50 percent if she is obese.

We also have new information about high blood pressure, which is a major contributor to heart disease and stroke.

It has skyrocketed over the past decade with almost one-third of adults suffering from hypertension. From 1988 to 1994, there was a 30-percent increase in the incidence of high blood pressure. We know that much of this increase is due to the rise in obesity.

On a variety of fronts, August was not a month of progress for those of us who care about wellness and disease prevention. The various studies I have cited tell us that we are still heading in the wrong direction. Much work needs to be done to transform America's sick care system into a true health care system—a system that keeps us out of the hospital in the first place.

As I have said, again and again, it is time for a new paradigm in American health care, a prevention paradigm. Again, we have a sick care system in this country and we need a genuine health care system focused on wellness and prevention and keeping people out of the hospital in the first place.

To that end, I have introduced legislation, the Help America Act, also known as the Healthier Lifestyles and Prevention Act, S. 2158. And today the Labor, Health and Human Services Appropriations Subcommittee has reported our bill for fiscal year 2005. This year's bill has especially strong emphasis on wellness and prevention programs.

For example, we will be providing \$440 million for research at the National Institutes of Health into the causes and cures of obesity. That is a 10-percent increase over last year.

We have included more than \$50 million in grants to States to fund programs that address nutrition, physical activity, and obesity.

We will provide more than \$114 million for tobacco prevention and cessation activities at the Centers for Disease Control and Prevention. Tobacco use is the single most preventable cause of death and disease in our society today.

Our committee allocated \$35 million for public health research at CDC. This year we are encouraging the Centers for Disease Control and Prevention to pay particular attention to research on business-based wellness programs for employees. We want to identify and disseminate the best practices in this area, and we have asked the CDC to develop a model wellness program for businesses.

Our appropriations bill also includes \$75 million for the Carol White Physical Education for Progress Program, otherwise known as the PEP Program. This provides grants to school districts to expand physical education opportunities for K-to-12 students. Again, bear in mind, as I said, the average public school student gets less than 1 hour of physical education per week, and many get none at all.

Our appropriations bill funds a new School Mental Health Services Program. This will train public school personnel to recognize early warning signs of mental illness, and it will expand student activity to high-quality mental health services.

I would like to add that the bill provides \$2 million to support implementation of the YMCA's new Activate America initiative, which is encouraging cities to develop communitywide approaches to wellness and disease prevention. I am most grateful to the National YMCA for their great leadership in disease prevention, wellness, and health promotion. I am also pleased that our capital city of Des Moines, IA was selected as one of the first cities to participate in this program.

I also want to compliment and commend my chairman, Senator ARLEN SPECTER of Pennsylvania, for his great leadership in getting our bill together and getting it through our subcommittee. All of the items I have mentioned that we are providing for wellness and prevention we have worked on together in a true bipartisan fashion. I thank Senator SPECTER for his leadership and for working to make sure we fund these programs for wellness and prevention.

To sum it up, we are making some progress in advancing a broad, comprehensive wellness agenda here in Congress. With all of the political bickering here on Capitol Hill people sometimes wonder if we are accomplishing anything. The Labor, Health and Human Services appropriations bill takes real, concrete steps to address problems such as obesity and chronic disease—problems that people care deeply about.

Again, I salute the hard work and leadership of Chairman SPECTER. He too cares passionately about issues of wellness and disease prevention. He too

realizes that our current sick care system which gives short shrift to prevention is leading us off a cliff.

I am optimistic. I know we will not get everything done this year. But hopefully we will make progress and we will make more progress next year. What I sense is growing support from both sides of the aisle for a new emphasis on wellness and prevention. I am more and more confident about the prospects for passing the Help America Act in the next Congress.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I ask unanimous consent for permission to speak in morning business for such time as I may require.

The PRESIDING OFFICER. Without objection, it is so ordered. We are in morning business.

Mr. ALEXANDER. Thank you, Mr. President.

TAXATION OF HIGH-SPEED INTERNET ACCESS

Mr. ALEXANDER. Mr. President, the purpose of my remarks today is to suggest a way to come to a solution in the debate we have been having as to what extent Congress should interfere with State and local regulations and taxation of high-speed Internet access.

In April, after a good many months of discussion, the Senate came to a good temporary compromise on the issue. Our legislation, the Senate legislation, allows States already collecting taxes on Internet access to continue to do so for 2 or 4 years, depending on the type of access tax. It makes clear that State and local governments can continue to collect taxes on telephone services, including telephone calls made over the Internet. Our work here in the Senate modified legislation that came over from the House of Representatives that would have permanently taken away from State and local governments authority to include high-speed Internet access in its taxation plans and would put at risk literally billions of dollars in revenues that States and cities and towns now depend on to pay for police, for schools, for parks, and for other essential local services.

Both sides in this debate have legitimate points to make. We see here a conflict of the principles of federalism in free markets, and I believe it is a debate about whether there is any justification for giving additional government subsidies to the high-speed Internet access industry, which, so far as I can tell, must already be the most heavily subsidized new technology in our country today.

For now, I would respectfully suggest the logical course would be for the House of Representatives to adopt the Senate modification. This would provide temporary certainty in this policy area. But it is an unsatisfactory long-term solution. For the long term, here

is my suggestion. I propose that representatives of States, of cities, of counties, and of the telecommunications industry meet together between now and the opening of the 109th Congress in January and develop a framework to assist Congress with how to approach this highly technical but very important set of issues.

In developing this framework, I suggest the parties ought to abide by the following principles. No. 1, separate the issues of taxation and regulation. This fall, in some preliminary work on legislation proposed by Senator SUNUNU from New Hampshire, the Senate Commerce Committee did just that. They produced a bill regarding the regulation of Internet telephony, but also preserving the right of State and local governments to make their own decisions about how to tax the industry.

Put in its simplest terms, I agree that it makes sense to have a different, simpler kind of regulation of this new technology which we call broadband. But I want to achieve this in a way that does no harm to State and local government revenue bases.

Second, when making decisions about regulation, the principle to honor should be simplicity, so that the new technology can continue to flourish. Voice over the Internet technology is not the same as plain old telephone service. Our regulatory structures need to recognize that.

Finally, when these representatives of industry and State local governments get together, as I hope they will, in determining tax policy, the principles to consider should be simplicity, certainty, and doing no harm to State and local governments.

There are more than 11,000 State and local tax jurisdictions in the United States of America. Obviously, it would be burdensome for a small Internet telephone company who offers services in most or all of these districts to file that many or even more returns. On the other hand, there is no justification whatever that I can see for depriving a State or local government of 5 or 10 percent of its existing revenues simply to exempt an already heavily subsidized industry from paying its fair share of taxes.

The idea of inviting those who will be most affected by our decisions about taxation and regulation to suggest a policy to us is not a new idea. For example, in February of this year, something called the Voice on the Net Coalition announced that a number of VOIP providers would work together to establish voluntary agreements on how to integrate E 9-1-1, access to the disabled, and Government wiretapping, into this next generation of telephone technology.

They might well also consider universal service in this discussion—how we would continue to provide telephone service to people in rural areas with this new kind of technology.

In another example of groups working outside the Congress to make it

easier for us here, for the last several years something called the Streamline Sales and Use Tax Project has been going on. States have been building the technical and legal foundations for a system in which online sellers or merchants would be required to collect taxes on sales over the Internet and forward the money to the State where the buyer lives. This will make it much easier for Congress to then enact legislation authorizing such collections.

So in the same way I believe industry representatives working with State and local representatives could quickly suggest a framework that would make our work here in Congress simpler and speedier. If this does not happen, I believe we are in for a long debate with a likelihood of a poor result or even no result. This would serve no one's purpose.

The telecommunication companies and high-speed Internet access industry would benefit from certainty and simplicity. Governors, legislators, and mayors at the same time need to know where revenues are coming from. They want certainty, too.

There are other, bigger fish to fry in the telecommunications area. The Telecommunications Act of 1996 needs a fresh look in some fundamental ways. When Congress enacted it, maybe no one in the Senate or the House knew very much about high-speed Internet access. State and local governments would like to move ahead with their streamline tax project. Neither is likely to happen until the Internet access tax issue is resolved.

Let me say a final word about the technology we are discussing, high-speed Internet access or, as we sometimes call it, broadband. Last year, during our debate, there were dire predictions that if States were allowed to continue to tax this access, it would become a terrible burden for the industry and restrict its growth and put the United States in some kind of technological backwater. Nothing could be further from the truth. Almost every day in my mailbox comes a new offer from someone to sell me high-speed Internet access. From my phone company, from my long distance company, from my satellite TV company—even electric companies are selling high speed-Internet access. Next thing you know I expect the milkman to show up offering to provide me with high-speed Internet access.

And the prices, as usually happens with a new technology and competition, are going down. Most of the offers I receive in my mailbox are in the range of \$20 a month, and in many states and communities—Texas is an example—these costs to the consumers are further reduced by government subsidy.

Here are some of the facts. Market data from the research firm Nielsen/NetRatings shows in July of 2003 38 percent of home-based Internet users had a broadband connection. One year later, in July 2004, that number had

jumped to 51 percent. The same report shows that the number of broadband connections altogether in July 2004 rose 47 percent from a year ago.

Meanwhile, investment in broadband over powerlines, as I mentioned earlier, is gaining steam. According to the Chartwell research firm, the percentage of utility companies planning or considering broadband deployment rose from 6 percent in 2000 to 20 percent in 2003. This means if you have an electric line coming into your house, you have access to high-speed Internet access.

Internet telephones, called VOIP, are experiencing the same kind of rapid growth. According to the telecommunications industry, by the end of this year, in only 4 months, there will be 6 million VOIP access lines. They expect that figure to rise to more than 19 million by 2007.

Cablevision Systems began offering VOIP service in November of 2003 and in 2 months had 29,000 customers and was signing up new customers at the rate of 2,500 a week.

The VOIP explosion has hit traditional telephone service providers. In August, the Washington Post reported both MCI and AT&T traditional long-distance services are suffering, in part from the increase in telephone calls made over the Internet with VOIP service. As a result, even these companies have moved into the VOIP market. AT&T has introduced its CallVantage VOIP service and now has it available in 39 states as well as the District of Columbia. Sprint has teamed with Time Warner Cable to begin offering VOIP services to 11 million customers and is forging new relationships with other cable providers to expand its services availability.

Finally, one of the pioneers of the VOIP industry, Vonage, announced in August that investors had sunk another \$105 million in venture capital into the company, the largest venture capital deal to date this year.

So the bottom line is this: Broadband, or high-speed Internet access, continues to be adopted at a tremendously rapid rate. It is being adopted at a faster rate than CD players, than cell phones, than color TVs and VCRs were being adopted during the same periods in their development.

As the Congressional Budget Office has specifically told Congress, there is absolutely no justification whatever for additional Government subsidy for this industry. High-speed Internet access is a fine, remarkable, admirable, new technology. But so was television, so was radio, so was electricity, so was the internal combustion engine. It is not the American way to subsidize such new inventions. It is the American way to let these inventions earn their way forward in the marketplace. Americans never got a tax break to buy a television set and TV manufacturers never got a subsidy, so far as I know, to build them. Yet 30 years after they were introduced to the market, almost 90 percent of Americans owned

a television set. That is the American way.

Telephone companies, in the same way, introduced cell phones without any prompting from the U.S. Government. In less than 15 years, more than 40 percent of all households now own cell phones.

Of course, what is especially galling to me is that Congress would even consider creating this big tax break or tax subsidy for Internet access companies and then send the bill for that tax break to State and local governments who are already struggling with additional costs because of our failure to create a rational health care policy and our failure to create a national immigration policy and our bad habit of enacting expensive ideas in Washington, DC, taking credit for them in press conferences, and then sending the bill for the ideas to mayors and Governors and legislators and city council men and women.

It is my hope that the telecommunications industry representatives, Governors, and mayors will spend some time with one another during the next 3 or 4 months and figure out a framework for resolving how Congress should approach these issues in the most sensible way. I would be glad to be a part of such discussions if I could be helpful. I am sure other Members of Congress would as well. The Federal Communications Commission could provide technical advice.

May I say one word to Governors and mayors. And perhaps I can do this more appropriately because I once was a Governor. I know Governors are busy, and they have staffs to help them do their work. But this matter will not be resolved by a few phone calls from Governors or by staff members to staff members on Capitol Hill. If Governors and mayors want the Internet tax issues resolved in a way that does no harm to State and local governments, in a way that does not threaten 5 to 10 percent of their base, in a way that does not cost them billions of dollars, then Governors and mayors are going to need to become personally involved in helping to resolve this issue, meeting with the telecommunications industry representatives, and coming up with a rational way to provide certainty and simplicity for this new technology and, at the same time, do no harm to State and local governments.

Mr. President, I believe this will be the speediest, most sensible way to resolve the conflict we have between principles of federalism and free markets and to clear the way for Congress to move beyond the issues of taxing and regulating high-speed Internet access to other larger, more important telecommunications policy issues.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

REMEMBERING SEPTEMBER 11, 2001

Mr. FRIST. Mr. President, in the 3 years since 19 terrorists hijacked 4 planes and changed the course of American history, we have learned much about our vulnerabilities, our strengths, and the steps we must take to protect ourselves.

Tomorrow, America will remember the images of the Twin Towers collapsing, of terrified office workers jumping to their deaths, of brave New York City firefighters rushing into those burning buildings to save people trapped inside, of soot-covered men and women streaming out into the streets dazed and overcome. We will remember the shock of learning that a third plane had smashed into the Pentagon, and a fourth was possibly headed to the White House or the Capitol.

We will remember our sense of helplessness, our horror, and our utter disbelief as the terrible events occurred that bright morning, a morning not too dissimilar to today. In our grief on our day of national mourning, let us also recall our unity and those words of Todd Beamer to his fellow passengers on flight 93: Let's roll.

The highest priority of the Senate is to protect the safety and security of the American people. But as the 9/11 Commission report outlines, before 9/11 we were not attuned to the growing threat of Islamic terror. There had been attacks, and the attacks were growing bolder, but our attention was "sporadic and splintered across several committees."

Mr. President, 9/11 changed everything, and the Senate is committed to reforming its oversight functions so that it can, in the words of the Commission report, provide "strong, stable, and capable congressional committee structure to give America's national intelligence agencies oversight, support, and leadership."

Senator MCCONNELL and Senator REID are leading a leadership-appointed task force which is meeting to hammer out a legislative framework. We plan to consider that legislation no later than October 1. As has been discussed this week, the Senate Governmental Affairs Committee is leading the reorganization of the executive branch. Under the superb leadership of Senator COLLINS and Senator LIEBERMAN, the committee is working diligently to address the Commission's recommendations. They started hearings immediately after those 9/11 recommendations were made to this body and to the country and continued those hearings through August, and now that we are back in session, over the course of this week.

On Wednesday, the Governmental Affairs Committee had another hearing

to discuss options. Those hearings will continue. Senator COLLINS and Senator LIEBERMAN will likely mark up legislation on the week of September 20, and the bill will then be brought to the floor the following week.

These dual efforts—one, the Governmental Affairs Committee dealing with the relationships and the definition and the legislation surrounding the executive branch, and the other led by Senators MCCONNELL and REID, overseeing the reorganization within this body—will present recommendations and that legislation to the U.S. Congress with the goal of strengthening our national security and safeguarding us, the American people, against future acts of terrorism.

The President and his administration, meanwhile, have already begun to address 36 of the remaining 39 recommendations, the last three currently being under study. Two days ago, we had the opportunity to meet with the President, Republican and Democratic leadership from both sides of the aisle in this body meeting with leadership and Members from both sides of the aisle in the House of Representatives, listening to his plans, his vision of intelligence reform.

On the Senate floor yesterday I spoke a little bit about the President's plan to establish a national intelligence director, the NID, to oversee these 15 intelligence agencies that we have. This afternoon, briefly, I would like to highlight the President's action to create a national counterterrorism center. We know that the intelligence community generates massive amounts of information. In the aftermath of 9/11, this point became tragically clear. There had been clues. There had been arrests, analysis, and warnings. But because these pieces of information were scattered across agencies and not properly shared, they became missed opportunities.

In the words of the 9/11 report:

The system of "need to know" should be replaced by a system of "need to share."

The national counterterrorism center President Bush has created by Executive order will act as a central knowledge bank, a clearinghouse where intelligence can be shared across agencies, can be prioritized, analyzed, and used in the field to thwart terrorist attacks. In other words, the left hand will learn what the right hand is doing.

I commend the President on his consistent leadership and his commitment to reforming our intelligence community. He is already transforming the FBI. He has led the most extensive reorganization of the Federal Government in 50 years in the creation of the Homeland Security Department. He recognized immediately that terrorism was not merely a law enforcement issue but a grave threat to America, world peace, instability. It required mobilization of all of our resources.

I look forward to working with my colleagues as we continue to advance America's national security and im-

prove our intelligence functions. The 9/11 Commission report was bipartisan and unanimous. Likewise, I am gratified by my colleagues' sense of unity and shared vision in making America safer sooner rather than later, before "if" becomes "when."

THE THIRD ANNIVERSARY OF SEPTEMBER 11, 2001

Mr. MCCONNELL. Mr. President, 3 years ago this September 11, al-Qaida terrorists launched a brutal attack on American soil. Every American remembers that clear Tuesday morning when two planes smashed into the two World Trade Center towers in New York and brought them crumbling to the ground. A third plane crashed into the Pentagon outside Washington, DC. A fourth plane may have been destined for this very Capitol were it not for the heroic passengers on that flight who put their country ahead of their lives.

Today and every day we honor the innocent victims who died that day while conducting America's business. We also honor the heroic first responders—police officers, firefighters, and emergency medical personnel—who rushed in to save others. We honor the volunteers of that day and every day forward who lined up to help their fellow Americans. Millions donated money, time, efforts, and blood.

And we honor the soldiers, sailors, airmen and marines who have risked their lives so Americans don't have to live in fear of being attacked again. Some have paid the ultimate sacrifice. Our all-volunteer military is the best in the world, and as full of courage as the military heroes from our Greatest Generation.

It is worth looking at what we have accomplished in the last 3 years. President Bush has led America in a global war on terror to destroy those who would attack us again. We have made incredible progress.

We have led an international military coalition to eradicate two of the vilest terrorist regimes on Earth—the Taliban in Afghanistan, and Saddam Hussein in Iraq. We have liberated over 50 million people. Over 10 million have registered to vote in this fall's election in Afghanistan. And Iraq has national elections scheduled for early next year.

Using diplomacy and sanctions, and with the help of the international community, we have pressured a third terrorist regime in Libya to abandon its path to weapons of mass destruction, that could have been given to terrorists. The lesson of Saddam Hussein surely served as an example here, and should continue to serve as such to despots around the globe who would do us harm.

Of the senior al-Qaida leaders, operational managers, and key facilitators that our government has been tracking, nearly two-thirds have been brought to justice or had justice brought to them. And with the help of our allies, we have severely disrupted

the networks and organizations that flow money, supplies, people, and information to the terrorists.

Here at home, the defense and intelligence capabilities of the Federal Government have been reorganized more sweepingly than at any point since the 1940s, to prepare them for this, the first war of the 21st century. We have created a Department of Homeland Security and are currently weighing how best to strengthen our intelligence services to deal with today's threats.

Finally, America has reaffirmed her commitment to liberty across the world. Despite the negative words of a few naysayers in high places, most people around the globe draw strength from America's commitment to lead the global war on terror. Over 30 nations joined us to liberate Afghanistan and Iraq. We have never wavered in our pledge to root out the terrorists and punish the states that may harbor them. The world has been reminded that America lives up to its word.

We have made great progress in 3 years, and will continue to make great progress. The president has told us that this will be a long struggle lasting years, perhaps decades. We cannot be sure when the war may be won. But we can be sure that it will.

For nearly 50 years, America grappled with another seemingly entrenched enemy—the Soviet Union and the spread of communism throughout the world. For much of the cold war, the struggle seemed to be without end. Some said it couldn't be won. Some said coexistence was the best America could hope for. Some even morally equated American freedom with Soviet tyranny, and refused to take sides.

But today, schoolchildren learn that the Soviet Union collapsed, rotten from the inside, as an inevitable fact. We take our victory in the Cold War for granted today, but it took decades of resolve, perseverance, and faith that our way of life was superior to totalitarianism. Well, the American way of freedom—freedom to worship, freedom to speak, freedom to vote—is still the best way of life on Earth.

Today's generation must maintain that same faith. We cannot lose on the battlefield. We cannot lose the war of ideals. As long as we maintain our will to win, we will prevail.

ANNIVERSARY OF SEPTEMBER 11, 2001

Mr. FEINGOLD. Mr. President, I cannot let September 11 pass without reflecting on this painful anniversary, and heralding the strength of our Nation in the three years that have passed since that terrible day.

Three years ago, a global network of terrorists attacked our country, taking the lives of nearly three thousand innocent men, women, and children. Today, we are still angered by the cruelty of these attacks. We are still awed by the courage of our first responders, and of the everyday Americans who were he-

roes on that day, whose acts of bravery and kindness were a source of solace for the Nation in the days after the attacks. Their strength became our strength, and with each passing day, and each passing year, our resolve to stop the forces of terror has only deepened.

This month, as the Senate moves forward to address the critically important recommendations made by the 9/11 Commission, we mark the third year that has passed since the attacks. But this anniversary is not simply about the events of a single day. It is about our continued sadness and grief, and our overwhelming pride in the way our Nation responded to the tragic events of that day. It is also about the abiding strength of our convictions; our deep and profound commitment to fighting the forces of terror, to making our families safer, and to preserving the freedoms at the heart of our national character.

We remember September 11 every day. On this anniversary, we simply share in that remembrance—both with other Americans, and with people around the world who stand with us in the fight against terrorism. Today I pay tribute to the lives we lost, and I honor the men and women across this country who give this Nation its greatest source of strength: our faith in our country, in our communities, and in each other.

HONORING OUR ARMED FORCES

STAFF SERGEANT BRUCE J. POLLEMA

Mr. GRASSLEY. Mr. President, I rise today to pay tribute to SSG Bruce J. Pollema, a fellow Iowan originally from Hull, IA. The Iowa National Guard regrettably announced the death of Staff Sergeant Pollema when he was killed on August 27, 2004 along with fellow soldier, Spc. Dustin S. Colby, when their military motor vehicle rolled over into a ditch near Camp Dodge. Staff Sergeant Pollema was a heavy vehicle operator with the 2168th Transportation Company, based in Sheldon, IA. Staff Sergeant Pollema is survived by his wife, Teri Winter, father and mother, Wilmar and Betty Pollema, his older brother, Waylon, and his twin brother, Brandon. This brave soldier was thirty years old.

The family of Bruce Pollema issued the following statement in response to the news of their son's death: "Our hearts, minds, spirits and prayers are with the rest of the Troops and we wish them God speed. We will be there for them when they come back."

It is fitting that we should honor Staff Sergeant Pollema today for his service to our country. My deepest sympathy goes out to his family and friends. I know his memory will live on in the hearts of everyone he knew.

TIME IS RUNNING SHORT

Mr. LEVIN. Mr. President, in less than one week, the 1994 assault weap-

ons ban will expire and our Nation will once again be vulnerable to guns known to most in the law enforcement community as "the weapons of choice for criminals." If the ban is allowed to expire on September 13, potential criminals, including terrorists, could have access to 19 of the highest powered and most lethal firearms capable of being produced. These guns have no sporting purpose and no place on our streets.

In addition to banning 19 specific weapons, the current ban also includes prohibitions on semiautomatic weapons that incorporate a detachable magazine and two or more specific military features. These features include folding/telescoping stocks, protruding pistol grips, bayonet mounts, threaded muzzles or flash suppressors, barrel shrouds, or grenade launchers. Common sense should tell us that there is no reason for civilians to have easy access to guns with these features.

Los Angeles Chief of Police Bill Bratton has said the following about these weapons: "Since the Assault Weapons Ban was passed in 1994, we have seen a 66% decline in the frequency of assault weapon use in crime. Violent criminals love these weapons because they give them far more firepower than conventional weapons that greatly increases their capacity to kill. We cannot allow these weapons to get back into their hands."

It is important to listen to Chief Bratton and other law enforcement officials who support an extension of the assault weapons ban. The ban is important for the safety of all Americans but is especially important for the safety of our police officers.

In 1994, I voted for the assault weapons ban and in March of this year I joined a bipartisan majority of the Senate in voting to extend the ban for 10 years. Unfortunately, despite Senate passage of the amendment, it appears that this important gun safety law will be allowed to expire. The House Republican leadership opposes reauthorizing the law and President Bush, though he has said he supports it, has done little to keep the law alive.

Time is running short. We should support our law enforcement officers and reauthorize this common sense ban on assault weapons. Congress needs to act immediately to reauthorize the ban. I ask unanimous consent that a list of some of the organizations supporting this legislation be printed in the RECORD.

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

International Association of Chiefs of Police
Major Cities Chiefs Association
Police Foundation
Police Executive Research Forum
International Brotherhood of Police Officers
National Association of School Resource Officers
National Fraternal Order of Police
National Organization of Black Law Enforcement Executives
Hispanic American Police Command Officers Association

National Black Police Association
 National League of Cities
 US Conference of Mayors
 National Association of Counties
 US Conference of Catholic Bishops
 National Education Association
 American Bar Association
 NAACP
 Americans for Gun Safety
 Brady Campaign to Prevent Gun Violence
 United with the Million Mom March
 Church Women United
 Episcopal Church, USA
 American Academy of Family Physicians
 American Public Health Association
 Family Violence Prevention Fund
 National Coalition Against Domestic Violence
 National Network to End Domestic Violence
 National Association of Public Hospitals and Health Systems
 National Association of Social Workers
 Physicians for a Violence Free Society
 American Association of Suicidology
 Mothers Against Violence in America
 Child Welfare League of America
 Alliance for Justice

PHARMACEUTICAL MARKET ACCESS AND DRUG SAFETY ACT OF 2004

Mr. DODD. Mr. President, I rise today in support of S. 2328, the Pharmaceutical Market Access and Drug Safety Act of 2004, and to explain my reasons for becoming a cosponsor of this bipartisan legislation, which was introduced by Senators DORGAN and SNOWE earlier this year. My decision to cosponsor this bill has come after serious and careful deliberation. I know that there are many who oppose the importation of prescription drugs, and I have carefully considered their arguments.

However, I have come to the conclusion that this bill can be helpful to ensuring that Americans have access to the drugs they need, with the peace of mind that the medications they are taking—or giving to a family member—are safe.

Mr. President, all of us are aware of the unfortunate news released over the last several weeks about the state of health care in our country. In many respects, we have the greatest health system in the world, but far too many Americans are unable to take advantage of this system. According to data released by the Census Bureau in August, 45 million Americans were without health insurance in 2003—an increase of 1.4 million over 2002. The primary reason for the continued increase in the number of uninsured is that employers are dropping their health coverage. That's right Mr. President, most of the newly-uninsured are working Americans.

Employers are not dropping health coverage out of malice they are doing so because they can no longer afford to provide this benefit. Year after year, health care costs increase by double digit percentages. The cost of employer-sponsored coverage increased by 14 percent in 2003. And year after year, the increase in the cost of prescription drugs stands out as a driver of the

overall cost increase. Over the last three years, drug costs have increased by over 50 percent.

Mr. President, I do not subscribe to or participate in the attacks on our prescription drug industry. The American drug industry is an extraordinary success story. As a result of the innovations that this industry has spawned, millions of lives have been improved and saved in our country and around the globe. Because of the importance of these medicines to our health and well-being, I have consistently supported sound public policies to help the industry to succeed.

These policies include authoring a successful statute to ensure that drug manufacturers receive appropriate incentives for ensuring that their products are safe and effective for children. I have also co-authored legislation to make sure that new drugs can more swiftly move through the approval pipeline and move quickly into the hands of the patients who need them. I have worked to create a fair balance between the need to protect drug patents for their full patent life, and the need to ensure that generic pharmaceuticals are able to come to market when that patent life has expired. I have always encouraged pharmaceutical research and development. I have also supported trade agreements to help open international markets for American pharmaceuticals. The American pharmaceutical industry is the best in the world, and it has succeeded, and will continue to succeed, in a competitive global environment.

Prescription drugs are an absolutely integral part of our health care system. I am proud that many of these medicines are made in my home state of Connecticut. But Mr. President, I am saddened that such a basic and necessary part of modern health care is becoming unaffordable for the average American—including many thousands of men, women, and children in Connecticut. Americans should not be put in the position of choosing whether to purchase groceries or medicine. And yet I have talked to far too many of my constituents who are faced with that choice every day.

We have an obligation to seek opportunities to lower drug costs. I was disappointed that such an opportunity was missed during our consideration of the Medicare Modernization Act. That law now prohibits the Federal government from using its purchasing power to bargain for lower drug prices. Such a measure is inconsistent with the economic principle of competition that is fundamental to our economy.

We are now faced with another opportunity to control prescription drug costs by allowing the importation of FDA-approved prescription drugs from Canada and other industrialized nations. I have long taken the position that drug importation should only be allowed if we can ensure that it is safe. I do not want affordable medicines to come at the cost of quality and safety

for American consumers. I have looked at every importation proposal with these priorities in mind.

Mr. President, Senate bill 2328, while not perfect, is a sensible approach to the issue of drug importation. I believe that it addresses the safety concerns that have been raised in the past, and in my discussions with opponents of this bill, I have yet to hear an argument that makes me believe that the medicines imported under this bill would be unsafe. In fact, I believe that it has the potential to be significantly safer for American consumers than the status quo. Currently, an American can easily go on the Internet and order drugs from another country. But there is no guarantee that these drugs are safe, and no way to prevent these drugs from entering the country. We are being flooded with counterfeit and compromised medicines, and people are being hurt.

Under the Dorgan-Snowe bill, the Food and Drug Administration (FDA) would be given the authority and resources necessary to make drug importation a safe proposition. Importers would be required to register with the FDA, so Americans can know where it is safe to purchase imported medicines.

Mr. President, with the issue of safety addressed, this really becomes an issue about what is best and what is fair for American consumers. At the moment, Americans pay significantly more for prescription drugs than those in other industrialized nations. Based on that fact, it is my belief that we should work toward a more open global market for prescription drugs, just as we do for countless other products that we trade internationally.

As I mentioned earlier, I am confident that the American drug industry can compete with that of any other nation. I am committed to ensuring that this continues to be true. We should, in my view, take steps to bring about fairer trade, freer trade, and safer trade for prescription medicines. This legislation represents one such step.

I intend to continue to talk to all interested parties about this bill. If safety concerns should arise in the future that have not been previously considered, I will do everything in my power to address them with the sponsors of this legislation. But it is past time for us to do something about the skyrocketing cost of prescription drugs, and I support this bill as a step in the right direction.

GARRETT LEE SMITH MEMORIAL ACT

Mr. REED. Mr. President, I would like to take this opportunity to express my sincere condolences to Senator SMITH and his family, as yesterday marked the 1-year anniversary of Garrett's passing and today would have been his 23rd birthday. The Smith family has endured a terrible tragedy, but has taken their loss and their pain and committed themselves to raising public awareness about youth suicide and

the need for appropriate mental health services.

Senator SMITH has also worked tirelessly these past few months to move the Garrett Lee Smith Memorial Act. During a time of partisanship and divisiveness, a majority of members in the House and Senate have been able to set aside those differences to help expeditiously move this important legislation.

I have had the honor and pleasure of working with my colleague from Oregon on this very personal tribute since the beginning. As my colleagues may recall, this legislation is comprised of two separate legislative initiatives that were introduced earlier this year, the Youth Suicide Early Intervention and Prevention Expansion Act, sponsored by Senators DODD and DEWINE and the Campus Care and Counseling Act, which I introduced along with Senator DEWINE.

The legislation takes a comprehensive approach to the increasing problem of suicide among our youth as well as providing additional resources to our Nation's colleges and universities as they struggle to offer the kinds of support students need to grow and achieve academically as well as personally. Information, outreach and access to mental and behavioral health services is becoming an increasingly important part of that equation.

The Garrett Lee Smith Memorial Act contains many important provisions that I hope will help to stem the growing numbers of youth suicides in this country. According to the Centers for Disease Control and Prevention, suicide and self-inflicted injuries remain a pressing public health concern. We hope this legislation will help to change this by enabling States, local communities and institutions of higher education to implement effective youth suicide prevention and intervention strategies.

Two months ago, a unanimous Senate passed the Garrett Lee Smith Memorial Act. Since that time, the bill has undergone what I would consider to be considerable changes to address concerns raised by Energy and Commerce Chairman Barton and others.

I have always been willing to entertain and accommodate issues that have been raised that have related to the substance of this bill. I am deeply concerned, however, by the insistence of some in the other body to inject partisan ideology in this bill.

Just prior to the August recess, a few members of the other body scuttled movement on the bill when they insisted on adding language that would create a new parental consent standard, layered onto one that has been in law, under the General Education Provisions Act, GEPA, which was recently updated as part of the No Child Left Behind Act.

While the majority has made it clear they will not abide changes in other parts of the No Child Left Behind Act, even common sense fixes that school

administrators, principals, teachers, and parents have been called for, they insisted on language—which could prevent the very young people we are trying to help from accessing the mental health services they need.

We worked in good faith over the past month to come up with a compromise, and while the language has improved from the version initially proposed, it still raises some fundamental concerns.

I am appreciative of the efforts of Senator SMITH to add a clarification that the language has no impact on the No Child Left Behind Act. Unfortunately, the language does not include a similar assurance on the standards for parental notice and consent included under sections 444 and 445 of the General Education Provisions Act.

As a result, we have created a different standard for assessments, programs, and services in elementary and secondary schools relating to youth suicide, as compared to other health and mental health assessments, programs, and services that occur in our schools. Not only does this language set a new precedent, we are adding a confusing and burdensome layer of requirements on school personnel at a time when they are struggling to meet the goals of the No Child Left Behind Act and trying to do the best they can to help our young people.

However, in recognizing how important the overall bill is to our Nation's young people and college students, and the commitment of the Senator from Oregon to address this language in the future, I support passage of the Garrett Lee Smith Memorial Act. I praise my colleagues in both Chambers for their continued diligence on this bill and appreciate the willingness of the majority and minority leaders to set aside time so that this important piece of legislation can finally move to the President's desk.

ADDITIONAL STATEMENTS

IN RECOGNITION OF SUMMIT ELEMENTARY SCHOOL, ASHLAND, KY

• Mr. BUNNING. Mr. President, I rise today with great pride to ask my colleagues to join me in paying tribute to one of Kentucky's fine elementary schools, Summit Elementary of Ashland, KY. On June 22, 2004, the Schools of Distinction Awards program gave Summit Elementary an Award of Distinction for their dedication to excellence in education.

The Schools of Distinction Awards program was created by Intel Corporation, Scholastic Inc., and the Blue Ribbon Schools of Excellence Foundation, to recognize the finest K through 12 schools in the United States. Winners of the program's awards are selected based on their implementation of creative programs that foster improvement in education.

Summit Elementary School received the award for its practice of involving the parents of schoolchildren in the educational process. As the father of nine children, I am aware of the great importance of parental involvement in education. It can't be overestimated. It is a motivator to the children, a guidance to the teachers and a helping hand to all involved. I believe that any school which recognizes the need for parental involvement is on the right track and certainly deserves a School of Distinction Award.

In closing, I thank, not only Summit Elementary, but the parents, teachers, and students of this fine institution. The effort they have all put into ensuring that the future of America is bright is a blessing on us all. ●

COMMEMORATING LUTHERAN SOCIAL SERVICES OF MICHIGAN FOR 70 YEARS OF SERVICE TO THE PEOPLE OF MICHIGAN

• Mr. LEVIN. Mr. President, it is with great pleasure that I, along with my esteemed colleague Senator STABENOW, congratulate Lutheran Social Services of Michigan, LSSM, on its 70th anniversary. We are delighted to recognize LSSM's impressive history of compassion and good will in Michigan. We would also like to recognize and honor LSSM's staff and volunteers for their tireless efforts and outstanding commitment to helping those in need.

LSSM's legacy of service dates back to the early years of the 20th century when the Lutheran churches in Detroit formed the Missionsbund, a society dedicated to providing humanitarian assistance in Detroit. The Lutheran Inner Mission League of Greater Detroit grew out of this effort and was soon thereafter called the Lutheran Charities and formally incorporated in 1934. Under the leadership of its first executive director, the Rev. Carl E. Schaffnit, its efforts included child welfare work, a settlement house, and services to the elderly. By 1959 Lutheran Charities gained a new name, the Lutheran Social Services of Michigan, and has since expanded its mission to serve others in the name of faith with 80 programs in 44 cities throughout Michigan's lower peninsula.

Over 20,000 people from diverse backgrounds feel the warm embrace of LSSM on an annual basis by utilizing the many services it has to offer. LSSM's excellence can be seen by the success of its programs in the realm of foster care, adoption, childcare, subsidized housing, nursing homes, community centers, and services to the homeless, refugees, and persons with developmental disabilities. Its efforts to preserve and enhance human dignity across Michigan have created hope for so many. We share this organization's vision for a community that upholds human dignity, decries complacency and affirms equality and justice. We are sure that our Senate colleagues will join us in offering our heartfelt

congratulations for this long and outstanding record of achievement.●

IN HONOR OF THE 20TH ANNIVERSARY OF THE CENTER FOR PROCESS ANALYTICAL CHEMISTRY

● Ms. CANTWELL. Mr. President, I rise today to say a few words in honor of the 20th anniversary of the Center for Process Analytical Chemistry, located on the University of Washington campus. The center has made numerous contributions to the world of manufacturing, the University of Washington, and the progress of its students that I wish to recognize today.

In 1984, CPAC was initiated by the National Science Foundation as an Industry/University Cooperative Research Center with the specific mission of supporting the restoration and continuous improvement of U.S. industry by enhancing globally competitive manufacturing.

Through the discovery and development of new analytical technologies for use in the manufacturing process, CPAC research has developed new measurement tools to provide continuous real-time measurement needed for industrial and environmental processes. The information gathered with these tools is used to implement process optimization and control, thus enabling product and process quality management, environmental protection, pollution prevention, crisis alerting, and worker safety.

For 20 years, award-winning faculty, research scientists, postdoctoral associates, visiting scientists, and graduate students have gathered at CPAC to collaborate on research projects. As a result, over 100 graduate students have been granted their Ph.D.s while working with CPAC, making immediate contributions to their employers because of their exposure to the challenges of industry.

Through partnership with leaders in industry, and the sharing of research funding between the University of Washington, leading global corporations such as the Boeing Company and Systematix Controls, several national laboratories, and the National Institute of Standards & Technology, CPAC has produced more than 20 patented inventions, meeting the demand for advanced technology in the aerospace, petroleum, chemical manufacturing, pharmaceutical and food industries.

Streamlining the manufacturing process is critical to meeting the ever-changing demands of the world's economy. Long-term economic trends—including technological advances and increasing globalization—will continue to increase the demand for greater efficiencies, and improved processes. The fact that the majority of original industry partners continue to work with the CPAC to improve their products is a testament to the relevancy and quality of the work conducted at the center. I congratulate the Center for Proc-

ess Analytical Chemistry on their 20th anniversary.●

JACK VALENTI

● Mrs. BOXER. Mr. President, I am pleased and honored to salute my good friend Jack Valenti, who retired last week after 38 years as president and CEO of the Motion Picture Association of America, MPAA, and its international counterpart, the Motion Picture Association, MPA.

Jack came to MPAA in 1966 directly from the White House, where he had served with distinction as special assistant to President Lyndon Johnson. His Government background prepared him to become an effective ambassador for the motion picture industry both at home and abroad. During his long and productive tenure at MPAA, he worked with eight Presidents of the United States and established an international "diplomatic corps" with offices around the world to promote the movie industry and protect its intellectual property rights.

When Jack Valenti took the helm at MPAA, its member companies were focused on domestic production and distribution, with little thought about international markets. Today American films, TV programs, and home entertainment are shown in more than 150 countries worldwide, with international revenues of more than \$16.5 billion a year.

Along with his work in the global arena, Jack will be remembered as the pioneer of the film industry's voluntary movie rating system. In developing the system, Jack reached out to film studios, independent producers, writers, directors, theater owners, the religious community, and children's advocacy groups. The resulting system helps families to make informed decisions about the movies they see.

Under Jack Valenti's leadership, the U.S. film industry has thrived and remained a vibrant source of entertainment, creativity, jobs, and economic growth. Along with moviegoers across America and round the world, I thank him for his brilliant work and wish him all the best in the years to come.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, 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.)

MESSAGE FROM THE HOUSE

At 12:10 p.m., a message from the House of Representatives, delivered by Ms. Chiappardi, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 5006. An act making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2005, and for other purposes.

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-9036. A communication from the Inspector General, General Services Administration, transmitting, pursuant to law, the Office's Audit Report register for the period ending March 31, 2004; to the Committee on Governmental Affairs.

EC-9037. A communication from the Auditor of the District of Columbia, transmitting, pursuant to law, a report entitled "Comparative Analysis of Actual Cash Collections to Revised Revenue Estimates Through the 1st Quarter of Fiscal Year 2004"; to the Committee on Governmental Affairs.

EC-9038. A communication from the Archivist of the United States, National Archives and Records Administration, transmitting, pursuant to law, a report relative to the Administration's competitive sourcing activities; to the Committee on Governmental Affairs.

EC-9039. A communication from the Associate Special Counsel for Legal Counsel and Policy, Office of Special Counsel, transmitting, pursuant to law, the report of a nomination confirmed, change in previously submitted reported information and discontinuation of service in acting role for the position of Special Counsel, Office of Special Counsel, received on August 6, 2004; to the Committee on Governmental Affairs.

EC-9040. A communication from the Commissioner, Social Security Administration, transmitting, pursuant to law, the report of the Office of Inspector General for the first half of fiscal year 2004; to the Committee on Governmental Affairs.

EC-9041. A communication from the Director, Publications Management Group, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled "Posting Regulations" (RIN3206-AK34) received on August 6, 2004; to the Committee on Governmental Affairs.

EC-9042. A communication from the Director, Publications Management Group, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled "Extended Assignment Incentives" (RIN3206-AK01) received on August 6, 2004; to the Committee on Governmental Affairs.

EC-9043. A communication from the Vice Chair, Election Assistance Commission, transmitting, pursuant to law, the report of a rule entitled "Statement of Policy Regarding National Mail Voter Registration Form" received on August 18, 2004; to the Committee on Rules and Administration.

EC-9044. A communication from the Chairman, Advisory Council on Historic Preservation, transmitting, pursuant to law, a violation of the Antideficiency Act in the amount of \$161,400; to the Committee on Appropriations.

EC-9045. A communication from the Assistant Secretary, Bureau of Indian Affairs, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled

"Law and Order on Indian Reservations" received on August 18, 2004; to the Committee on Indian Affairs.

EC-9046. A communication from the Deputy General Counsel, Government Contracting and Business Development, Small Business Administration, transmitting, pursuant to law, the report of a rule entitled "Small Business Size Regulations; Rules of Procedure Governing Cases Before the Office of Hearings and Appeals" (RIN3245-AE92) received on August 18, 2004; to the Committee on Small Business and Entrepreneurship.

EC-9047. A communication from the Deputy General Counsel, Government Contracting and Business Development, Small Business Administration, transmitting, pursuant to law, the report of a rule entitled "Government Contracting Programs: Service-Disabled Veteran-Owned Small Business Concerns" (RIN3245-AF16) received on August 18, 2004; to the Committee on Small Business and Entrepreneurship.

EC-9048. A communication from the Deputy General Counsel, Government Contracting and Business Development, Small Business Administration, transmitting, pursuant to law, the report of a rule entitled "Small Business Size Regulations; Government Contracting Programs; HUBZone Program" (RIN3245-AE66) received on August 18, 2004; to the Committee on Small Business and Entrepreneurship.

EC-9049. A communication from the Deputy General Counsel, Government Contracting and Business Development, Small Business Administration, transmitting, pursuant to law, the report of a rule entitled "Small Business Size Regulations; Rules of Procedure Governing Cases Before the Office of Hearings and Appeals" (RIN3245-AE92) received on August 18, 2004; to the Committee on Small Business and Entrepreneurship.

EC-9050. A communication from the Director, Regulations Management, Veterans' Benefits Administration, transmitting, pursuant to law, the report of a rule entitled "Exceptions to Definition of Date of Receipt Based on Natural or Man-made Disruption of Normal Business Practices" (RIN2900-AL12) received on August 6, 2004; to the Committee on Veterans' Affairs.

EC-9051. A communication from the Director, Regulations Management, Veterans' Benefits Administration, transmitting, pursuant to law, the report of a rule entitled "Additional Disability or Death Due to Hospital Care, Medical or Surgical Treatment, Examination, Training and Rehabilitation Services, or Compensated Work Therapy Program" (RIN2900-AK77) received on August 6, 2004; to the Committee on Veterans' Affairs.

EC-9052. A communication from the Director, Regulations Management, Veterans' Benefits Administration, transmitting, pursuant to law, the report of a rule entitled "Compensation for Certain Cases of Bilateral Deafness" (RIN2900-AL59) received on August 6, 2004; to the Committee on Veterans' Affairs.

EC-9053. A communication from the Director, Regulations Management, Veterans' Benefits Administration, transmitting, pursuant to law, the report of a rule entitled "Eligibility for Burial in a National Cemetery for Surviving Spouses Who Remarry and New Philippine Scouts" (RIN2900-AM00) received on August 6, 2004; to the Committee on Veterans' Affairs.

EC-9054. A communication from the Director, Regulations Management, Veterans' Benefits Administration, transmitting, pursuant to law, the report of a rule entitled "Copayments for Extended Care Services" (RIN2900-AL49) received on August 6, 2004; to the Committee on Veterans' Affairs.

REPORT RELATIVE TO THE CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO CERTAIN TERRORIST ATTACKS—PM 93

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act, 50 U.S.C. 1622(d), provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the Federal Register and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. Consistent with this provision, I have sent to the Federal Register the enclosed notice, stating that the emergency declared with respect to the terrorist attacks on the United States of September 11, 2001, is to continue in effect for an additional year.

The terrorist threat that led to the declaration on September 14, 2001, of a national emergency continues. For this reason, I have determined that it is necessary to continue in effect after September 14, 2004, the national emergency with respect to the terrorist threat.

GEORGE W. BUSH.
THE WHITE HOUSE, September 10, 2004.

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. BAYH:

S. 2786. A bill to strengthen United States trade enforcement laws; to the Committee on Finance.

By Mr. LUGAR (for himself and Mr. BIDEN):

S. 2787. A bill to reauthorize the Tropical Forest Conservation Act of 1998 through fiscal year 2007, and for other purposes; to the Committee on Foreign Relations.

By Mr. CRAPO (for himself and Mr. STEVENS):

S. 2788. A bill to reauthorize appropriations for the Pacific coast salmon recovery fund and include the state of Idaho in the salmon recovery program; to the Committee on Commerce, Science, and Transportation.

By Mr. BROWNBACK (for himself and Mr. SANTORUM):

S. 2789. A bill to reauthorize the grant program of the Department of Justice for reentry of offenders into the community, to establish a task force on Federal programs and activities relating to the reentry of offenders into the community, and for other purposes; to the Committee on the Judiciary.

By Mr. DOMENICI:

S. 2790. A bill to provide the conveyance of certain public land in northwestern New Mexico by resolving a dispute associated with coal preference right lease interests on the land; to the Committee on Indian Affairs.

By Mr. DASCHLE (for himself, Mrs. MURRAY, Ms. MIKULSKI, Mr. LEAHY,

Mrs. LINCOLN, Mr. CORZINE, Mr. AKAKA, Mr. DORGAN, Mr. PRYOR, Mr. JOHNSON, and Mr. REID):

S. 2791. A bill to enhance the benefits and protections for members of the reserve components of the Armed Forces who are called or ordered to extend active duty, and for other purposes; to the Committee on Armed Services.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. GRAHAM of South Carolina (for himself, Mr. LOTT, Mr. LUGAR, Mr. BROWNBACK, Mr. BIDEN, Mrs. DOLE, Mr. SESSIONS, Mr. TALENT, Mrs. HUTCHISON, Mr. VOINOVICH, Mr. COCHRAN, Mr. MILLER, Ms. MIKULSKI, Ms. STABENOW, Mr. SANTORUM, Mr. DURBIN, Mr. SCHUMER, Mr. BUNNING, Mr. ALLEN, Mr. ALEXANDER, and Mr. SPECTER):

S. Res. 422. A resolution expressing the sense of the Senate that the President should designate the week beginning September 12, 2004, as "National Historically Black Colleges and Universities Week"; to the Committee on the Judiciary.

By Mr. INHOFE:

S. Res. 423. A resolution commending Inez Sitter for her service to the United States; to the Committee on Indian Affairs.

ADDITIONAL COSPONSORS

S. 486

At the request of Mr. DOMENICI, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 486, a bill to provide for equal coverage of mental health benefits with respect to health insurance coverage unless comparable limitations are imposed on medical and surgical benefits.

S. 1716

At the request of Mr. CHAFEE, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 1716, a bill to amend the Federal Water Pollution Control Act to authorize the use of funds made available for nonpoint source management programs for projects and activities relating to the development and implementation of phase II of the storm water program of the Environmental Protection Agency.

S. 2295

At the request of Mr. MCCAIN, the name of the Senator from New Mexico (Mr. BINGAMAN) was added as a cosponsor of S. 2295, a bill to authorize appropriations for the Homeland Security Department's Directorate of Science and Technology, establish a program for the use of advanced technology to meet homeland security needs, and for other purposes.

S. 2328

At the request of Mr. DORGAN, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of S. 2328, a bill to amend the Federal Food, Drug, and Cosmetic Act with respect to the importation of prescription drugs, and for other purposes.

S. 2658

At the request of Mr. DOMENICI, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 2658, a bill to establish a Department of Energy National Laboratories water technology research and development program, and for other purposes.

S. CON. RES. 127

At the request of Mr. GREGG, his name was added as a cosponsor of S. Con. Res. 127, a concurrent resolution expressing the sense of Congress that the President should designate September 11 as a national day of voluntary service, charity, and compassion.

At the request of Mr. SCHUMER, the name of the Senator from Louisiana (Mr. BREAUX) was added as a cosponsor of S. Con. Res. 127, *supra*.

S. RES. 387

At the request of Mr. FEINGOLD, the name of the Senator from Hawaii (Mr. AKAKA) was added as a cosponsor of S. Res. 387, a resolution commemorating the 40th Anniversary of the Wilderness Act.

AMENDMENT NO. 3578

At the request of Mr. BAUCUS, the name of the Senator from Montana (Mr. BURNS) was added as a cosponsor of amendment No. 3578 proposed to H.R. 4567, a bill making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2005, and for other purposes.

AMENDMENT NO. 3579

At the request of Ms. MIKULSKI, the names of the Senator from California (Mrs. BOXER), the Senator from Iowa (Mr. HARKIN), the Senator from Michigan (Mr. LEVIN), the Senator from Maryland (Mr. SARBANES) and the Senator from New York (Mr. SCHUMER) were added as cosponsors of amendment No. 3579 intended to be proposed to H.R. 4567, a bill making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2005, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. LUGAR (for himself and Mr. BIDEN):

S. 2787. A bill to reauthorize the Tropical Forest Conservation Act of 1998 through fiscal year 2007, and for other purposes; to the Committee on Foreign Relations.

Mr. LUGAR. Mr. President, I join with Senator BIDEN today to introduce legislation reauthorizing the Tropical Forest Conservation Act of 1998 (TFCA) through fiscal year 2007. Since its creation, the TFCA has helped conserve 40 million acres of tropical forests in the world.

The current TFCA authorization, P.L. 107-26, expires at the end of fiscal year 2004. The House of Representatives has already voted in favor of H.R. 4654, which is identical to the legislation we introduce today. We hope the Senate will be able to take speedy action on this important program.

Senator BIDEN and I proposed TFCA in 1998 based on the 1991 Enterprise for Americas Initiative (EAI) that allows the President to restructure debt in exchange for conservation efforts in Latin America. The TFCA expanded on the EAI and allows protection of threatened tropical forests worldwide through "debt-for-nature" mechanisms.

With TFCA, the State Department has reached agreements generating \$70.4 million in long-term commitments for tropical forest conservation. In addition, private donors, including the Nature Conservancy, the World Wildlife Fund, the Wildlife Conservation Society and Conservation International, have contributed more than \$5 million to TFCA swaps, leveraging U.S. Government funds.

Seven TFCA agreements have been concluded to date in Bangladesh, El Salvador, Belize, Peru, the Philippines, Panama and Colombia. With the reauthorization of TFCA, the State Department will be able to complete negotiations with Jamaica and Sri Lanka, and pursue agreement with Guatemala, Ecuador, Paraguay, St. Vincent, Botswana, Costa Rica, the Dominican Republic, India, Indonesia, Brazil and Kenya.

This legislation authorizes appropriations for debt reduction for eligible countries through fiscal year 2007 at \$20,000,000 in fiscal year 2005 (as the President requested); \$25,000,000 in fiscal year 2006; and \$30,000,000 in fiscal year 2007.

A new section authorizes that funds can be used for audits and evaluations of the program. In addition, an amendment allows for TFCA debt reduction agreements to redirect reduced principal payments for forest conservation activities. Current law allows only the redirection of reduced interest payments into forest conservation funds.

The debt-for-nature mechanisms in the TFCA have proven to be an effective, market-oriented tool to leverage scarce funds available to international conservation. The host country places an amount in its tropical forest fund that typically exceeds the cost to the U.S. Government of the debt reduction agreement.

In addition to forest conservation and debt relief, TFCA strengthens civil society in participating countries by creating local foundations to support small grants to nongovernmental organizations and local communities.

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. 2787

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. REDUCTION OF DEBT UNDER THE FOREIGN ASSISTANCE ACT OF 1961 AND TITLE I OF THE AGRICULTURAL TRADE DEVELOPMENT AND ASSISTANCE ACT OF 1954.

Section 806(d) of the Tropical Forest Conservation Act of 1998 (22 U.S.C. 2431d(d)) is

amended by adding at the end the following new paragraphs:

"(4) \$20,000,000 for fiscal year 2005.

"(5) \$25,000,000 for fiscal year 2006.

"(6) \$30,000,000 for fiscal year 2007."

SEC. 2. USE OF FUNDS TO CONDUCT PROGRAM AUDITS AND EVALUATIONS.

Section 806 of the Tropical Forest Conservation Act of 1998 (22 U.S.C. 2431d) is amended by adding at the end the following new subsection:

"(e) USE OF FUNDS TO CONDUCT PROGRAM AUDITS AND EVALUATIONS.—Of the amounts made available to carry out this part for a fiscal year, \$200,000 is authorized to be made available to carry out audits and evaluations of programs under this part, including personnel costs associated with such audits and evaluations."

SEC. 3. AUTHORITY TO ALLOW FOR PAYMENTS OF INTEREST AND PRINCIPAL IN LOCAL CURRENCIES.

(a) AUTHORITY UNDER THE FOREIGN ASSISTANCE ACT OF 1961.—Section 806(c) of the Tropical Forest Conservation Act of 1998 (22 U.S.C. 2431d(c)) is amended—

(1) in the matter preceding paragraph (1), by striking "The following" and inserting "(1) The following";

(2) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively; and

(3) by adding at the end the following:

"(2) In addition to the application of the provisions relating to repayment of principal under section 705 of this Act to the reduction of debt under subsection (a)(1) (in accordance with paragraph (1)(A) of this subsection), repayment of principal on a new obligation established under subsection (b) may be made in the local currency of the beneficiary country and deposited in the Tropical Forest Fund of the country in the same manner as the provisions relating to payment of interest on new obligations under section 706 of this Act."

(b) AUTHORITY UNDER TITLE I OF THE AGRICULTURAL TRADE DEVELOPMENT AND ASSISTANCE ACT OF 1954.—Section 807(c) of the Tropical Forest Conservation Act of 1998 (22 U.S.C. 2431e(c)) is amended—

(1) in the matter preceding paragraph (1), by striking "The following" and inserting "(1) The following";

(2) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively; and

(3) by adding at the end the following:

"(2) In addition to the application of the provisions relating to repayment of principal under section 605 of the Agricultural Trade Development and Assistance Act of 1954 to the reduction of debt under subsection (a)(1) (in accordance with paragraph (1)(A) of this subsection), repayment of principal on a new obligation established under subsection (b) may be made in the local currency of the beneficiary country and deposited in the Tropical Forest Fund of the country in the same manner as the provisions relating to payment of interest on new obligations under section 606 of such Act."

(c) CONFORMING AMENDMENT.—Section 810(a) of the Tropical Forest Conservation Act of 1998 (22 U.S.C. 2431h(a)) is amended by inserting "and principal" after "interest".

By Mr. BROWNBACK (for himself and Mr. SANTORUM):

S. 2789. A bill to reauthorize the grant program of the Department of Justice for reentry of offenders into the community, to establish a task force on Federal programs and activities relating to the reentry of offenders into the community, and for other purposes; to the Committee on the Judiciary.

Mr. BROWNBACK. Mr. President, I am pleased to join with Senator SANTORUM today and introduce a bill that will have a dramatic and positive effect in the lives of individuals re-entering society after incarceration. The Second Chance Act: Community Safety Through Recidivism Prevention is a bill that will not only protect our Nation's citizens but will more importantly help to reduce recidivism in our Nation.

A hallmark of any just society lies in its ability to protect the interest of all its citizens, and I am proud that the United States is a leader in this regard. Yet, while we continue to strive toward this lofty goal, we must realize that there are areas in which we, as a society and as government, must do more to improve. Nowhere is that more apparent than in our Nation's prison system.

Today, we have challenges within the prison system that range from high recidivism rates to budgetary and safety concerns. With this bill, we will be able to address this pressing problem within our society. Already we have seen innovative and model programs within the States and the faith community, and I am proud to say that Kansas is a leader in this regard. However, we must stimulate innovation in this area on a national level, and that is what this bill will accomplish. It is paramount that we ensure the safety of our communities and ensure that those incarcerated have the tools necessary to succeed after they rejoin society.

With this bill, we will be able to combat the extremely high recidivism rates plaguing the prison system, currently as high as 70 percent, as well as address the financial burdens that hinder many of our State penitentiaries. We will also be able to help those incarcerated make positive changes within their lives so that when they do rejoin society, they will be able to do so with the confidence of knowing that they can contribute to society in a positive manner.

Specifically, this bill facilitates change within our current correctional system, and promotes coordination with the Federal government to better assist those returning to our communities after incarceration and their children. The bill reauthorizes the Re-Entry Demonstration Project with an enhanced focus on jobs, housing, substance-abuse treatment, mental health, and the children and families of those incarcerated. The bill authorizes \$160 million over a period of two years to fund these demonstration program and creates performance outcome standards and deliverables. It will also encourage States to enhance their re-entry services and systems with grants to fund the creation or enhancement of State re-entry councils for strategic planning and review the State barriers and resources that exist.

Additionally, the bill creates a Federal interagency taskforce to facilitate collaboration and identify innovative

programs and initiatives. The taskforce will review and report to Congress on the Federal barriers that exist to successful re-entry.

Finally, the bill will create a \$45 million two-year mentoring program geared toward reducing recidivism and the societal costs of recidivism. This mentoring program will help ex-offenders re-integrate into their communities. This initiative will specifically harness the resources and experience of community-based organizations in helping returning ex-offenders.

We have an incredible opportunity to re-shape the way in which this Nation's prison systems operate. Much like welfare reform in the mid 1990s, we have a chance to make real and effective change in an area where change is sorely needed. I look forward to pushing this legislation forward.

By Mr. DOMENICI:

S. 2790. A bill to provide the conveyance of certain public land in northwestern New Mexico by resolving a dispute associated with coal preference right lease interests on the land; to the Committee on Indian Affairs.

Mr. DOMENICI. Mr. President, I am pleased today to be introducing the Bisti PRLA Dispute Resolution Act, which will resolve a conflict regarding coal mining leases in New Mexico and which will confirm the completion of all Navajo Nation land selections in New Mexico under the Navajo-Hopi Settlement Act. Arch Coal Company and the Navajo Nation have been deadlocked within the Department of Interior appeals process regarding certain preference right lease applications (PRLAs) in the Bisti region of northwestern New Mexico. When enacted, this legislation will resolve a complex set of issues arising from legal rights the Arch Coal Company acquired in Federal lands, which are now situated among lands which constitute tribal property and the allotments of members of the Navajo Nation. Both Arch Coal and the Navajo Nation support this legislation to resolve the situation in a manner that is mutually beneficial. In addition, this legislation will serve to mandate the completion of a long-standing set of land selections the Navajo Nation made under the Navajo-Hopi Settlement Act. In 1984 Amendments to that Act, Congress provided the Navajo Nation with its final opportunity, within 18 months of passage of the Amendments, to select lands in New Mexico as provided in Section 11 of the Navajo-Hopi Settlement Act. The Navajo Nation exercised its rights under the 1984 Amendments, but since has sought to review, revise, and seek to select other lands to the potential detriment of mineral lessees holding leases on Federal public lands near the Navajo Reservation. This legislation would clarify Congress' intent that the Nation no longer has land selection rights available to it in New Mexico under the Navajo-Hope Settlement Act.

There are many reasons the solution embodied in this bill achieves broad

benefits to the interested parties and the public. It will resolve a long-standing conflict between the Navajo Nation and Arch Coal and allow the Navajo Nation to complete the land selections in New Mexico that were made in the 1980s to promote tribal member resettlement following the partition of lands in Arizona to the Hopi Tribe. Specifically, Section 4(a)(1) will clarify and confirm that the Navajo Nation already has selected the lands to which it is entitled under the Navajo-Hopi Settlement Act and has no further rights under that Act to select lands in New Mexico other than those already selected by the Navajo Nation in the 1980s.

The bill also guarantees that Arch Coal, Inc. will be compensated for the economic value of its coal reserves. An independent panel will make recommendations to the Secretary of Interior regarding the fair market value of the coal reserves, gives the company bidding rights, protects a State's financial interest in its share of federal Mineral Leasing Act payments, and allows the Navajo Nation beneficial ownership in their lands.

The Secretary of Interior will issue a certificate of bidding rights to Arch Coal upon relinquishment of its interests in the PRLAs. The amount of that certificate will equal the fair market value of the coal reserves as defined by the Department of Interior's regulations. A panel consisting of representatives of the Department of Interior, Arch Coal, and the Governors of Wyoming and New Mexico will help determine fair market value. While the Interior Department is authorized to exchange PRLAs for bidding rights, the Department has not done so, largely because of the difficulty it perceives in determining the fair market value of the coal reserves. The panel method in this legislation will promote the objectivity of that process.

Upon the relinquishment of the PRLAs and the issuance of a certificate of bidding rights, the Department of Interior will execute patents to the Navajo Nation of the lands encompassed by the PRLAs. This is a win-win situation for all parties involved; is endorsed by the affected parties, and is a fair resolution to this on-going problem.

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. 2790

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 "Bisti PRLA Dispute Resolution Act".

SEC. 2. WITHDRAWAL OF COAL PREFERENCE RIGHT LEASE APPLICATIONS.

(a) IN GENERAL.—Notwithstanding any other provision of law, if any of the coal preference right lease applications captioned NMNM 3752, NMNM 3753, NMNM 3754, NMNM

3755, NMNM 3835, NMNM 3837, NMNM 3918, NMNM 3919, NMNM 6802, NMNM 7235 and NMNM 8745 are withdrawn by the holder or holders of the applications, the Secretary of the Interior, acting through the Bureau of Land Management (referred to in this Act as the "Secretary"), shall issue under section 4(a)(2) to each such holder or holders a certificate of bidding rights (in such form and manner as provided for under regulations promulgated by the Secretary under the Mineral Leasing Act (30 U.S.C. 181 et seq.)) that constitutes the combined fair market value, as determined under section 3, of the coal reserves for each coal preference right lease application withdrawn by the holder.

(b) **RELINQUISHMENT.**—The relinquishment of all rights associated with the coal preference lease applications withdrawn shall be effective on the date of the issuance of the certificate of bidding rights under section 4(a)(2).

(c) **NO ADJUDICATION.**—The withdrawals and issuances required under subsection (a) shall occur without any further adjudication of coal preference right lease applications by the Secretary.

SEC. 3. METHOD FOR DETERMINING FAIR MARKET VALUE.

(a) **IN GENERAL.**—Notwithstanding any other provision of law, this section shall apply to the issuance of a certificate of bidding rights under section 4(a)(2).

(b) **VALUE OF COAL RESERVES.**—

(1) **IN GENERAL.**—The fair market value of the coal reserves of any coal preference right lease application withdrawn under section 2(a) shall be determined by the panel established under paragraph (2).

(2) **PANEL.**—

(A) **ESTABLISHMENT.**—Not later than 30 days after the date of enactment of this Act, the Secretary shall establish a panel to determine the fair market value of the coal reserves of any coal preference right lease applications withdrawn under section 2(a).

(B) **MEMBERSHIP.**—The panel shall be composed of 3 representatives, of whom—

(i) 1 representative shall be appointed by the Secretary;

(ii) 1 representative shall be appointed by the holder of the preference right lease application; and

(iii) 1 representative shall be appointed by the Governor of the State of New Mexico.

(3) **MINERAL APPRAISER.**—The Secretary shall contract with a qualified coal reserve appraiser to assist the panel established under paragraph (2)(A) in determining the fair market value of a coal reserve.

(4) **SUPPLEMENTAL INFORMATION.**—In determining the fair market value of a coal reserve, the panel may supplement any information provided to the panel, as the panel determines to be appropriate.

(5) **DETERMINATION.**—Not later than 75 days after the date on which the panel is established under paragraph (2)(A), the panel shall submit to the Secretary the determination of the panel with respect to the fair market value of a coal reserve of any coal preference right lease application withdrawn by the holder.

SEC. 4. ISSUANCE OF PATENTS TO RELINQUISHED PREFERENCE RIGHT LEASE APPLICATIONS.

(a) **IN GENERAL.**—Notwithstanding any other provision of law, not later than 120 days after the withdrawal of a coal preference right lease application, the Secretary shall—

(1) issue to the Navajo Nation patents to the land, including the mineral estate, subject to the coal preference right lease application withdrawn—

(A) in full and final satisfaction of the right of the Navajo Nation to select land in New Mexico under section 11 of the Navajo-

Hopi Land Settlement Act of 1974 (25 U.S.C. 640d-10); and

(B) to facilitate land consolidation and facilitate mineral development in northwest New Mexico; and

(2) issue a certificate of bidding rights in the amount of the fair market value determined under section 3.

(b) **ENFORCEMENT.**—The duties of the Secretary under this section shall be considered nondiscretionary and enforceable in a mandamus proceeding brought under section 1361 of title 28, United States Code.

SEC. 5. USE OF EXCHANGE BIDDING RIGHTS.

(a) **IN GENERAL.**—Notwithstanding any other provision of law—

(1) a certificate of bidding rights issued under section 4(a)(2) shall—

(A) be subject to such procedures as the Secretary may establish pertaining to notice of transfer and accountings of holders and their balances;

(B) be transferable by the holder or holders of the certificate of bidding rights in whole or in part; and

(C) constitute a monetary credit that, subject to paragraph (2), may be applied, at the election of the holder or holders of the certificate of bidding rights, against—

(i) rentals, advance royalties, or production royalties payable to the Secretary under Federal coal leases; and

(ii) bonus payments payable to the Secretary in the issuance of a Federal coal lease or Federal coal lease modification under the coal leasing provisions of the Mineral Leasing Act (30 U.S.C. 181 et seq.); and

(2) in a case in which a certificate of bidding rights issued under section 4(a)(2) is applied by the holder or holders of the certificate of bidding rights as a monetary credit against a payment obligation under a Federal coal lease, the holder or holders—

(A) may apply the bidding rights only against 50 percent of the amount payable under the lease; and

(B) shall pay the remaining 50 percent as provided for under the lease in cash or cash equivalent.

(b) **PAYMENT UNDER LEASE OBLIGATIONS.**—Any payment of a Federal coal lease obligation by the holder or holders of a certificate of bidding rights issued under section 4(a)(2)—

(1) shall be treated as money received under section 35 of the Mineral Leasing Act (30 U.S.C. 191); but

(2) shall be credited and redistributed by the Secretary only as follows:

(A) 50 percent of the amount paid in cash or its equivalent shall be—

(i) distributed to the State in which the lease is located; and

(ii) treated as a redistribution under section 35 of the Mineral Leasing Act (30 U.S.C. 191).

(B) 50 percent of the amount paid through a crediting of the bidding rights involved shall be treated as a payment that is subject to redistribution under that section to the Reclamation and Miscellaneous Receipts accounts in the Treasury.

By Mr. DASCHLE (for himself, Mrs. MURRAY, Ms. MIKULSKI, Mr. LEAHY, Mrs. LINCOLN, Mr. CORZINE, Mr. AKAKA, Mr. DORGAN, Mr. PRYOR, Mr. JOHNSON, and Mr. REID):

S. 2791. A bill to enhance the benefits and protections for members of the reserve components of the Armed Forces who are called or ordered to extend active duty, and for other purposes; to the Committee on Armed Services.

Mr. DASCHLE. 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. 2791

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 "National Guard and Reserve Bill of Rights Act of 2004".

SEC. 2. PERIODS OF DEPLOYMENTS OF RESERVES OVERSEAS.

(a) **UNITED STATES CENTRAL COMMAND DEPLOYMENTS.**—

(1) **LIMITATION.**—During a period when there is in effect a policy of assigning units or members of one or more of the active components of the Armed Forces to duty in the area of responsibility of the United States Central Command for a specified period of time of not less than one year, the Secretary of Defense shall provide that the length of such an assignment in the case of members of the reserve components of the Armed Forces may not exceed the length of such period for the corresponding active component reduced by the period of time between the date of entry of the reserve component members onto active duty and the date of the deployment of such members for such assignment.

(2) **TRANSITION.**—Paragraph (1) applies to members of reserve components assigned to duty in the area of responsibility of the United States Central Command on or after the date of the enactment of this Act and to such members assigned to such duty before such date who as of the date of the enactment of this Act have more than 90 days remaining in such assignment.

(b) **COMMUNICATION OF LENGTHS OF DEPLOYMENT PERIODS TO RESERVES IN OPERATION IRAQI FREEDOM.**—

(1) **FINDINGS.**—Congress makes the following findings:

(A) Members of all components of the Armed Forces, active and reserve, exhibit a remarkable commitment and willingness to serve their country in Iraq and Afghanistan, and other United States military efforts around the world and, in doing so, frequently face grave risks and difficulties.

(B) While the members of the Armed Forces have clearly and consistently demonstrated their dedication to duty, much uncertainty has arisen among them about the lengths of their deployments and when they will be returned to their loved ones. This confusion impairs our troops' morale and places undue strain on their families and their civilian employers.

(C) Fairness to the men and women of the Armed Forces deployed overseas requires that the Department of Defense—

(i) have clear policies regarding lengths of the deployment periods; and

(ii) communicate these policies and other deployment-related information to them and their families.

(D) While many military units were deployed months before Operation Iraqi Freedom was launched on March 19, 2003, the Department of Defense did not announce a policy about the length of deployments until August 2003.

(E) Even after the Department of Defense issued its so-called "one year boots-on-the-ground" policy regarding lengths of deployment periods, many of the members of units deployed overseas in Operation Iraqi Freedom learned shortly before their scheduled return dates that their deployments would

be extended for months beyond the one-year period provided under that policy.

(2) REPORT.—

(A) REQUIREMENT FOR REPORT.—Not later than March 1, 2005, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on Department of Defense policies governing the length of deployment periods applicable to members of reserve components of the Armed Forces in connection with Operation Iraqi Freedom, and on the communication between the Department of Defense and reserve component personnel and their families regarding the length of the deployment periods.

(B) CONSULTATION REQUIREMENT.—In preparing the report under this section the Secretary shall consult with the Chairman and other members of the Joint Chiefs of Staff and with such other officials as the Secretary considers appropriate.

(C) CONTENT.—The report under this paragraph shall contain a discussion of the matters described in subparagraph (A), including the following matters:

(i) The process by which the Department of Defense determined its policy regarding the length of deployment periods.

(ii) The reason that no such policy was in place before Operation Iraqi Freedom began.

(iii) A comparison of the policy during Operation Iraqi Freedom with Department of Defense deployment policies that applied to previous contingency operations.

(iv) The timeliness of the process for notifying reserve component units for activation.

(v) The process for communicating with activated reserve component members and their families about demobilization schedules.

(vi) The family support programs provided by the National Guard and other reserve components for families of activated Reserves.

(vii) An assessment of lessons learned about how the increased operations tempo of the National Guard and other reserve components can be expected to affect readiness, recruitment and retention, civilian employers of Reserves, and equipment and supply resources of the National Guard and the other reserve components.

(D) MATTERS FOR PARTICULAR EMPHASIS.—In the discussion of the matters included in the report under this subsection, the Secretary of Defense shall place particular emphasis on—

(i) lessons learned, including deficiencies identified; and

(ii) near-term and long-term corrective actions to address the identified deficiencies.

(E) FORM OF REPORT.—The report shall be submitted in unclassified form, but may include a classified annex.

SEC. 3. MILITARY PAY.

(a) CORRECTION OF PAY PROBLEMS FOR ACTIVATED RESERVE COMPONENT PERSONNEL.—

(1) REQUIREMENT FOR SENIOR LEVEL ACTION.—The Secretary of the Army shall designate a senior level official of the Department of the Army to implement—

(A) the recommendations for executive action set forth in the report of the Comptroller General of the United States entitled “Military Pay, Army National Guard Personnel Mobilized to Active Duty Experienced Significant Pay Problems”, dated November 2003; and

(B) the recommendations for executive action set forth in the report of the Comptroller General of the United States entitled “Military Pay, Army Reserve Soldiers Mobilized to Active Duty Experienced Significant Pay Problems”, dated August 2004.

(2) SUPERVISION BY COMPTROLLER OF DEPARTMENT OF DEFENSE.—The official des-

ignated under paragraph (1) shall report directly to, and be subject to the direction of, the Under Secretary of Defense (Comptroller) regarding performance of the duties that the official is designated to carry out under such paragraph.

(3) TERMINATION OF REQUIREMENT.—The designation under paragraph (1) shall terminate upon the certification of the Under Secretary of Defense (Comptroller) to Congress that all recommendations referred to in such paragraph have been implemented.

(b) REENLISTMENT BONUS FOR SELECTED RESERVE.—

(1) EXPANDED ELIGIBILITY.—Subsection (a)(1) of section 308b of title 37, United States Code, is amended by striking “14 years” and inserting “17 years”.

(2) INCREASED MAXIMUM AMOUNT.—Subsection (b) of such section is amended by striking “(b) BONUS AMOUNT; PAYMENT.—(1) The amount of a bonus under this section may not exceed—” and all that follows through the end of paragraph (1) and inserting the following:

“(b) BONUS AMOUNT.—The amount of a bonus under this section may not exceed \$10,000.”.

(3) OPTION TO RECEIVE LUMP-SUM PAYMENT.—Section 308b of title 37, United States Code, is further amended—

(A) by striking paragraphs (1) and (2) of subsection (c); and

(B) in paragraph (2) of subsection (b)—

(i) by striking “(2) Any bonus payable under this section” and inserting the following:

“(c) PAYMENT IN LUMP SUM OR INSTALLMENTS.—(1) A bonus payable to a member under this section shall be paid, upon the election of the member, in one lump sum or in partial payments under paragraph (2).

“(2) Any bonus payable in partial payments under this section”.

(4) REDESIGNATION OF PROVISIONS.—Such section is further amended—

(A) by redesignating subsections (d), (e), and (f), as subsections (e), (f), and (g), respectively; and

(B) in subsection (c)(3)—

(i) by striking “(3) In the case of” and inserting “(d) PERSONNEL IN CERTAIN CONTINGENCY OPERATIONS.—In the case of”; and

(ii) by striking “paragraph (1)(B) or”.

SEC. 4. TRICARE FOR RESERVE COMPONENT PERSONNEL.

(a) EXPANDED ELIGIBILITY OF READY RESERVE MEMBERS UNDER TRICARE PROGRAM.—

(1) UNCONDITIONAL ELIGIBILITY.—Subsection (a) of section 1076b of title 10, United States Code, is amended by striking “is eligible, subject to subsection (h), to enroll in TRICARE” and all that follows through “an employer-sponsored health benefits plan” and inserting “, except for a member who is enrolled or is eligible to enroll in a health benefits plan under chapter 89 of title 5, is eligible to enroll in TRICARE, subject to subsection (h)”.

(2) PERMANENT AUTHORITY.—Subsection (1) of such section is repealed.

(3) CONFORMING REPEAL OF OBSOLETE PROVISIONS.—Such section is further amended—

(A) by striking subsections (i) and (j); and

(B) by redesignating subsection (k) as subsection (i).

(b) CONTINUATION OF NON-TRICARE HEALTH BENEFITS PLAN COVERAGE FOR CERTAIN RESERVES CALLED OR ORDERED TO ACTIVE DUTY AND THEIR DEPENDENTS.—

(1) REQUIRED CONTINUATION.—

(A) REQUIREMENT.—Chapter 55 of title 10, United States Code, is amended by inserting after section 1078a the following new section:

“§ 1078b. Continuation of non-TRICARE health benefits plan coverage for dependents of certain Reserves called or ordered to active duty

“(a) PAYMENT OF PREMIUMS.—The Secretary concerned shall pay the applicable premium to continue in force any qualified health benefits plan coverage for the members of the family of an eligible reserve component member for the benefits coverage continuation period if timely elected by the member in accordance with regulations prescribed under subsection (j).

“(b) ELIGIBLE MEMBER; FAMILY MEMBERS.—

(1) A member of a reserve component is eligible for payment of the applicable premium for continuation of qualified health benefits plan coverage under subsection (a) while serving on active duty pursuant to a call or order issued under a provision of law referred to in section 101(a)(13)(B) of this title during a war or national emergency declared by the President or Congress.

“(2) For the purposes of this section, the members of the family of an eligible reserve component member include only the member's dependents described in subparagraphs (A), (D), and (I) of section 1072(2) of this title.

“(c) QUALIFIED HEALTH BENEFITS PLAN COVERAGE.—For the purposes of this section, health benefits plan coverage for the members of the family of a reserve component member called or ordered to active duty is qualified health benefits plan coverage if—

“(1) the coverage was in force on the date on which the Secretary notified the reserve component member that issuance of the call or order was pending or, if no such notification was provided, the date of the call or order;

“(2) on such date, the coverage applied to the reserve component member and members of the family of the reserve component member; and

“(3) the coverage has not lapsed.

“(d) APPLICABLE PREMIUM.—The applicable premium payable under this section for continuation of health benefits plan coverage for the family members of a reserve component member is the amount of the premium payable by the member for the coverage of the family members.

“(e) MAXIMUM AMOUNT.—The total amount that the Department of Defense may pay for the applicable premium of a health benefits plan for the family members of a reserve component member under this section in a fiscal year may not exceed the amount determined by multiplying—

“(1) the sum of one plus the number of the family members covered by the health benefits plan, by

“(2) the per capita cost of providing TRICARE coverage and benefits for dependents under this chapter for such fiscal year, as determined by the Secretary of Defense.

“(f) BENEFITS COVERAGE CONTINUATION PERIOD.—The benefits coverage continuation period under this section for qualified health benefits plan coverage for the family members of an eligible reserve component member called or ordered to active duty is the period that—

“(1) begins on the date of the call or order; and

“(2) ends on the earlier of—

“(A) the date on which the reserve component member's eligibility for transitional health care under section 1145(a) of this title terminates under paragraph (3) of such section; or

“(B) the date on which the reserve component member elects to terminate the continued qualified health benefits plan coverage of the member's family members.

“(g) EXTENSION OF PERIOD OF COBRA COVERAGE.—Notwithstanding any other provision of law—

“(1) any period of coverage under a COBRA continuation provision (as defined in section 9832(d)(1) of the Internal Revenue Code of 1986) for an eligible reserve component member under this section shall be deemed to be equal to the benefits coverage continuation period for such member under this section; and

“(2) with respect to the election of any period of coverage under a COBRA continuation provision (as so defined), rules similar to the rules under section 4980B(f)(5)(C) of such Code shall apply.

“(h) NONDUPLICATION OF BENEFITS.—A member of the family of a reserve component member who is eligible for benefits under qualified health benefits plan coverage paid on behalf of the reserve component member by the Secretary concerned under this section is not eligible for benefits under the TRICARE program during a period of the coverage for which so paid.

“(i) REVOCABILITY OF ELECTION.—A reserve component member who makes an election under subsection (a) may revoke the election. Upon such a revocation, the member's family members shall become eligible for benefits under the TRICARE program as provided for under this chapter.

“(j) REGULATIONS.—The Secretary of Defense shall prescribe regulations for carrying out this section. The regulations shall include such requirements for making an election of payment of applicable premiums as the Secretary considers appropriate.”

(B) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 1078a the following new item:

“1078b. Continuation of non-TRICARE health benefits plan coverage for dependents of certain Reserves called or ordered to active duty.”

(2) APPLICABILITY.—Section 1078b of title 10, United States Code (as added by paragraph (1)), shall apply with respect to calls or orders of members of reserve components of the Armed Forces to active duty as described in subsection (b) of such section, that are issued by the Secretary of a military department before, on, or after the date of the enactment of this Act, but only with respect to qualified health benefits plan coverage (as described in subsection (c) of such section) that is in effect on or after the date of the enactment of this Act.

SEC. 5. CHILD CARE FOR CHILDREN OF MEMBERS OF ARMED FORCES ON ACTIVE DUTY FOR OPERATION ENDURING FREEDOM OR OPERATION IRAQI FREEDOM.

(a) CHILD CARE FOR CHILDREN WITHOUT ACCESS TO MILITARY CHILD CARE.—

(1) AUTHORITY.—In any case where the children of a covered member of the Armed Forces are geographically dispersed and do not have practical access to a military child development center, the Secretary of Defense may, to the extent funds are available for such purpose, provide such funds as are necessary permit the member's family to secure access for such children to State licensed child care and development programs and activities in the private sector that are similar in scope and quality to the child care and development programs and activities the Secretary would otherwise provide access to under subchapter II of chapter 88 of title 10, United States Code, and other applicable provisions of law.

(2) PROCEDURES.—Funds may be provided under paragraph (1) in accordance with the provisions of section 1798 of title 10, United States Code, or by such other mechanism as the Secretary considers appropriate.

(3) PRIORITIES.—The Secretary shall prescribe in regulations priorities for the allo-

cation of funds for the provision of access to child care under paragraph (1) in circumstances where funds are inadequate to provide all children described in that paragraph with access to child care as described in that paragraph.

(b) PRESERVATION OF SERVICES AND PROGRAMS.—The Secretary shall provide for the attendance and participation of children in military child development centers and child care and development programs and activities under subsection (a) in a manner that preserves the scope and quality of child care and development programs and activities otherwise provided by the Secretary.

(c) FUNDING.—Amounts otherwise available to the Department of Defense and the military departments under this Act may be available for purposes of providing access to child care under subsection (a).

(d) DEFINITIONS.—In this section:

(1) COVERED MEMBERS OF THE ARMED FORCES.—The term “covered members of the Armed Forces” means members of the Armed Forces on active duty, including members of the Reserves who are called or ordered to active duty under a provision of law referred to in section 101(a)(13)(B) of title 10, United States Code, for Operation Enduring Freedom or Operation Iraqi Freedom.

(2) MILITARY CHILD DEVELOPMENT CENTER.—The term “military child development center” has the meaning given such term in section 1800(1) of title 10, United States Code.

SEC. 6. RIGHTS AND DUTIES UNDER USERRA.

(a) REQUIREMENT FOR EMPLOYERS TO PROVIDE NOTICE OF RIGHTS AND DUTIES UNDER USERRA.—

(1) NOTICE.—

(A) REQUIREMENT FOR NOTICE.—Chapter 43 of title 38, United States Code, is amended by adding at the end the following new section:

“§ 4334. Notice of rights and duties

“(a) REQUIREMENT TO PROVIDE NOTICE.—Each employer shall provide to persons entitled to rights and benefits under this chapter a notice of the rights, benefits, and obligations of such persons and such employers under this chapter. The requirement for the provision of notice under this section may be met by the posting of the notice where employers customarily place notices for employees.

“(b) CONTENT OF NOTICE.—The Secretary shall provide to employers the text of the notice to be provided under this section.”

(B) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

“4334. Notice of rights and duties.”

(2) IMPLEMENTATION.—

(A) REQUIREMENT.—Not later than the date that is 90 days after the date of the enactment of this Act, the Secretary of Labor shall make available to employers the notice required under section 4334 of title 38, United States Code, as added by paragraph (1).

(B) APPLICABILITY.—The amendments made by this subsection shall apply to employers under chapter 43 of such title on and after the first date referred to in subparagraph (A).

(b) DEMONSTRATION PROJECT FOR REFERRAL OF USERRA CLAIMS AGAINST FEDERAL AGENCIES TO THE OFFICE OF SPECIAL COUNSEL.—

(1) ESTABLISHMENT OF PROJECT.—The Secretary of Labor and the Office of Special Counsel shall carry out a demonstration project under which certain claims against Federal executive agencies under the Uniformed Services Employment and Reemployment Rights Act under chapter 43 of title 38, United States Code, are referred to, or otherwise received by, the Office of Special Counsel for assistance, including investigation

and resolution of the claim as well as enforcement of rights with respect to the claim.

(2) REFERRAL OF ALL PROHIBITED PERSONNEL ACTION CLAIMS TO THE OFFICE OF SPECIAL.—

(A) COVERED CLAIMS.—Under the demonstration project, the Office of Special Counsel shall receive and investigate all claims under the Uniformed Services Employment and Reemployment Rights Act with respect to Federal executive agencies in cases where the Office of Special Counsel has jurisdiction over related claims pursuant to section 1212 of title 5, United States Code.

(B) RELATED CLAIMS.—For purposes of subparagraph (A), a related claim is a claim involving the same Federal executive agency and the same or similar factual allegations or legal issues as those being pursued under a claim under the Uniformed Services Employment and Reemployment Rights Act.

(3) REFERRAL OF OTHER CLAIMS AGAINST FEDERAL EXECUTIVE.—

(A) OTHER CLAIMS.—Under the demonstration project, the Secretary—

(i) shall refer to the Office of Special Counsel all claims described in subparagraph (B) made during the period of the demonstration project; and

(ii) may refer any claim described in subparagraph (B) filed before the demonstration project that is pending before the Secretary at the beginning of the demonstration project.

(B) COVERED CLAIMS.—A claim referred to in subparagraph (A) is a claim under chapter 43 of title 38, United States Code, against a Federal executive agency by a claimant with a social security account number with an odd number as its terminal digit, or, in the case of a claim that does not contain a social security account number, a case number assigned to the claim with an odd number as its terminal digit.

(4) ADMINISTRATION OF DEMONSTRATION —

(A) OFFICE OF SPECIAL COUNSEL.—The Office of Special Counsel shall administer the demonstration project. The Secretary shall cooperate with the Office of Special Counsel in carrying out the demonstration project.

(B) LAW ADMINISTERED BY THE SECRETARY OF VETERANS AFFAIRS.—In the case of any claim referred, or otherwise received by, to the Office of Special Counsel under the demonstration project, any reference to the “Secretary” in sections 4321, 4322, and 4326 of title 38, United States Code, is deemed a reference to the “Office of Special Counsel”.

(C) RETENTION OF JURISDICTION OVER REFERRED CLAIMS.—In the case of any claim referred to, or otherwise received by, the Office of Special Counsel under the demonstration project, the Office of Special Counsel shall retain administrative jurisdiction over the claim.

(5) PERIOD OF PROJECT.—The demonstration project shall be carried out during the period beginning on the date that is 60 days after the date of the enactment of this Act, and ending on September 30, 2007.

(6) PERIODIC EVALUATIONS.—The Comptroller General of the United States shall conduct periodic evaluations of the demonstration project under this subsection.

(7) REPORT ON EVALUATIONS.—Not later than April 1, 2007, the Comptroller General shall submit to Congress a report on the evaluations conducted under paragraph (6). The report shall include the following information and recommendations:

(A) A description of the operation and results of the demonstration program, including—

(i) the number of claims described in paragraph (3) referred to, or otherwise received by, the Office of Special Counsel and the number of such claims referred to the Secretary of Labor; and

(ii) for each Federal executive agency, the number of claims resolved, the type of corrective action obtained, the period of time for final resolution of the claim, and the results obtained.

(B) An assessment of whether referral to the Office of Special Counsel of claims under the demonstration project—

(i) improved services to servicemembers and veterans; or

(ii) significantly reduced or eliminated duplication of effort and unintended delays in resolving meritorious claims of those servicemembers and veterans.

(C) An assessment of the feasibility and advisability of referring all claims under chapter 43 of title 38, United States Code, against Federal executive agencies to the Office of Special Counsel for investigation and resolution.

(D) Such other recommendations for administrative action or legislation as the Comptroller General determines appropriate.

(8) DEFINITIONS.—In this subsection:

(A) OFFICE OF SPECIAL COUNSEL.—The term “Office of Special Counsel” means the Office of Special Counsel established by section 1211 of title 5, United States Code.

(B) SECRETARY.—The term “Secretary” means the Secretary of Labor.

(C) FEDERAL EXECUTIVE AGENCY.—The term “Federal executive agency” has the meaning given that term in section 4303(5) of title 38, United States Code.

(c) USERRA IMPLEMENTING REGULATIONS.—

(1) REQUIREMENT FOR REGULATIONS.—Subsections (a) and (b)(1) of section 4331 of title 38, United States Code, are amended by striking “may prescribe” and inserting “shall prescribe”.

(2) CLARIFICATION OF RIGHT TO MERIT PAY INCREASES.—The regulations prescribed for the implementation of chapter 43 of title 38, United States Code, under section 4331 of such title shall include regulations that clarify that the entitlement of persons returning to employment under such chapter to receive pay increases under merit pay systems of employers may not be denied on the basis of lack of work performance evaluations for periods of absence for active duty in the uniformed services.

SEC. 7. IMPROVED EDUCATIONAL ASSISTANCE BENEFITS FOR MEMBERS OF THE SELECTED RESERVE.

(a) INCREASE IN AMOUNT OF BASIC EDUCATIONAL ASSISTANCE.—

(1) IN GENERAL.—Section 16131(b) of title 10, United States Code, is amended to read as follows:

“(b) Except as provided in subsections (d) through (f), each educational assistance program established under subsection (a) shall provide for payment by the Secretary concerned, through the Secretary of Veterans Affairs, to each person entitled to educational assistance under this chapter who is pursuing a program of education of an educational assistance allowance at the following monthly rates:

“(1) For such a program of education pursued on a full-time basis, at the monthly rate equal to the applicable percentage (as defined in paragraph (3)) of the rate that applies for the month under section 3015(a)(1) of title 38.

“(2)(A) Subject to subparagraph (B), for such a program of education pursued on a less than a full-time basis, at an appropriately reduced rate, as determined under regulations which the Secretaries concerned shall prescribe.

“(B) No payment may be made to a person for less than half-time pursuit of such a program of education if tuition assistance is otherwise available to the person for such pursuit from the military department concerned.

“(3) In this subsection, the term ‘applicable percentage’ means, with respect to months occurring during—

“(A) fiscal year 2005, 33 percent;

“(B) fiscal year 2006, 37 percent;

“(C) fiscal year 2007, 41 percent;

“(D) fiscal year 2008, 45 percent; and

“(E) fiscal year 2009, and each subsequent fiscal year, 50 percent.”.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall take effect on October 1, 2004, and shall apply with respect to educational assistance allowances under section 16131(b) of such title paid for months after September 2004.

(b) EXPANSION OF ELIGIBILITY REQUIREMENTS FOR MEMBERS OF THE SELECTED RESERVE HAVING SERVED ON ACTIVE DUTY FOR A PERIOD OF 24 NON-CONSECUTIVE MONTHS UNDER CHAPTER 30 OF TITLE 38, UNITED STATES CODE.—

(1) CREDIT FOR 24 MONTHS OF ACTIVE DUTY SERVICE OVER A PERIOD OF 5 YEARS.—Subsection 3012(a) of title 38, United States Code, is amended in paragraphs (1)(A)(i), (1)(B)(i), and (1)(C)(iii)(I) by striking “two years of continuous active duty” each place it appears and inserting “a cumulative period of 24 months during any 5-year period”.

(2) CONFORMING AMENDMENT.—Subsection (b) of section 3012 of such title is amended in paragraph (1) by striking “during such two years” and inserting “at any time during such 5-year period”.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall apply on or after October 1, 2005.

SEC. 8. REDUCTION IN AGE FOR RECEIPT OF MILITARY RETIRED PAY FOR NON-REGULAR SERVICE.

(a) REDUCTION IN AGE.—Section 12731(a)(1) of title 10, United States Code, is amended by striking “at least 60 years of age” and inserting “at least 55 years of age”.

(b) APPLICATION TO EXISTING PROVISIONS OF LAW OR POLICY.—With respect to any provision of law, or of any policy, regulation, or directive of the executive branch, that refers to a member or former member of the uniformed services as being eligible for, or entitled to, retired pay under chapter 1223 of title 10, United States Code, but for the fact that the member or former member is under 60 years of age, such provision shall be carried out with respect to that member or former member by substituting for the reference to being 60 years of age a reference to the age in effect for qualification for such retired pay under section 12731(a) of title 10, United States Code, as amended by subsection (a).

(c) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the first day of the first month beginning on or after the date of the enactment of this Act and shall apply to retired pay payable for that month and subsequent months.

SEC. 9. DEPUTY UNDER SECRETARY OF DEFENSE FOR PERSONNEL AND READINESS (RESERVE AFFAIRS).

(a) ESTABLISHMENT OF POSITION.—

(1) POSITION AND DUTIES.—Chapter 4 of title 10, United States Code, is amended by inserting after section 136a the following new section:

“§ 136b. Deputy Under Secretary of Defense for Personnel and Readiness (Reserve Affairs)

“(a) There is a Deputy Under Secretary of Defense for Personnel and Readiness (Reserve Affairs), appointed from civilian life by the President, by and with the advice and consent of the Senate.

“(b) The Deputy Under Secretary of Defense for Personnel and Readiness (Reserve Affairs) shall have as his principal duty the overall supervision of reserve component affairs of the Department of Defense.”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 136a the following new item:

“136b. Deputy Under Secretary of Defense for Personnel and Readiness (Reserve Affairs).”.

(b) EXECUTIVE LEVEL IV.—Section 5315 of title 5, United States Code, is amended by inserting after “Deputy Under Secretary of Defense for Personnel and Readiness.” the following:

“Deputy Under Secretary of Defense for Personnel and Readiness (Reserve Affairs).”.

(c) ELIMINATION OF POSITION OF ASSISTANT SECRETARY OF DEFENSE FOR RESERVE AFFAIRS.—

(1) REPEAL OF REQUIREMENT FOR POSITION.—Subsection (b) of section 138 of title 10, United States Code, is amended—

(A) by striking paragraph (2); and

(B) by redesignating paragraphs (3), (4), and (5), as paragraphs (2), (3), and (4), respectively.

(2) REDUCTION IN TOTAL NUMBER OF ASSISTANT SECRETARIES OF DEFENSE.—

(A) AUTHORIZED NUMBER.—Subsection (a) of such section is amended by striking “nine” and inserting “eight”.

(B) CONFORMING AMENDMENT.—Section 5315 of title 5, United States Code, is amended by striking “(9)” after “Assistant Secretaries of Defense” and inserting “(8)”.

(d) EFFECTIVE DATE.—The amendments made by subsection (c) shall take effect on the date on which a person is first appointed as Deputy Under Secretary of Defense for Personnel and Readiness (Reserve Affairs).

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 422—EXPRESSING THE SENSE OF THE SENATE THAT THE PRESIDENT SHOULD DESIGNATE THE WEEK BEGINNING SEPTEMBER 12, 2004, AS “NATIONAL HISTORICALLY BLACK COLLEGES AND UNIVERSITIES WEEK”

Mr. GRAHAM of South Carolina (for himself, Mr. LOTT, Mr. LUGAR, Mr. BROWNBACK, Mr. BIDEN, Mrs. DOLE, Mr. SESSIONS, Mr. TALENT, Mrs. HUTCHISON, Mr. VOINOVICH, Mr. COCHRAN, Mr. MILLER, Ms. MIKULSKI, Ms. STABENOW, Mr. SANTORUM, Mr. DURBIN, Mr. SCHUMER, Mr. BUNNING, Mr. ALLEN, Mr. ALEXANDER, and Mr. SPECTER) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 422

Whereas there are 105 historically Black colleges and universities in the United States;

Whereas historically Black colleges and universities provide the quality education so essential to full participation in a complex, highly technological society;

Whereas historically Black colleges and universities have a rich heritage and have played a prominent role in the history of the United States;

Whereas historically Black colleges and universities have allowed many underprivileged students to attain their full potential through higher education; and

Whereas the achievements and goals of historically Black colleges and universities are deserving of national recognition: Now, therefore, be it

Resolved,

SECTION 1. DESIGNATION OF NATIONAL HISTORICALLY BLACK COLLEGES AND UNIVERSITIES WEEK.

(a) SENSE OF THE SENATE.—It is the sense of the Senate that the President should designate the week beginning September 12, 2004, as “National Historically Black Colleges and Universities Week”.

(b) PROCLAMATION.—The Senate requests the President to issue a proclamation—

(1) designating the week beginning September 12, 2004, as “National Historically Black Colleges and Universities Week”; and

(2) calling on the people of the United States and interested groups to observe the week with appropriate ceremonies, activities, and programs to demonstrate support for historically Black colleges and universities in the United States.

SENATE RESOLUTION 423—COM-MENDING INEZ SITTER FOR HER SERVICE TO THE UNITED STATES

Mr. INHOFE submitted the following resolution; which was referred to the Committee on Indian Affairs:

S. RES. 423

Whereas the United States, and subsequently the Choctaw Nation of Oklahoma, have operated a school at Hartshorne, Oklahoma, called the Jones Academy for more than 100 years, a facility that, since 1952, has provided residential services to predominately at-risk children from more than 20 Indian tribes throughout the United States who attend local, public school academic classes;

Whereas for approximately half that time, Mrs. Inez Sitter has been a vital part of that school and its efforts to educate American Indian children;

Whereas Mrs. Sitter came to the school in an administrative post in March of 1944 and progressed through various administrative capacities to be the Administrative Assistant at the school;

Whereas Mrs. Sitter formally retired from the Bureau of Indian Affairs in 1983, after 39 years of service;

Whereas Mrs. Sitter immediately thereafter assumed the position as the Study Hall/Tutorial Coordinator for Jones Academy, the Library Services Coordinator, and the Director of the critically important Foster Grandparents program at the school, positions she has held to this day;

Whereas Mrs. Sitter, who is a member of many civic organizations, including the Hartshorne Edgewood United Methodist Church, the Daughters of the American Revolution, and the American Legion Auxiliary, is known throughout the community for her extra work with students, including mentoring, tutoring, and preparation of homework and term assignments;

Whereas for such work she gained a position of advocate for the children of Jones Academy and the de facto position of liaison with the local public school in Hartshorne;

Whereas Mrs. Sitter, who resided with her family on campus, became a surrogate parent for hundreds of Jones Academy children;

Whereas Mrs. Sitter has been described by a colleague as “87 years young, and only 95 pounds, but with 60 years of service to the children of Jones Academy and the people of Hartshorne, the State of Oklahoma, and these United States”; and

Whereas the Bureau of Indian Affairs, recognizing her selfless and outstanding contributions, awarded Mrs. Sitter its Lifetime Achievement Award, presented by Assistant Secretary Dave Anderson on August 3, 2004: Now, therefore, be it

Resolved, That the Senate commends Mrs. Inez Sitter for her outstanding service to the

Choctaw Nation of Oklahoma, the State of Oklahoma, and the United States.

AMENDMENTS SUBMITTED AND PROPOSED

SA 3616. Mr. FRIST (for himself, Mr. BYRD, Mr. COCHRAN, Mr. SPECTER, Ms. MURKOWSKI, Mr. VOINOVICH, Mr. DEWINE, Mr. BURNS, Mrs. CLINTON, Ms. MIKULSKI, Mrs. MURRAY, and Mr. KENNEDY) submitted an amendment intended to be proposed to amendment SA 3578 proposed by Mr. BAUCUS (for himself, Mr. LEVIN, Ms. STABENOW, Mrs. MURRAY, and Mrs. CLINTON) to the bill H.R. 4567, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2005, and for other purposes.

SA 3617. Mr. REID (for Mr. LAUTENBERG) proposed an amendment to the bill H.R. 4567, *supra*.

SA 3618. Mr. COCHRAN (for Mr. FRIST (for himself, Mr. COCHRAN, Mr. BYRD, and Mr. VOINOVICH)) proposed an amendment to the bill H.R. 4567, *supra*.

SA 3619. Mr. CORZINE (for himself, Mr. LAUTENBERG, Mr. SCHUMER, Mrs. BOXER, and Mrs. CLINTON) proposed an amendment to the bill H.R. 4567, *supra*.

SA 3620. Mr. LEVIN submitted an amendment intended to be proposed by him to the bill H.R. 4567, *supra*; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 3616. Mr. FRIST (for himself, Mr. BYRD, Mr. COCHRAN, Mr. SPECTER, Ms. MURKOWSKI, Mr. VOINOVICH, Mr. DEWINE, Mr. BURNS, Mrs. CLINTON, Ms. MIKULSKI, Mrs. MURRAY, and Mr. KENNEDY) submitted an amendment intended to be proposed to amendment SA 3578 proposed by Mr. BAUCUS (for himself, Mr. LEVIN, Ms. STABENOW, Mrs. MURRAY, and Mrs. CLINTON) to the bill H.R. 4567, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2005, and for other purposes; as follows:

On page 2, line 5 insert:

“(b) The total amount appropriated under the heading “IMMIGRATION AND CUSTOMS ENFORCEMENT, FEDERAL AIR MARSHALS” is hereby increased by \$50,000,000. Of such total amount, as so increased, \$50,000,000 is for the continued operations of the Federal Air Marshals program.

“(c) The total amount appropriated under the heading “OFFICE OF STATE AND LOCAL GOVERNMENT COORDINATION AND PREPAREDNESS, STATE AND LOCAL PROGRAMS” is hereby increased by \$50,000,000. Of such total amount, as so increased, \$50,000,000 is for discretionary assistance to non-profit organizations (as defined under section 501(c)(3) of the Internal Revenue Code of 1986) determined by the Secretary of Homeland Security to be at high-risk of international terrorist attacks.

“(d) The total amount appropriated under the heading “OFFICE OF STATE AND LOCAL GOVERNMENT COORDINATION AND PREPAREDNESS, FIREFIGHTER ASSISTANCE GRANTS” is hereby increased by \$50,000,000. Of such total amount, as so increased, \$50,000,000 is for the program authorized by section 33 of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2229).

“(e) The total amount appropriated under the heading “OFFICE OF STATE AND LOCAL GOVERNMENT COORDINATION AND PREPAREDNESS, EMERGENCY MAN-

AGEMENT PERFORMANCE GRANTS” is hereby increased by \$20,000,000. Of such total amount, as so increased, \$20,000,000 is for emergency management performance grants.”.

On page 2, line 5 strike “(b)” and insert “(f)”.

SA 3617. Mr. REID (for Mr. LAUTENBERG) proposed an amendment to the bill H.R. 4567, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2005, and for other purposes; as follows:

On page 14, line 2, strike “\$5,153,220,000, of which \$1,090,000,000 shall be for defense-related activities;” and insert “\$5,253,220,000 of which \$1,090,000,000 shall be for defense-related activities; and of which, \$100,000,000 shall be for non-homeland security missions defined by Sec. 888(a)(1) of Public Law 107-296.”.

SA 3618. Mr. COCHRAN (for Mr. FRIST (for himself, Mr. COCHRAN, Mr. BYRD, and Mr. VOINOVICH)) proposed an amendment to the bill H.R. 4567, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2005, and for other purposes; as follows:

On page 39, between lines 5 and 6, insert the following new section:

“Sec.—. (a) The total amount appropriated under the heading “CUSTOMS AND BORDER PROTECTION, SALARIES AND EXPENSES” is hereby increased by \$120,000,000. Of such total amount, as so increased, \$40,000,000 is provided for radiation detection devices, \$40,000,000 is provided for additional border inspectors, and \$40,000,000 is provided for additional border patrol agents.

“(b) The total amount appropriated under the heading “IMMIGRATION AND CUSTOMS ENFORCEMENT, SALARIES AND EXPENSES” is hereby increased by \$80,000,000. Of such total amount, as so increased, \$40,000,000 is provided for additional investigator personnel, and \$40,000,000 is provided for detention and removal beds and removal operations.

“(c) The total amount appropriated under the heading “OFFICE OF STATE AND LOCAL GOVERNMENT COORDINATION AND PREPAREDNESS, STATE AND LOCAL PROGRAMS” is hereby increased by \$81,000,000. The total amount provided in the aforementioned heading for discretionary grants is increased by \$81,000,000. Of that total amount, as so increased, the amount for rail and transit security grants is increased by \$81,000,000.

“(d) The total amount appropriated under heading “OFFICE OF STATE AND LOCAL GOVERNMENT COORDINATION AND PREPAREDNESS, EMERGENCY MANAGEMENT PERFORMANCE GRANTS” is hereby increased by \$36,000,000. Of such total amount, as so increased, \$36,000,000 is provided for emergency management performance grants.

“(e) In Section 13031(j)(3) of the Consolidated Omnibus Budget Reconciliation Act of 1985 as amended by this bill, strike “June 1, 2005” and insert “September 30, 2005.”

SA 3619. Mr. CORZINE (for himself, Mr. LAUTENBERG, Mr. SCHUMER, Mrs. BOXER, and Mrs. CLINTON) proposed an amendment to the bill H.R. 4567, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2005, and for other purposes; as follows:

On page 19, line 17, strike “\$2,845,081,000” and all that follows through “grants” on page 20, line 11, and insert the following: “\$2,945,081,000, which shall be allocated as follows:

“(1) \$970,000,000 for formula-based grants and \$400,000,000 for law enforcement terrorism prevention grants pursuant to section 1014 of the USA PATRIOT Act (42 U.S.C. 3714): *Provided*, That the application for grants shall be made available to States within 45 days after the date of enactment of this Act; that States shall submit applications within 45 days after the grant announcement; and that the Office of State and Local Government Coordination and Preparedness shall act within 15 days after receipt of an application: *Provided further*, That each State shall obligate not less than 80 percent of the total amount of the grant to local governments within 60 days after the grant award; and

“(2) \$1,300,000,000 for discretionary grants for use in high-threat, high-density urban areas, as determined by the Secretary of Homeland Security: *Provided*, That \$150,000,000 shall be for port security grants; \$15,000,000 shall be for trucking industry security grants; \$10,000,000 shall be for intercity bus security grants; \$150,000,000 shall be for rail and transit security grants; \$100,000,000 shall be for enhancing the security of chemical plants”.

SA 3620. Mr. LEVIN submitted an amendment intended to be proposed by him to the bill H.R. 4567, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2005, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ Section 835 of the Homeland Security Act of 2002 (Public Law 107-296; 6 U.S.C. 395) is amended—

(1) in subsection (a), by inserting before the period “, or any subsidiary of such an entity”;

(2) in subsection (b)(1), by inserting “before, on, or” after the “completes”;

(3) in subsection (c)(1)(B), by striking “which is after the date of enactment of this Act and”; and

(4) in subsection (d), by striking “home-land” and inserting “national”.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON FOREIGN RELATIONS

Mr. ALLEN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Friday, September 10, 2004, at 9:30 a.m. to hold a Nominations hearing.

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

PRIVILEGE OF THE FLOOR

Mr. HARKIN. Mr. President, I ask unanimous consent that Sonja Loges of my staff be granted the privilege of the floor for the duration of today's session.

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

Mr. ALEXANDER. Mr. President, I ask unanimous consent that John

Grant of my staff be allowed to be on the floor.

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

GARRETT LEE SMITH MEMORIAL ACT

On Thursday, September 9, 2004, upon receipt from the House, the Senate passed S. 2634, as amended, as follows:

Amendments:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Garrett Lee Smith Memorial Act”.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) More children and young adults die from suicide each year than from cancer, heart disease, AIDS, birth defects, stroke, and chronic lung disease combined.

(2) Over 4,000 children and young adults tragically take their lives every year, making suicide the third overall cause of death between the ages of 10 and 24. According to the Centers for Disease Control and Prevention, suicide is the third overall cause of death among college-age students.

(3) According to the National Center for Injury Prevention and Control of the Centers for Disease Control and Prevention, children and young adults accounted for 15 percent of all suicides completed in 2000.

(4) From 1952 to 1995, the rate of suicide in children and young adults tripled.

(5) From 1980 to 1997, the rate of suicide among young adults ages 15 to 19 increased 11 percent.

(6) From 1980 to 1997, the rate of suicide among children ages 10 to 14 increased 109 percent.

(7) According to the National Center of Health Statistics, suicide rates among Native Americans range from 1.5 to 3 times the national average for other groups, with young people ages 15 to 34 making up 64 percent of all suicides.

(8) Congress has recognized that youth suicide is a public health tragedy linked to underlying mental health problems and that youth suicide early intervention and prevention activities are national priorities.

(9) Youth suicide early intervention and prevention have been listed as urgent public health priorities by the President's New Freedom Commission in Mental Health (2002), the Institute of Medicine's Reducing Suicide: A National Imperative (2002), the National Strategy for Suicide Prevention: Goals and Objectives for Action (2001), and the Surgeon General's Call to Action To Prevent Suicide (1999).

(10) Many States have already developed comprehensive statewide youth suicide early intervention and prevention strategies that seek to provide effective early intervention and prevention services.

(11) In a recent report, a startling 85 percent of college counseling centers revealed an increase in the number of students they see with psychological problems. Furthermore, the American College Health Association found that 61 percent of college students reported feeling hopeless, 45 percent said they felt so depressed they could barely function, and 9 percent felt suicidal.

(12) There is clear evidence of an increased incidence of depression among college students. According to a survey described in the Chronicle of Higher Education (February 1, 2002), depression among freshmen has nearly doubled (from 8.2 percent to 16.3 percent). Without treatment, researchers recently noted that “depressed adolescents are at risk for school failure, social isolation, promiscuity, self-medication with drugs

and alcohol, and suicide—now the third leading cause of death among 10–24 year olds.”.

(13) Researchers who conducted the study “Changes in Counseling Center Client Problems Across 13 Years” (1989–2001) at Kansas State University stated that “students are experiencing more stress, more anxiety, more depression than they were a decade ago.” (The Chronicle of Higher Education, February 14, 2003).

(14) According to the 2001 National Household Survey on Drug Abuse, 20 percent of full-time undergraduate college students use illicit drugs.

(15) The 2001 National Household Survey on Drug Abuse also reported that 18.4 percent of adults aged 18 to 24 are dependent on or abusing illicit drugs or alcohol. In addition, the study found that “serious mental illness is highly correlated with substance dependence or abuse. Among adults with serious mental illness in 2001, 20.3 percent were dependent on or abused alcohol or illicit drugs, while the rate among adults without serious mental illness was only 6.3 percent.”.

(16) A 2003 Gallagher's Survey of Counseling Center Directors found that 81 percent were concerned about the increasing number of students with more serious psychological problems, 67 percent reported a need for more psychiatric services, and 63 percent reported problems with growing demand for services without an appropriate increase in resources.

(17) The International Association of Counseling Services accreditation standards recommend 1 counselor per 1,000 to 1,500 students. According to the 2003 Gallagher's Survey of Counseling Center Directors, the ratio of counselors to students is as high as 1 counselor per 2,400 students at institutions of higher education with more than 15,000 students.

SEC. 3. AMENDMENTS TO PUBLIC HEALTH SERVICE ACT.

(a) YOUTH INTERAGENCY RESEARCH, TRAINING, AND TECHNICAL ASSISTANCE CENTERS.—Section 520C of the Public Health Service Act (42 U.S.C. 290bb–34) is amended—

(1) in subsection (a)—

(A) by striking “Health, shall award grants” and inserting “Health—

“(1) shall award grants”;

(B) by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(2) shall award a competitive grant to 1 additional research, training, and technical assistance center to carry out the activities described in subsection (d).”;

(2) in subsection (c), in the matter preceding paragraph (1), by striking “grant or contract under subsection (a)” and inserting “grant or contract under subsection (a)(1)”;

(3) in subsection (d)—

(A) by striking “APPROPRIATIONS.—For the purpose of carrying out this section” and inserting “APPROPRIATIONS.—

“(1) For the purpose of awarding grants or contracts under subsection (a)(1)”;

(B) by adding at the end the following:

“(2) For the purpose of awarding a grant under subsection (a)(2), there are authorized to be appropriated \$3,000,000 for fiscal year 2005, \$4,000,000 for fiscal year 2006, and \$5,000,000 for fiscal year 2007.”;

(4) by redesignating subsection (d) as subsection (e); and

(5) by inserting after subsection (c) the following:

“(d) ADDITIONAL CENTER.—The additional research, training, and technical assistance center established under subsection (a)(2) shall provide appropriate information, training, and technical assistance to States, political subdivisions of a State, Federally recognized Indian tribes, tribal organizations, institutions of higher education, public organizations, or private nonprofit organizations for—

“(1) the development or continuation of statewide or tribal youth suicide early intervention and prevention strategies;

“(2) ensuring the surveillance of youth suicide early intervention and prevention strategies;

“(3) studying the costs and effectiveness of statewide youth suicide early intervention and prevention strategies in order to provide information concerning relevant issues of importance to State, tribal, and national policymakers;

“(4) further identifying and understanding causes and associated risk factors for youth suicide;

“(5) analyzing the efficacy of new and existing youth suicide early intervention techniques and technology;

“(6) ensuring the surveillance of suicidal behaviors and nonfatal suicidal attempts;

“(7) studying the effectiveness of State-sponsored statewide and tribal youth suicide early intervention and prevention strategies on the overall wellness and health promotion strategies related to suicide attempts;

“(8) promoting the sharing of data regarding youth suicide with Federal agencies involved with youth suicide early intervention and prevention, and State-sponsored statewide or tribal youth suicide early intervention and prevention strategies for the purpose of identifying previously unknown mental health causes and associated risk factors for suicide in youth;

“(9) evaluating and disseminating outcomes and best practices of mental and behavioral health services at institutions of higher education; and

“(10) other activities determined appropriate by the Secretary.”

(b) **SUICIDE PREVENTION FOR YOUTH.**—Title V of the Public Health Service Act (42 U.S.C. 290aa et seq.) is amended—

(1) in section 520E (42 U.S.C. 290bb–36)—

(A) in the section heading by striking “CHILDREN AND ADOLESCENTS” and inserting “YOUTH”;

(B) by striking subsection (a) and inserting the following:

“(a) **IN GENERAL.**—The Secretary shall award grants or cooperative agreements to public organizations, private nonprofit organizations, political subdivisions, consortia of political subdivisions, consortiums of States, or Federally recognized Indian tribes or tribal organizations to design early intervention and prevention strategies that will complement the State-sponsored statewide or tribal youth suicide early intervention and prevention strategies developed pursuant to section 520E.”;

(C) in subsection (b), by striking all after “coordinated” and inserting “with the relevant Department of Health and Human Services agencies and suicide working groups.”;

(D) in subsection (c)—

(i) in the matter preceding paragraph (1), by striking “A State” and all that follows through “desiring” and inserting “A public organization, private nonprofit organization, political subdivision, consortium of political subdivisions, consortium of States, or federally recognized Indian tribe or tribal organization desiring”;

(ii) by redesignating paragraphs (1) through (9) as paragraphs (2) through (10), respectively;

(iii) by inserting before paragraph (2) (as so redesignated) the following:

“(1)(A) comply with the State-sponsored statewide early intervention and prevention strategy as developed under section 520E; and

“(B) in the case of a consortium of States, receive the support of all States involved;”;

(iv) in paragraph (2) (as so redesignated), by striking “children and adolescents” and inserting “youth”;

(v) in paragraph (3) (as so redesignated), by striking “best evidence-based.”;

(vi) in paragraph (4) (as so redesignated), by striking “primary” and all that follows and inserting “general, mental, and behavioral health services, and substance abuse services.”;

(vii) in paragraph (5) (as so redesignated), by striking “children and” and all that follows and inserting “youth including the school systems, educational institutions, juvenile justice

system, substance abuse programs, mental health programs, foster care systems, and community child and youth support organizations.”;

(viii) by striking paragraph (8) (as so redesignated) and inserting the following:

“(8) offer access to services and care to youth with diverse linguistic and cultural backgrounds.”; and

(ix) by striking paragraph (9) (as so redesignated) and inserting the following:

“(9) conduct annual self-evaluations of outcomes and activities, including consulting with interested families and advocacy organizations.”;

(E) by striking subsection (d) and inserting the following:

“(d) **USE OF FUNDS.**—Amounts provided under a grant or cooperative agreement under this section shall be used to supplement, and not supplant, Federal and non-Federal funds available for carrying out the activities described in this section. Applicants shall provide financial information to demonstrate compliance with this section.”.

(F) in subsection (e)—

(i) by striking “, contract.”; and

(ii) by inserting after “Secretary that the” the following: “application complies with the State-sponsored statewide early intervention and prevention strategy as developed under section 520E and the”;

(G) in subsection (f), by striking “, contracts.”;

(H) in subsection (g)—

(i) by striking “A State” and all that follows through “organization receiving” and inserting “A public organization, private nonprofit organization, political subdivision, consortium of political subdivisions, consortium of States, or Federally recognized Indian tribe or tribal organization receiving”;

(ii) by striking “, contract,” each place such term appears;

(I) in subsection (h), by striking “, contracts.”;

(J) in subsection (i)—

(i) by striking “A State” and all that follows through “organization receiving” and inserting “A public organization, private nonprofit organization, political subdivision, consortium of political subdivisions, consortium of States, or Federally recognized Indian tribe or tribal organization receiving”;

(ii) by striking “, contract.”;

(K) in subsection (k), by striking “5 years” and inserting “3 years”;

(L) in subsection (l)—

(i) in paragraph (2), by striking “21” and inserting “24”; and

(ii) in paragraph (3), by striking “which might have been”;

(M) in subsection (m)—

(i) by striking “APPROPRIATION.—” and all that follows through “For” in paragraph (1) and inserting “APPROPRIATION.—For”; and

(ii) by striking paragraph (2);

(N) by redesignating subsection (m) as subsection (n); and

(O) by inserting after subsection (l) the following:

“(m) **DEFINITIONS.**—In this section, the terms ‘early intervention’, ‘educational institution’, ‘institution of higher education’, ‘prevention’, ‘school’, and ‘youth’ have the meanings given to those terms in section 520E.”; and

(2) by redesignating section 520E as section 520E–1.

(c) **YOUTH SUICIDE AND EARLY INTERVENTION AND PREVENTION STRATEGIES.**—Title V of the Public Health Service Act (42 U.S.C. 290aa et seq.) is amended by inserting before section 520E–1 (as redesignated by subsection (b)) the following:

“**SEC. 520E. YOUTH SUICIDE EARLY INTERVENTION AND PREVENTION STRATEGIES.**

“(a) **IN GENERAL.**—The Secretary, acting through the Administrator of the Substance

Abuse and Mental Health Services Administration, shall award grants or cooperative agreements to eligible entities to—

“(1) develop and implement State-sponsored statewide or tribal youth suicide early intervention and prevention strategies in schools, educational institutions, juvenile justice systems, substance abuse programs, mental health programs, foster care systems, and other child and youth support organizations;

“(2) support public organizations and private nonprofit organizations actively involved in State-sponsored statewide or tribal youth suicide early intervention and prevention strategies and in the development and continuation of State-sponsored statewide youth suicide early intervention and prevention strategies;

“(3) provide grants to institutions of higher education to coordinate the implementation of State-sponsored statewide or tribal youth suicide early intervention and prevention strategies;

“(4) collect and analyze data on State-sponsored statewide or tribal youth suicide early intervention and prevention services that can be used to monitor the effectiveness of such services and for research, technical assistance, and policy development; and

“(5) assist eligible entities, through State-sponsored statewide or tribal youth suicide early intervention and prevention strategies, in achieving targets for youth suicide reductions under title V of the Social Security Act.

“(b) **ELIGIBLE ENTITY.**—

“(1) **DEFINITION.**—In this section, the term ‘eligible entity’ means—

“(A) a State;

“(B) a public organization or private nonprofit organization designated by a State to develop or direct the State-sponsored statewide youth suicide early intervention and prevention strategy; or

“(C) a Federally recognized Indian tribe or tribal organization (as defined in the Indian Self-Determination and Education Assistance Act) or an urban Indian organization (as defined in the Indian Health Care Improvement Act) that is actively involved in the development and continuation of a tribal youth suicide early intervention and prevention strategy.

“(2) **LIMITATION.**—In carrying out this section, the Secretary shall ensure that each State is awarded only 1 grant or cooperative agreement under this section. For purposes of the preceding sentence, a State shall be considered to have been awarded a grant or cooperative agreement if the eligible entity involved is the State or an entity designated by the State under paragraph (1)(B). Nothing in this paragraph shall be construed to apply to entities described in paragraph (1)(C).

“(c) **PREFERENCE.**—In providing assistance under a grant or cooperative agreement under this section, an eligible entity shall give preference to public organizations, private nonprofit organizations, political subdivisions, institutions of higher education, and tribal organizations actively involved with the State-sponsored statewide or tribal youth suicide early intervention and prevention strategy that—

“(1) provide early intervention and assessment services, including screening programs, to youth who are at risk for mental or emotional disorders that may lead to a suicide attempt, and that are integrated with school systems, educational institutions, juvenile justice systems, substance abuse programs, mental health programs, foster care systems, and other child and youth support organizations;

“(2) demonstrate collaboration among early intervention and prevention services or certify that entities will engage in future collaboration;

“(3) employ or include in their applications a commitment to evaluate youth suicide early intervention and prevention practices and strategies adapted to the local community;

“(4) provide timely referrals for appropriate community-based mental health care and treatment of youth who are at risk for suicide in child-serving settings and agencies;

“(5) provide immediate support and information resources to families of youth who are at risk for suicide;

“(6) offer access to services and care to youth with diverse linguistic and cultural backgrounds;

“(7) offer appropriate postsuicide intervention services, care, and information to families, friends, schools, educational institutions, juvenile justice systems, substance abuse programs, mental health programs, foster care systems, and other child and youth support organizations of youth who recently completed suicide;

“(8) offer continuous and up-to-date information and awareness campaigns that target parents, family members, child care professionals, community care providers, and the general public and highlight the risk factors associated with youth suicide and the life-saving help and care available from early intervention and prevention services;

“(9) ensure that information and awareness campaigns on youth suicide risk factors, and early intervention and prevention services, use effective communication mechanisms that are targeted to and reach youth, families, schools, educational institutions, and youth organizations;

“(10) provide a timely response system to ensure that child-serving professionals and providers are properly trained in youth suicide early intervention and prevention strategies and that child-serving professionals and providers involved in early intervention and prevention services are properly trained in effectively identifying youth who are at risk for suicide;

“(11) provide continuous training activities for child care professionals and community care providers on the latest youth suicide early intervention and prevention services practices and strategies;

“(12) conduct annual self-evaluations of outcomes and activities, including consulting with interested families and advocacy organizations;

“(13) provide services in areas or regions with rates of youth suicide that exceed the national average as determined by the Centers for Disease Control and Prevention; and

“(14) obtain informed written consent from a parent or legal guardian of an at-risk child before involving the child in a youth suicide early intervention and prevention program.

“(d) REQUIREMENT FOR DIRECT SERVICES.—Not less than 85 percent of grant funds received under this section shall be used to provide direct services, of which not less than 5 percent shall be used for activities authorized under subsection (a)(3).

“(e) COORDINATION AND COLLABORATION.—

“(1) IN GENERAL.—In carrying out this section, the Secretary shall collaborate with relevant Federal agencies and suicide working groups responsible for early intervention and prevention services relating to youth suicide.

“(2) CONSULTATION.—In carrying out this section, the Secretary shall consult with—

“(A) State and local agencies, including agencies responsible for early intervention and prevention services under title XIX of the Social Security Act, the State Children's Health Insurance Program under title XXI of the Social Security Act, and programs funded by grants under title V of the Social Security Act;

“(B) local and national organizations that serve youth at risk for suicide and their families;

“(C) relevant national medical and other health and education specialty organizations;

“(D) youth who are at risk for suicide, who have survived suicide attempts, or who are currently receiving care from early intervention services;

“(E) families and friends of youth who are at risk for suicide, who have survived suicide at-

tempts, who are currently receiving care from early intervention and prevention services, or who have completed suicide;

“(F) qualified professionals who possess the specialized knowledge, skills, experience, and relevant attributes needed to serve youth at risk for suicide and their families; and

“(G) third-party payers, managed care organizations, and related commercial industries.

“(3) POLICY DEVELOPMENT.—In carrying out this section, the Secretary shall—

“(A) coordinate and collaborate on policy development at the Federal level with the relevant Department of Health and Human Services agencies and suicide working groups; and

“(B) consult on policy development at the Federal level with the private sector, including consumer, medical, suicide prevention advocacy groups, and other health and education professional-based organizations, with respect to State-sponsored statewide or tribal youth suicide early intervention and prevention strategies.

“(f) RULE OF CONSTRUCTION; RELIGIOUS AND MORAL ACCOMMODATION.—Nothing in this section shall be construed to require suicide assessment, early intervention, or treatment services for youth whose parents or legal guardians object based on the parents' or legal guardians' religious beliefs or moral objections.

“(g) EVALUATIONS AND REPORT.—

“(1) EVALUATIONS BY ELIGIBLE ENTITIES.—Not later than 18 months after receiving a grant or cooperative agreement under this section, an eligible entity shall submit to the Secretary the results of an evaluation to be conducted by the entity concerning the effectiveness of the activities carried out under the grant or agreement.

“(2) REPORT.—Not later than 2 years after the date of enactment of this section, the Secretary shall submit to the appropriate committees of Congress a report concerning the results of—

“(A) the evaluations conducted under paragraph (1); and

“(B) an evaluation conducted by the Secretary to analyze the effectiveness and efficacy of the activities conducted with grants, collaborations, and consultations under this section.

“(h) RULE OF CONSTRUCTION; STUDENT MEDICATION.—Nothing in this section or section 520E-1 shall be construed to allow school personnel to require that a student obtain any medication as a condition of attending school or receiving services.

“(i) PROHIBITION.—Funds appropriated to carry out this section, section 520C, section 520E-1, or section 520E-2 shall not be used to pay for or refer for abortion.

“(j) PARENTAL CONSENT.—States and entities receiving funding under this section and section 520E-1 shall obtain prior written, informed consent from the child's parent or legal guardian for assessment services, school-sponsored programs, and treatment involving medication related to youth suicide conducted in elementary and secondary schools. The requirement of the preceding sentence does not apply in the following cases:

“(1) In an emergency, where it is necessary to protect the immediate health and safety of the student or other students.

“(2) Other instances, as defined by the State, where parental consent cannot reasonably be obtained.

“(k) RELATION TO EDUCATION PROVISIONS.—Nothing in this section or section 520E-1 shall be construed to supersede section 444 of the General Education Provisions Act, including the requirement of prior parental consent for the disclosure of any education records. Nothing in this section or section 520E-1 shall be construed to modify or affect parental notification requirements for programs authorized under the Elementary and Secondary Education Act of 1965 (as amended by the No Child Left Behind Act of 2001; Public Law 107-110).

“(l) DEFINITIONS.—In this section:

“(1) EARLY INTERVENTION.—The term ‘early intervention’ means a strategy or approach that

is intended to prevent an outcome or to alter the course of an existing condition.

“(2) EDUCATIONAL INSTITUTION; INSTITUTION OF HIGHER EDUCATION; SCHOOL.—The term—

“(A) ‘educational institution’ means a school or institution of higher education;

“(B) ‘institution of higher education’ has the meaning given such term in section 101 of the Higher Education Act of 1965; and

“(C) ‘school’ means an elementary or secondary school (as such terms are defined in section 9101 of the Elementary and Secondary Education Act of 1965).

“(3) PREVENTION.—The term ‘prevention’ means a strategy or approach that reduces the likelihood or risk of onset, or delays the onset, of adverse health problems that have been known to lead to suicide.

“(4) YOUTH.—The term ‘youth’ means individuals who are between 10 and 24 years of age.

“(m) AUTHORIZATION OF APPROPRIATIONS.—

“(1) IN GENERAL.—For the purpose of carrying out this section, there are authorized to be appropriated \$7,000,000 for fiscal year 2005, \$18,000,000 for fiscal year 2006, and \$30,000,000 for fiscal year 2007.

“(2) PREFERENCE.—If less than \$3,500,000 is appropriated for any fiscal year to carry out this section, in awarding grants and cooperative agreements under this section during the fiscal year, the Secretary shall give preference to States that have rates of suicide that significantly exceed the national average as determined by the Centers for Disease Control and Prevention.”

(d) MENTAL AND BEHAVIORAL HEALTH SERVICES ON CAMPUS.—Title V of the Public Health Service Act (42 U.S.C. 290aa et seq.) is amended by inserting after section 520E-1 (as redesignated by subsection (b)) the following:

“SEC. 520E-2. MENTAL AND BEHAVIORAL HEALTH SERVICES ON CAMPUS.

“(a) IN GENERAL.—The Secretary, acting through the Director of the Center for Mental Health Services, in consultation with the Secretary of Education, may award grants on a competitive basis to institutions of higher education to enhance services for students with mental and behavioral health problems that can lead to school failure, such as depression, substance abuse, and suicide attempts, so that students will successfully complete their studies.

“(b) USE OF FUNDS.—The Secretary may not make a grant to an institution of higher education under this section unless the institution agrees to use the grant only for—

“(1) educational seminars;

“(2) the operation of hot lines;

“(3) preparation of informational material;

“(4) preparation of educational materials for families of students to increase awareness of potential mental and behavioral health issues of students enrolled at the institution of higher education;

“(5) training programs for students and campus personnel to respond effectively to students with mental and behavioral health problems that can lead to school failure, such as depression, substance abuse, and suicide attempts; or

“(6) the creation of a networking infrastructure to link colleges and universities that do not have mental health services with health care providers who can treat mental and behavioral health problems.

“(c) ELIGIBLE GRANT RECIPIENTS.—Any institution of higher education receiving a grant under this section may carry out activities under the grant through—

“(1) college counseling centers;

“(2) college and university psychological service centers;

“(3) mental health centers;

“(4) psychology training clinics; or

“(5) institution of higher education supported, evidence-based, mental health and substance abuse programs.

“(d) APPLICATION.—An institution of higher education desiring a grant under this section

shall prepare and submit an application to the Secretary at such time and in such manner as the Secretary may require. At a minimum, the application shall include the following:

“(1) A description of identified mental and behavioral health needs of students at the institution of higher education.

“(2) A description of Federal, State, local, private, and institutional resources currently available to address the needs described in paragraph (1) at the institution of higher education.

“(3) A description of the outreach strategies of the institution of higher education for promoting access to services, including a proposed plan for reaching those students most in need of mental health services.

“(4) A plan to evaluate program outcomes, including a description of the proposed use of funds, the program objectives, and how the objectives will be met.

“(5) An assurance that the institution will submit a report to the Secretary each fiscal year on the activities carried out with the grant and the results achieved through those activities.

“(e) REQUIREMENT OF MATCHING FUNDS.—

“(1) IN GENERAL.—The Secretary may make a grant under this section to an institution of higher education only if the institution agrees to make available (directly or through donations from public or private entities) non-Federal contributions in an amount that is not less than \$1 for each \$1 of Federal funds provided in the grant, toward the costs of activities carried out with the grant (as described in subsection (b)) and other activities by the institution to reduce student mental and behavioral health problems.

“(2) DETERMINATION OF AMOUNT CONTRIBUTED.—Non-Federal contributions required under paragraph (1) may be in cash or in kind. Amounts provided by the Federal Government, or services assisted or subsidized to any significant extent by the Federal Government, may not be included in determining the amount of such non-Federal contributions.

“(3) WAIVER.—The Secretary may waive the requirement established in paragraph (1) with respect to an institution of higher education if the Secretary determines that extraordinary need at the institution justifies the waiver.

“(f) REPORTS.—For each fiscal year that grants are awarded under this section, the Secretary shall conduct a study on the results of the grants and submit to the Congress a report on such results that includes the following:

“(1) An evaluation of the grant program outcomes, including a summary of activities carried out with the grant and the results achieved through those activities.

“(2) Recommendations on how to improve access to mental and behavioral health services at institutions of higher education, including efforts to reduce the incidence of suicide and substance abuse.

“(g) DEFINITION.—In this section, the term ‘institution of higher education’ has the meaning given such term in section 101 of the Higher Education Act of 1965.

“(h) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated \$5,000,000 for fiscal year 2005, \$5,000,000 for fiscal year 2006, and \$5,000,000 for fiscal year 2007.”

Amend the title so as to read: “A bill to amend the Public Health Service Act to support the planning, implementation, and evaluation of organized activities involving statewide youth suicide early intervention and prevention strategies, to authorize grants to institutions of higher education to reduce student mental and behavioral health problems, and for other purposes.”

DESIGNATING SEPTEMBER 11 AS A NATIONAL DAY OF VOLUNTARY SERVICE, CHARITY, AND COMPASSION

Mr. COCHRAN. Mr. President, there are two unanimous consent requests that have been cleared.

I ask unanimous consent that the HELP Committee be discharged from further consideration of S. Con. Res. 127, and that the Senate proceed to its consideration.

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

The clerk will report the concurrent resolution by title.

The assistant legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 127) expressing the sense of Congress that the President should designate September 11 as a national day of voluntary service, charity, and compassion.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. COCHRAN. Mr. President, I ask unanimous consent that the concurrent resolution and preamble be agreed to, en bloc, the motion to reconsider be laid upon the table, and that any statements relating thereto be printed in the RECORD without further intervening action or debate.

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

The resolution (S. Con. Res. 127) was agreed to.

The preamble was agreed to.

The concurrent resolution, with its preamble, reads as follows:

S. CON. RES. 127

Whereas across the United States and around the world, people of all ages and walks of life collectively witnessed an event of immense tragedy on September 11, 2001;

Whereas the events of that day instantly transformed many lives, some through personal loss and many others through an unfamiliar sense of individual and national vulnerability;

Whereas an unprecedented, historic bonding of the people of the United States arose from the collective shock, unifying the United States in a sustained outpouring of national spirit, pride, selflessness, generosity, courage, and service;

Whereas on that day and the immediate days that followed, many brave people heroically, tirelessly, and courageously participated in an extraordinarily difficult and dangerous rescue and recovery effort, in many cases voluntarily putting their own well-being at risk;

Whereas September 11 will never and should never be just another day in the hearts and minds of all people of the United States;

Whereas the creation of memorials and monuments honoring the lives lost on September 11, 2001, as well as the efforts of those who participated in rescue and recovery and voluntary service efforts, are necessary, proper, and fitting, but alone cannot fully capture the desire of the United States to pay tribute in a meaningful way;

Whereas it is fitting and essential to establish a lasting, meaningful, and positive legacy of service for future generations as a tribute to those heroes of September 11, 2001;

Whereas many citizens wish to memorialize September 11 by engaging in personal

and individual acts of community service or other giving activities as part of a national day of recognition and tribute; and

Whereas to lose this opportunity to bring people together for such an important endeavor would be a tragedy unto itself: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That—

(1) it is the sense of Congress that the President should designate September 11 as an annually recognized day of voluntary service, charity, and compassion; and

(2) Congress urges the President to issue a proclamation calling upon the people of the United States to observe this day with appropriate and personal expressions of service, charity, and compassion toward others.

CONVEYANCE OF THE REAL PROPERTY LOCATED AT 1081 WEST MAIN STREET IN RAVENNA, OHIO

Mr. COCHRAN. Mr. President, I ask unanimous consent that the HELP Committee be discharged from further consideration of H.R. 3908, and that the Senate proceed to its immediate consideration.

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

The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 3908) to provide for the conveyance of the real property located at 1081 West Main Street in Ravenna, Ohio.

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

Mr. COCHRAN. Mr. President, I ask unanimous consent that the bill be read the third time and passed and the motion to reconsider be laid upon the table.

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

The bill (H.R. 3908) was read the third time and passed.

ORDERS FOR MONDAY, SEPTEMBER 13, 2004

Mr. FRIST. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 2 p.m. on Monday, September 13. 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, and the Senate then begin a period of morning business for debate only until 3:30, with Senators to speak for up to 10 minutes; provided further that the Senate then resume consideration of Calendars No. 588, H.R. 4567, the Homeland Security appropriations bill. I further ask unanimous consent that at 5:30 p.m., the Senate proceed to a vote in relation to Schumer amendment No. 3615, as modified, with no amendments to the amendment in order prior to the vote.

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

PROGRAM

Mr. FRIST. For the information of all Senators, on Monday, following

morning business, the Senate will resume consideration of the Homeland Security appropriations bill. The chairman and ranking member will be here on Monday to work through the remaining amendments. There are currently four amendments pending. Additional amendments will be offered on Monday.

Under the previous order, we will vote in relation to the Schumer HAZMAT truck amendment at 5:30 p.m. Any other votes ordered during Monday's session will be stacked to occur immediately after the vote in relation to the Schumer amendment. Therefore, Senators should expect more than one vote on Monday afternoon.

Again, I remind my colleagues that next week the Rosh Hashanah holiday begins Wednesday. It is imperative that we finish the bill prior to that time. Senators should expect busy days during next week with numerous roll-call votes.

Finally, I thank every one for their hard work this week. Earlier this week we were able to expedite and pass an emergency supplemental appropriations bill to help fund FEMA's efforts in Florida. Last night we passed S. 1368 relating to awarding a Congressional Gold Medal to the Reverend Dr. Martin Luther King, Jr., and Coretta Scott King. Chairman McCAIN secured passage of H.R. 361, the Sports Agent Responsibility and Trust Act.

Yesterday the Senate passed S. Res. 421, which condemned the terrorist attack in Beslan, Russia, and sent condolences, on behalf of the leaders and the U.S. Senate, to the families of those victims.

Earlier this week we confirmed three additional district judges, and I hope we will continue that pattern of considering judicial nominations before we conclude our work this year.

Finally, on a personal note, our colleague, Senator SMITH of Oregon, who is occupying the chair now, was on the floor of the Senate last night to ensure that the Senate passed S. 2634, the Garrett Lee Smith Memorial Act, which the Democratic leader, our leadership, and both sides of the aisle joined together to unanimously support.

ORDER FOR ADJOURNMENT

Mr. FRIST. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in adjournment under the previous order following the remarks of Senator DASCHLE and Senator BYRD for up to 30 minutes.

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

The Democratic leader is recognized.

Mr. DASCHLE. Mr. President, will the majority leader clarify something? It was my understanding that we were going to get an agreement that all amendments would have to be filed by 4 o'clock on Monday. I apologize; I came to the floor late and Senator

REID wasn't here and I just don't know. I have not had the opportunity to ask anybody about this. Would the Senator enlighten me as to the status of that?

Mr. FRIST. Yes. It is something we have been working on back and forth for the last 24 hours, and that is the intention. We will try to get that early on Monday; we still have that goal for amendments to be filed. That is the intention. Because of various schedules today and the managers leaving at certain times, we didn't have everybody here to agree upon that, but that is the intention. When we come in early Monday, hopefully we can get that consent. I think both sides of the aisle agree that is the objective.

Mr. DASCHLE. I thank the leader. And I, too, congratulate the Senator from Oregon for his leadership on an important piece of legislation. I hope we can get it to the President on time.

GUARD AND RESERVIST BILL OF RIGHTS

Mr. DASCHLE. Mr. President, this year marks the 60th anniversary of the GI bill of rights.

That law, debated and passed in the same week Allied Forces invaded Europe, not only demonstrated America's enormous gratitude to the men and women who fought for its freedom, it creates the foundations of the extraordinary prosperity that followed the end of the war.

The bill encapsulated all that was best in America. Those who defended the American dream were offered a share of the American dream.

Harry Colmery, a Republican from Pennsylvania who served as the National Commander of the American Legion at the time, wrote that "it [was] the duty, the responsibility, and the desire of our grateful people to see to it that those who served actively in the armed services . . . not only should not be penalized as a result of their war service, but also that upon their return, they should be aided in reaching the position which they might normally have expected had the war not interrupted their careers."

Our military has changed a great deal in the past 60 years.

Increasingly, our national security is defended by members of our National Guard and Reserve forces—men and women who volunteer to put aside their jobs, and leave their families and communities any time our Nation is threatened.

Forty percent of the troops fighting in Iraq are members of the National Guard or Reserve. One-hundred-sixty have given their lives.

Just as Congress thanked the men who liberated Europe and Asia and preserved democracy 60 years ago, the time has now come for Congress to repay our debt to the reservists fighting the war on terror around the world and struggling to bring peace and security to the people of Iraq.

The time has come for America to show a commitment to them that

matches their dedication and service to us.

Many of the current benefits, policies, and support systems for reservists have been in place for decades and their value has eroded over time.

Moreover, the experience of reservists in Kosovo, Afghanistan, and Iraq has demonstrated serious gaps in the benefits we offer them.

Moreover, even as we place a heavier burden on reservists, commanders warn that lower recruitment numbers and higher rates of retirement pose a threat to the continued readiness of our Reserve forces.

We cannot afford to close our eyes and hope this problem solves itself.

We have only a handful of weeks before the 108th Congress adjourns.

National security should sit alone at the top of our agenda, and there are few things more important than ensuring our Reserve forces have the tools they need to achieve the missions we assign them.

Therefore, in the spirit of the GI bill, in gratitude for their valor and sacrifice, and in recognition of our growing reliance on a powerful and effective Reserve force, I am introducing the National Guard and Reserve bill of rights.

This bill codifies a set of rights the men and women serving in our National Guard and Reserve have earned with their service to our Nation.

First, every reservist has the right to straight answers about their deployments. In the last few years, the Department of Defense has often failed to communicate to citizen soldiers and their families when they can expect to be reunited.

South Dakota's 740th Transportation Company, for example, was first told in February 2004 that their work in Iraq was over and that they would be heading home.

In the final days before their departure, they received word that they would remain in Iraq until April, 1 year after they had first reached Iraq.

As this date approached, their deployment was extended for an additional 90 days. These soldiers ultimately returned home in July, nearly 18 months after their activation date.

This kind of situation undermines troop morale and places an unfair burden on their families, businesses, and communities that rely on Guard and Reserve troops. I believe we owe our soldiers honest answers.

My bill would require the Pentagon to treat Active Duty and Reserve forces equally. If active duty forces are deployed abroad for 1 year, reservists would also be activated for 1 year.

It would also require the Department of Defense to conduct a "lessons learned" review of Reserve forces' deployments in Iraq and Afghanistan, so that the miscommunications and mistakes reservists have experienced recently will not be repeated in the future.

Second, every reservist has the right to the best equipment the Nation has

to offer. Reservists are serving on the front lines alongside full-time soldiers. They are facing the same bullets.

They deserve state-of-the-art equipment. However, since the beginning of the Iraq war, we have heard disturbing reports from many Guard and Reserve families in South Dakota, and from national media, that reservists have experienced severe shortages of body armor, night-vision goggles, rifles, and other critical equipment.

I am calling on the GAO to conduct a study about equipment reconstitution in the Guard and Reserve following Operations Iraqi Freedom and Enduring Freedom to assess their equipment needs for future contingencies.

Third, every reservist has the right to adequate, timely, and problem-free compensation.

The GAO has issued two reports in the last several months that call attention to deep-rooted problems in the automated pay system for reservists.

Their most recent report found that as many as 95 percent of reservists have experienced pay problems during their deployments in Iraq and Afghanistan.

My bill will create a position within the Defense Department whose primary responsibility will be to implement the GAO's recommendations and fix the problems with the pay system once and for all.

I also believe that reservists should be compensated for their increased commitment for the last few years. My bill will double the value of re-enlistment bonuses and extend them to career reservists who serve longer than 14 years.

Fourth, every reservist has the right to quality, affordable health care.

For 2 years, Senator LINDSEY GRAHAM and I have been working across the aisle to provide access for all reservists to the military's TRICARE health care system.

This initiative is critical to maintaining readiness among Guard and Reserve units, and will serve as an important recruiting and retention tool as well.

My bill would permanently provide all reservists with access to the military's TRICARE health care system, ensuring that Guard and Reserve personnel are fit to answer duty's call whenever it comes.

Fifth, every reservist has the right to child care during his or her deployment. When members of the Guard and Reserve are deployed for duty, many leave behind families with small children.

For many, Reserve duty makes child care become both more necessary and less affordable. No reservist should have to sacrifice care for his or her children in order to serve their country.

That is why my bill, following on the good work of my colleague Senator MURRAY, would increase funding for child care for families with parents deployed away from home.

Sixth, every reservist has the right to employment when he or she returns from active duty. We cannot ask reservists to fight for their country and then force them to fight for their job once they come home.

Unfortunately, the number of complaints filed by reservists who experience problems with returning to their jobs after a deployment has risen by 50 percent since the war on terrorism began, and there may be hundreds or even thousands of other reservists who have had problems but have not filed complaints.

My bill will strengthen the protections USERRA offers and ensure that reservists know their rights.

Seventh, every reservist has the right to education benefits. The Montgomery GI bill, passed in 1984, set reservists' educational benefits at 47 percent of the benefits offered to Active Duty soldiers.

Twenty years later, that proportion has fallen to only 27 percent. This erosion is even greater considering the high increases in the cost of higher education.

My bill would raise reservists' education benefits to the level set by the Montgomery GI bill at the time of its passage, and would ensure that the value of these benefits rise at the same pace as the cost of higher education.

Eighth, every reservist has the right to a fair retirement plan. As deployments grow longer, citizen soldiers are being prevented from contributing to their civilian retirement plans.

Service to one's country should not come at the expense of a secure retirement.

My colleague, Senator CORZINE, has led the fight to improve the Guard and Reserve retirement plan, which has not changed in over 50 years.

Like Senator CORZINE's bill, my legislation would reduce reservist retirement age from 60 to 55, a proposal that is endorsed by several leading advocates for National Guard and Reserve personnel.

This proposal is especially critical for States like South Dakota, where many reservists have jobs on farms or with other small businesses that have no civilian retirement plans.

Finally, every reservist has the right to representation at the highest levels of the Department of Defense. Our military force—Active and Reserve—is undergoing a transformation to make it better suited to confront the security challenges of the 21st century. We must ensure that the needs and concerns of National Guard and Reserve personnel continue to be heard at the highest levels of the Defense Department during this transformation.

My bill will create a new Deputy Undersecretary for Reserve Affairs who will participate in all decisions involving reservists and carry reservists' concerns to the most senior Pentagon leaders.

These nine rights should be guaranteed every member of our Reserve

forces. Serving in the Guard or Reserve is no longer a one-weekend-a-month commitment.

Reservists are serving on the front lines, facing the same bullets as full-time soldiers. Battlefield commanders are relying on them to serve with courage and skill, and reservists are meeting the challenge.

The sacrifices we ask of reservists are many. But as the authors of the GI bill realized 60 years ago, America owes a debt to the men and women who defend its freedom. We should not compound their sacrifices through neglect or indifference. The brave men and women of the Guard and Reserve have earned the benefits and improvements I am proposing.

The time has come for the Government to recognize this new role and redouble our support for these courageous Americans.

I ask my colleagues on both sides of the aisle to join with me in support of the National Guard and Reserve bill of rights, and to move swiftly to pass it into law.

I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

HOLLOW TRIBUTE TO THE VICTIMS OF SEPTEMBER 11, 2001

Mr. BYRD. Mr. President, I begin my words today by reading from the 33rd verse of the 18th chapter of the Second Book of Samuel, the King James version of the Holy Bible.

And the king was much moved, and went up to the chamber over the gate, and wept: and as he went, thus he said, O my son, Absalom, my son, my son Absalom! Would God I had died for thee, O Absalom, my son, my son!

Mr. President, tomorrow will be a day of painful remembrance for our Nation. The passage of time has done little to numb the anguish of that September morning 3 years ago—how we do remember—when 19 ruthless terrorists commandeered four commercial aircraft and transformed them into the stuff of nightmares. The memories are still too raw, the images are still too vivid, the toll of human misery is still too overwhelming.

And so we remember, and in our remembrance we pay homage to the victims and the heroes of 9/11. But we owe more. We owe more to those who perished on September 11, 2001, than merely remembrance. And we owe more to the American people than merely paying lip service to their safety.

That is the primary reason that we are here today, debating the Homeland Security funding bill. We are here because of the rescue workers who moved so quickly, so valiantly, to save lives, only to sacrifice their own. We are here because of those thousands of men and women who, on that crystal clear morning of September 11, 3 years ago, were sitting at their desks, walking through the halls, doing their jobs, only to have such brutality abruptly

end their lives. We are here, Senators, because we can never forget—never forget—that day, and because we never want to repeat that day of horrors.

Congress has passed a blitz of legislation and appropriated billions of dollars over the past 3 years in response to the 9/11 attacks on America. Congress overcame the objections of the President and created a new Cabinet-level Department of Homeland Security. With great fanfare and acclaim, we passed legislation to strengthen both port and border security. We have tightened airport security, turned our most prominent public buildings into barricaded fortresses, and acquiesced in the suspension of basic rights to privacy in the name of security.

And frankly, to little avail—to little avail, I say. Today, 3 years out from the 9/11 attacks, we are living under the yoke of an “imminent” threat of future attacks. Sectors of New York, New Jersey, and Washington are functioning under a heightened “orange alert” threat level while the rest of the Nation perches uneasily under the umbrella of a yellow, or elevated, threat. Security at virtually any major public event—from the political conventions to the Olympics—is oppressive. We quake, we tremble, at the notion that the November elections might spark another devastating terrorist attack on these United States.

We can talk until we are blue in the face about all the steps we have taken to enhance security since 9/11, but the bottom line is this: Does anybody really feel safer and more secure than they did 3 years ago?

Much of the legislation that Congress has passed since 9/11 was envisioned as a legacy to those 3,000 men and women who lost their lives on that day 3 years ago. Yet, I fear it is becoming a hollow legacy. Congress has been thwarted at every turn by a White House that spends lavishly on rhetoric yet demonstrates a pinch-purse mentality when it comes to delivering on its promises. The Department of Homeland Security that we took such pains to create has been hamstrung from the outset by inadequate funding from the White House. Our port and border security initiatives, so essential to fighting terrorism, are languishing for lack of money. The people hear that their safety, their security, are the paramount priority of this White House. Have you heard that? Yes. Time and again, the people have heard that their security is the paramount priority of this White House down at the other end of the avenue, but then see the very same administration play shell games with security funds.

Surely this is not the legacy we want to leave to the victims of 9/11.

The President crisscrosses the country claiming that he has made America safer. Don't believe it. He has signed legislation intended to protect our airplanes from hijackers. He has signed legislation designed to close the porous borders in our north and south. He has

signed bills to stop terrorists from slipping through our seaports. But what he hasn't signed is the check.

The President tells the country that we are safer because of him, but he has forced dangerous cuts to the Federal Air Marshal program.

The President tells Americans that they can rest easy because of him, but he has refused to approve funds that would help to prevent Madrid-style bombings at our train stations.

The President campaigns on an image of being tough on terrorists—the two-gun slinger, the man at high noon, as it were. But he has rejected effort after effort to invest critical dollars in police officers and firefighters. It is as if the President wants our emergency responders to pay for homeland security with bake sales and bingo nights. When it comes to protecting this Nation, there should be no distinction between providing necessary resources for troops in Iraq and for first responders at home in America.

To continue this homeland security hoax pays little tribute. To tell the American people that they are safe, when, in fact, they are not, honors few memories of those victims of 9/11. This White House has made an absolute sham of homeland security.

And yet there is more. This President has staked his credibility and, to a large extent his Presidency, on the assertion that the war in Iraq is an extension of the war on terror—do not believe it—despite the fact that no Iraqis were among the 9/11 hijackers and despite the fact that no credible evidence of a link between Saddam Hussein and Osama bin Laden has ever been documented.

Oh, the President loves to tell us over and over again that America is safer because Saddam Hussein is no longer in power in Iraq, but the President fails to mention that post-war Iraq has become the foremost breeding ground of anti-American terrorism on the globe. The President likes to talk to the troops, and he likes to talk with the background of troops standing behind him. But he doesn't like to talk about the steadily mounting death toll in Iraq.

Why are the people mute about the death toll in Iraq? Despite the President's rose-colored view of Iraq, the number and recently the rate of American and Iraqi deaths and injuries are continuing to rise. Yes, Iraq may be free of the yoke of Saddam Hussein, but it is not free of the yoke of violence. As of this very week, the death toll of American military personnel in Iraq has exceeded 1,000.

I can hear the cries at night of the fathers and the mothers of those soldiers, marines, and military personnel who have laid down their lives in the hot sands of Iraq. I hear again, as though it were the king, crying:

O my son, Absalom, my son, my son, Absalom! Would God I had died for thee, O Absalom, my son, my son!

Unlike the mass casualties of September 11, American military per-

sonnel in Iraq have died in relatively tiny clusters over the course of the past 18 months, one or two here or five there or seven at a time. In spite of the transfer of sovereignty in Iraq more than 2 months ago, fighting continues to rage on in that crippled country, and American casualties continue to mount.

My son, my son, O Absalom, my son, my son!

The death toll of American military personnel in Iraq may not yet approach the death toll of civilians on September 11, but it is no less significant and no less heartbreaking.

The September 11 terrorist attacks on America may or may not have been preventable. The missed intelligence cues, the missed communications, the “what ifs,” will haunt us forever. But the returns are already in on the war in Iraq. This President, President Bush, took this country to war in Iraq for the wrong reasons, based on faulty assumptions, with unanticipated and deadly results for untold numbers of Americans.

As we pause to remember the moment when the airplanes struck the World Trade Centers, the Pentagon, and the Pennsylvania field, we will remember the sacrifice of the mothers and the fathers, the husbands and the wives, the brothers and sisters and the children, the firefighters, the police officers, the ambulance drivers. We will remember all of those who lost their lives in that tragic time and those tragic moments, and we will remember those who have been sent to battle in their name against the terrorist forces of al-Qaida and the Taliban in Afghanistan.

That was the war in which America was attacked. America was invaded by an invader in the form of hijackers in the cockpits of airplanes used as deadly missiles. Tragically, this has become an enemy of our own making, through our own invasion, through our own attack, through our own pernicious doctrine of preemption, an enemy of our own making in Iraq. And the sorrow of those who have given their sons and daughters in that unprovoked war, the sorrows will not end at election day. The sorrows will not end this year or next or next or the next, but the sorrows will continue as long as there are memories of those who once sat in those vacant chairs around the kitchen tables of America. Those mothers and fathers will continue to weep. The tears will continue to fall. Those loved ones will cry out, as did the king, King David, cry out for their sons as David cried out for his.

And the king was much moved, and went up to the chamber over the gate and wept: and as he wept, thus he said, O my son, Absalom, my son, my son, Absalom! Would God I had died for thee, oh Absalom, my son, my son.

I yield the floor and 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. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

ADJOURNMENT UNTIL 2 P.M.,
MONDAY, SEPTEMBER 13, 2004

The PRESIDING OFFICER. Under the previous order, the Senate is adjourned until 2 p.m. Monday, September 13, 2005.

Thereupon, the Senate, at 2:27 p.m., adjourned until Monday, September 13, 2004, at 2 p.m.

NOMINATIONS

Executive nominations received by the Senate September 10, 2004:

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

CARIN M. BARTH, OF TEXAS, TO BE CHIEF FINANCIAL OFFICER, DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, VICE ANGELA ANTONELLI, RESIGNED, TO WHICH POSITION SHE WAS APPOINTED DURING THE LAST RECESS OF THE SENATE.

DEPARTMENT OF COMMERCE

ALBERT A. FRINK, JR., OF CALIFORNIA, TO BE AN ASSISTANT SECRETARY OF COMMERCE, VICE LINDA MYSLIWIY CONLIN, RESIGNED, TO WHICH POSITION HE WAS APPOINTED DURING THE LAST RECESS OF THE SENATE.

FEDERAL TRADE COMMISSION

JON D. LEIBOWITZ, OF MARYLAND, TO BE A FEDERAL TRADE COMMISSIONER FOR A TERM OF SEVEN YEARS FROM SEPTEMBER 26, 2003, VICE MOZELLE WILLMONT THOMPSON, RESIGNED, TO WHICH POSITION HE WAS APPOINTED DURING THE LAST RECESS OF THE SENATE.

DEBORAH P. MAJORAS, OF VIRGINIA, TO BE A FEDERAL TRADE COMMISSIONER FOR THE UNEXPIRED TERM OF SEVEN YEARS FROM SEPTEMBER 26, 2001, VICE TIMOTHY J. MURIS, RESIGNED, TO WHICH POSITION SHE WAS APPOINTED DURING THE LAST RECESS OF THE SENATE.

AMTRAK

ENRIQUE J. SOSA, OF FLORIDA, TO BE A MEMBER OF THE REFORM BOARD (AMTRAK) FOR A TERM OF FIVE YEARS, VICE LINWOOD HOLTON, TERM EXPIRED, TO WHICH POSITION HE WAS APPOINTED DURING THE LAST RECESS OF THE SENATE.

SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION

SCOTT KEVIN WALKER, OF WISCONSIN, TO BE A MEMBER OF THE ADVISORY BOARD OF THE SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION, VICE ANTHONY S. EARL, RESIGNED, TO WHICH POSITION HE WAS APPOINTED DURING THE LAST RECESS OF THE SENATE.

DEPARTMENT OF ENERGY

SUSAN JOHNSON GRANT, OF VIRGINIA, TO BE CHIEF FINANCIAL OFFICER, DEPARTMENT OF ENERGY, VICE BRUCE MARSHALL CARNES, RESIGNED, TO WHICH POSITION SHE WAS APPOINTED DURING THE LAST RECESS OF THE SENATE.

ENVIRONMENTAL PROTECTION AGENCY

STEPHEN L. JOHNSON, OF MARYLAND, TO BE DEPUTY ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY, VICE LINDA J. FISHER, RESIGNED, TO WHICH POSITION HE WAS APPOINTED DURING THE LAST RECESS OF THE SENATE.

CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD

GARY LEE VISSCHER, OF MARYLAND, TO BE A MEMBER OF THE CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD FOR A TERM OF FIVE YEARS, VICE ISADORE ROSENTHAL, TERM EXPIRED, TO WHICH POSITION HE WAS APPOINTED DURING THE LAST RECESS OF THE SENATE.

DEPARTMENT OF THE TREASURY

PAUL JONES, OF COLORADO, TO BE A MEMBER OF THE INTERNAL REVENUE SERVICE OVERSIGHT BOARD FOR A TERM EXPIRING SEPTEMBER 14, 2008, VICE CHARLES L. KOLBE, TERM EXPIRED, TO WHICH POSITION HE WAS APPOINTED DURING THE LAST RECESS OF THE SENATE.

DEPARTMENT OF STATE

ALDONA WOS, OF NORTH CAROLINA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF

ESTONIA, TO WHICH POSITION SHE WAS APPOINTED DURING THE LAST RECESS OF THE SENATE.

CHARLES GRAVES UNTERMEYER, OF TEXAS, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE STATE OF QATAR, TO WHICH POSITION HE WAS APPOINTED DURING THE LAST RECESS OF THE SENATE.

JOHN D. ROOD, OF FLORIDA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE COMMONWEALTH OF THE BAHAMAS, TO WHICH POSITION HE WAS APPOINTED DURING THE LAST RECESS OF THE SENATE.

INTER-AMERICAN FOUNDATION

NADINE HOGAN, OF FLORIDA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE INTER-AMERICAN FOUNDATION FOR A TERM EXPIRING JUNE 26, 2006, VICE FRANK D. YTURRIA, RESIGNED, TO WHICH POSITION SHE WAS APPOINTED DURING THE LAST RECESS OF THE SENATE.

JACK VAUGHN, OF TEXAS, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE INTER-AMERICAN FOUNDATION FOR A TERM EXPIRING SEPTEMBER 20, 2006, VICE PATRICIA HILL WILLIAMS, RESIGNED, TO WHICH POSITION HE WAS APPOINTED DURING THE LAST RECESS OF THE SENATE.

ROGER W. WALLACE, OF TEXAS, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE INTER-AMERICAN FOUNDATION FOR A TERM EXPIRING OCTOBER 6, 2008, VICE FRED P. DUVAL, TO WHICH POSITION HE WAS APPOINTED DURING THE LAST RECESS OF THE SENATE.

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

JAMES R. KUNDER, OF VIRGINIA, TO BE AN ASSISTANT ADMINISTRATOR OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT, VICE WENDY JEAN CHAMBERLIN, RESIGNED, TO WHICH POSITION SHE WAS APPOINTED DURING THE LAST RECESS OF THE SENATE.

NATIONAL INSTITUTE FOR LITERACY

RICHARD KENNETH WAGNER, OF FLORIDA, TO BE A MEMBER OF THE NATIONAL INSTITUTE FOR LITERACY ADVISORY BOARD FOR A TERM EXPIRING NOVEMBER 25, 2006, VICE ROBIN MORRIS, TERM EXPIRED, TO WHICH POSITION HE WAS APPOINTED DURING THE LAST RECESS OF THE SENATE.

THE JUDICIARY

SEAN F. COX, OF MICHIGAN, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF MICHIGAN, VICE LAWRENCE P. ZATKOFF, RETIRED.

DEPARTMENT OF COMMERCE

JONATHAN W. DUDAS, OF VIRGINIA, TO BE UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE, VICE JAMES EDWARD ROGAN, RESIGNED, TO WHICH POSITION HE WAS APPOINTED DURING THE LAST RECESS OF THE SENATE.

UNITED STATES SENTENCING COMMISSION

RICARDO H. HINOJOSA, OF TEXAS, TO BE CHAIR OF THE UNITED STATES SENTENCING COMMISSION, VICE DIANA E. MURPHY, RESIGNED, TO WHICH POSITION HE WAS APPOINTED DURING THE LAST RECESS OF THE SENATE.

IN THE COAST GUARD

THE FOLLOWING NAMES OFFICERS OF THE COAST GUARD PERMANENT COMMISSIONED TEACHING STAFF FOR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES COAST GUARD UNDER TITLE 14, U.S.C., SECTION 188:

To be captain

JOHN B. MCDERMOTT, 0000

To be lieutenant commander

MICHAEL J. CORL, 0000
GREGORY J. HALL, 0000
DAVID C. CLIPPINGER, 0000

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT AS PERMANENT REGULAR OFFICER IN THE UNITED STATES COAST GUARD IN THE GRADE INDICATED UNDER TITLE 14, U.S. CODE, SECTION 211:

To be lieutenant

KAREN W. QUIACHON, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES COAST GUARD UNDER TITLE 14, U.S.C., SECTION 271:

To be captain

MICHAEL H ANDERSON, 0000
MICHAEL J ANDRES, 0000
BRUCE D BAFFER, 0000
KARL R BALDESSARI, 0000
PETER J BEGERON, 0000
JOHN R BINGAMAN, 0000
PATRICK W BRENNAN, 0000
ERIC P BROWN, 0000
JOHN E CAMERON, 0000
MARK S CARMEL, 0000
ERIC A CHAMBERLIN, 0000
EUGENE F CUNNINGHAM, 0000
GERALD D DEAN, 0000
ROBERT M DEAN, 0000
MICHAEL D EMERSON, 0000
SUZANNE E ENGLEBERT, 0000
ANNE T EWALT, 0000
JOHN M FELKER, 0000
SCOTT J FERGUSON, 0000

ALFRED C FOLSOM, 0000
PATRICK G GERRITY, 0000
MICHAEL A GIGLIO, 0000
PAUL M GUGG, 0000
THOMAS R HALE, 0000
CHRISTOPHER J HALL, 0000
STEVEN M HANEWICH, 0000
STEVEN L HUDSON, 0000
BRUCE C JONES, 0000
THOMAS W JONES, 0000
BRIAN M JUDGE, 0000
JEFFREY S LEE, 0000
THOMAS P MARIAN, 0000
BRIAN J MERRILL, 0000
CHARLES D MICHEL, 0000
EDWARD P NAGLE, 0000
SAM M NEILL, 0000
JONATHAN H NICKERSON, 0000
JEFFREY E OGDEN, 0000
RAYMOND J PERRY, 0000
JOHN P PHILBIN, 0000
MARK L PORVAZNIK, 0000
STEVEN D POULIN, 0000
ROBERT M PYLE, 0000
PAUL S RATTE, 0000
SCOTT W ROBERT, 0000
PAUL J RODEN, 0000
DANIEL A RONAN, 0000
DONALD J ROSE, 0000
PETER S SIMONS, 0000
MATTHEW J SISSON, 0000
THOMAS M SPARKS, 0000
EDWIN M STANTON, 0000
GEORGE J STEPHANOS, 0000
CHARLES V STRANGFELD, 0000
MARK A SWANSON, 0000
DAVID J SWATLAND, 0000
CARI B THOMAS, 0000
LORNE W THOMAS, 0000
DONALD R TRINER, 0000
CARL J UCHYTIL, 0000
THOMAS J VITULLO, 0000
GORDON K WEEKS, 0000

IN THE ARMY

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

To be lieutenant general

MAJ. GEN. R. STEVEN WHITCOMB, 0000

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

To be lieutenant general

LT. GEN. DAVID D. MCKIERNAN, 0000

IN THE NAVY

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

To be vice admiral

REAR ADM. LEWIS W. CRANSHAW JR., 0000

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE, UNDER TITLE 10, U.S.C., SECTIONS 624 AND 1552:

To be colonel

FRANK A. POSEY, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE AND FOR REGULAR APPOINTMENT (IDENTIFIED BY AN ASTERISK (*)) UNDER TITLE 10, U.S.C., SECTIONS 624 AND 531:

To be major

TRACEY R.* ROCKENBACH, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE AND FOR REGULAR APPOINTMENT (IDENTIFIED BY AN ASTERISK (*)) UNDER TITLE 10, U.S.C., SECTIONS 624 AND 531:

To be major

SHANNON D.* HAILES, 0000
MICHAEL F. LAMB, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADES INDICATED IN THE UNITED STATES AIR FORCE AND FOR REGULAR APPOINTMENT (IDENTIFIED BY AN ASTERISK (*)) UNDER TITLE 10, U.S.C., SECTIONS 624 AND 531:

To be major

TOMMY D.* BOUIE, 0000
ANDREW P. BURKE, 0000
DEIDRA E.* HEFFINGTON, 0000
JENNIFER L.* LUCE, 0000

IN THE ARMY

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

MICHAEL J. BLACHURA, 0000

LOUIS FAZEKAS, 0000
 JAMES A. HOYER, 0000
 BERNARD P. LISWELL, 0000
 SHELLEY L. MAHOOD, 0000
 JAMES C. MCKAY, 0000
 KENNETH C. MCNEILL, 0000
 KENNETH D. NEWLIN, 0000
 RONALD P. WELCH, 0000

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

SCOTT A. AYRES, 0000
 DOUGLAS J. CURELL, 0000
 ROBERT T. HERBERT, 0000
 TIMOTHY E. ORR, 0000
 DAVID E. RICKFORD, 0000
 GERALD I. WALTER, 0000

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

MARK A. COSGROVE, 0000
 VALDEMAR GARCIA, 0000
 ROBERT H. JONES, 0000
 JOHN E. SMITH, 0000
 ROGER L. SOLDANO, 0000
 RONNIE J. WESTMAN, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SPECIALIST CORPS AND FOR REGULAR APPOINTMENT (IDENTIFIED BY AN ASTERISK(*)) UNDER TITLE 10, U.S.C., SECTIONS 624, 531, AND 3064:

To be lieutenant colonel

STEVEN H. BULLOCK, 0000
 MYRNA C. CALLISON, 0000
 SONYA J. CORUM, 0000
 STEPHANIE E. DAUGHERTY, 0000
 DANNY B. JAGHAB, 0000
 JOHN E. KENT, 0000
 BETTY J. QUITT, 0000
 JOANNA J. REAGAN, 0000
 DANIEL G.* RENDERO, 0000
 LESLEE F. SANDERS, 0000
 JOHN M. STANG, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY AND FOR REGULAR APPOINTMENT (IDENTIFIED BY AN ASTERISK(*)) UNDER TITLE 10, U.S.C., SECTIONS 624 AND 531:

To be lieutenant colonel

MICHAEL N. ALBERTSON, 0000
 NATHANIEL L. ALLEN, 0000
 JOAN M. ALLISON, 0000
 ROBERT J. ANDERSON, 0000
 MICHAEL R. BARNARD, 0000
 KIRKLIN J. BATEMAN, 0000
 JOHN D. BECK, 0000
 JONATHAN D.* BERRY, 0000
 RICHARD K. BOND, 0000
 MARK W. BRANTLEY, 0000
 THOMAS M. BRENNAN, 0000
 WILLIAM C. BUNTING, 0000
 DAVID M. CANNON, 0000
 JAY D. CARLSON, 0000
 PAUL A. CHAMBERLAIN, 0000
 KATHLEEN T. CHANDLER, 0000
 CAESAR D. COBB, 0000
 EDWARD F. COLE JR., 0000
 JOHN A. COOPER, 0000
 CHRISTOPHER G. CROSS JR., 0000
 ANNIE K. DEAR, 0000
 JOHN C. DEJARNETTE III, 0000
 SEAN T. DELLER, 0000
 RICK A. DIGGS, 0000
 GEORGE E. DILLON JR., 0000
 JOEL C. DOTTERER, 0000
 GRANT R. DOTY, 0000
 BRADLEY K.* DREYER, 0000
 THEODORE D. DUGONE, 0000
 MARGARET L. DUNN, 0000
 DUANE P. EASTER, 0000
 SCOTT D. FABIAN, 0000
 MARK T. FETTER, 0000
 THEODORE J. FOX, 0000
 JUSTIN C. GAGE, 0000
 BRADLEY T. GERICKE, 0000
 GREGORY H. GRAVES, 0000
 CRAIG M. GREENE, 0000
 JOHN F. GRITTMAN, 0000
 RODNEY T. HAGGINS, 0000
 MICHAEL W. HAMM, 0000
 JOHN P. HARTKE, 0000
 JOHN M. HARTWIG, 0000
 CLARK H. HEIDELBAUGH, 0000
 JOSEPH G. HENRY, 0000
 DAVID K. HINKES, 0000
 ARTHUR J. HOFFMANN JR., 0000
 JEFFREY L. HUISINGH, 0000
 PAUL J. HURLEY JR., 0000
 LYNN S. JACKSON, 0000
 EVERETT C. JOHNSON, 0000
 HARVEY W. JOHNSON, 0000
 PEGGY M. KAMMEN, 0000
 ROBERT H. KEWLEY JR., 0000
 DAVID A. KNOWLTON, 0000
 GERALD C. KOBYSKI, 0000

KARL M. KRAUS, 0000
 DAVID A. LAGRAFFE, 0000
 MARC A. LEE, 0000
 KENNETH A. LENIG, 0000
 MATTHEW C. LEWIS, 0000
 DIANA E. LIZOTTE, 0000
 GREGORY D. LOUDEN, 0000
 ROBERT R. MACKEY, 0000
 CHRISTINE U. MARTINSON, 0000
 SHAWN G. MCCURRY, 0000
 CHRISTOPHER H. MCMANUS, 0000
 JOHN W. MILLER, 0000
 KENNETH G. MORENO, 0000
 MICHAEL N. NAHAS, 0000
 WILLIAM W. NASE, 0000
 MICHAEL P. NAUGHTON, 0000
 JILL M. NEWMAN, 0000
 THOMAS J. NIGRO, 0000
 LARRY K. NODINE, 0000
 KEITH E. OLSON, 0000
 MACE J. OSWALD, 0000
 WILLIAM E. OWEN, 0000
 GENE M. PISKATOR, 0000
 JEFFREY C. POWELL, 0000
 EDWARD T. POWERS, 0000
 LEVEN R. PRESSLEYSANDERS, 0000
 BRENTLY L. RAMSEY, 0000
 CARLA Y. REED, 0000
 JEFFREY F. ROBINSON, 0000
 STEVEN M. ROESLER, 0000
 KAREN R. ROSSER, 0000
 MARK H. SALAS, 0000
 JOHN E. SCHOTZKO, 0000
 DAVID A. SHUGART, 0000
 JON L. SHUPENUS, 0000
 DAVID L. SILVERNAIL, 0000
 JOEL J. SLAGLE, 0000
 KYLE G. SMITH, 0000
 WALTER W. SPANGLER, 0000
 BRIAN K. SPERLING, 0000
 RALPH T. STANDBROOK, 0000
 JEFFREY A. STERLING, 0000
 DAVID J. STEVENS, 0000
 BRYAN A. STEWART, 0000
 GREGORY K. STINSON, 0000
 STEVEN A. STODDARD, 0000
 WILLIAM R. STOWMAN, 0000
 JOHN A. STYER, 0000
 VESEN L. THOMPSON, 0000
 JOHN L. THURMAN, 0000
 DAVID M. TOCZEK, 0000
 ANTHONY W. VASSALO, 0000
 TIMOTHY C. WALL, 0000
 TERRANCE D. WALLACE, 0000
 ROBERT E. WARING, 0000
 WILLIAM S. WARNER, 0000
 BENJAMIN E. WEBB, 0000
 JEFFREY R. WILEY, 0000
 DAVID A. WILLIAMS, 0000
 BLANE C. WILSON, 0000
 DENNIS M. WINCE, 0000
 PETER B. WITH, 0000
 WILLIAM S. WOESSNER, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY AND FOR REGULAR APPOINTMENT (IDENTIFIED BY AN ASTERISK(*)) UNDER TITLE 10, U.S.C., SECTIONS 624 AND 531:

To be lieutenant colonel

JOHN W. AMBERG II, 0000
 DARRAN T. ANDERSON, 0000
 PRENTISS O. BAKER, 0000
 CHRISTOPHER L. BALLARD, 0000
 WILLIAM G. BEAVERS, 0000
 SIGMUND B. BELISCH JR., 0000
 CHARLES H. BENSON III, 0000
 SCOTT R.* BLEICHWEH, 0000
 GREGORY T. BRIERLY, 0000
 DARIN L. BROCKINGTON, 0000
 MICHAEL L. BROWNFIELD, 0000
 DENNIS W. BROZEK, 0000
 LOU L. BURTON III, 0000
 KENT F. CASSELLA, 0000
 GAIL C. CLARKE, 0000
 JAMES L. COLLINS, 0000
 AARON D. COMBS, 0000
 CHARLES K. COOK, 0000
 ERIC A. DAVIS, 0000
 KATHERINE S. DAVIS, 0000
 EUGENE J.* DEVINE III, 0000
 HARBAUGH D.* DICICCO, 0000
 CHARLES A. DICKENS, 0000
 JAMES J. DONLON, 0000
 MICHAEL O. DONNELLY, 0000
 FREDERICK B. DUGAN, 0000
 BRIAN H. EDHOLM, 0000
 JOHN M. ERWIN, 0000
 ROBERT L. FANELLI JR., 0000
 RONNIE E. FORD, 0000
 STEVAN J. FRENCH, 0000
 KENNETH H. FRITZSCHE, 0000
 CRISLER A. FUCCI, 0000
 DARRREL R. GREGG JR., 0000
 GLENN E. HERRIN, 0000
 MITCHEL L. HUDSON, 0000
 STEVEN P. IOOSS, 0000
 THOMAS L. JAMES, 0000
 JOHN T. JASZEWSKI, 0000
 JOEL J. JEFFSON, 0000
 MICHAEL J. KEITH, 0000
 GWENDOLYN L.* KING, 0000
 ROBERT E. KLINGSEISEN, 0000
 KEITH A. LARSON, 0000
 PAMMELLA J. LASZLO, 0000
 JAMES C. LAUGHREY, 0000
 BRUCE B. LAVELL, 0000
 CHARLES H. LEACH II, 0000
 FAVIO L. LOPEZ, 0000
 BRIAN MAKI, 0000
 NANCY A. MAKOWSKI, 0000
 CHRISTOPHER G. MARSHALL, 0000
 MICHELLE L. MARTINNING, 0000
 JEFFREY A. MAY, 0000
 RICHARD J. MCKINSTRY, 0000
 ROBERT J. MCTASNEY, 0000
 STEVEN P. MEIHAUS, 0000
 MICHAEL L. MILLS, 0000
 JEFFREY P. MUHLENKAMP, 0000
 MARVIN E. MURPHY, 0000
 ANDRES ORTEGON, 0000
 LEE M. PACKNETT, 0000
 RICHARD A. PAQUETTE, 0000
 ALAN G. PERSONIUS, 0000
 HOWARD K. PHELAN, 0000
 GREGORY E. PRITZL, 0000
 JAMES D. PRUNESKI, 0000
 GORDON R. QUICK JR., 0000
 JEFFREY S. RANSBOTTOM, 0000
 ROBERT A. RASCH JR., 0000
 STANLEY E. REEDY, 0000
 FREDERICK L. RICE, 0000
 BRIAN D. RUSSO, 0000
 CLAY S. SCHERER, 0000
 RICHARD M. SCHULTZ, 0000
 MARK S. SHAAHER, 0000
 BRYAN N. SPARLING, 0000
 RANDI J. STEFFY, 0000
 MICHAEL F. STERRRETT, 0000
 ROBERT S. SWARTWOOD, 0000
 GARY C. TALLMAN, 0000
 GLEN A. TEASLEY, 0000
 LEMUEL A. THOMAS JR., 0000
 MICHAEL A. VANPUTTE, 0000
 NORMAN M. WADE, 0000
 ANDREW J. WEATE, 0000
 ROBERT A. WHETSTONE, 0000
 RODNEY G. WILLIAMS, 0000
 SAUNDRA R. YANNA, 0000
 JOHN E. ZABEL, 0000
 RICHARD G. ZOLLER, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY AND FOR REGULAR APPOINTMENT (IDENTIFIED BY AN ASTERISK(*)) UNDER TITLE 10, U.S.C., SECTIONS 624 AND 531:

To be lieutenant colonel

GILBERT ADAMS, 0000
 BROOK E. ALLEN, 0000
 DUANE E. AMSLER JR., 0000
 MATTHEW D. ANDERSON, 0000
 SCOTT C. ARMSTRONG, 0000
 ROBERT E. BACKMAN, 0000
 JOHN S. BALDA, 0000
 ROBERT S. BARKER, 0000
 EUGENE BARRETT, 0000
 DEAN R. BATCHELDER, 0000
 TIMOTHY R. BAXTER, 0000
 CARLOS G. BERRIOS, 0000
 JOSEPH J. BOVY JR., 0000
 JAMES B. BRASHEAR, 0000
 DAVID E. BRIGHAM, 0000
 PAUL C. BROTZEN, 0000
 ANTHONY T. BROWN, 0000
 SCOTT F. BRUNER, 0000
 WALTER J. BRUNSON, 0000
 KERRY P. BRUNSON, 0000
 JOSEPH A. CAPOBIANCO, 0000
 WILLIAM F. CARBERRY, 0000
 CHARLES E. CARTER, 0000
 ROCKY L. CARTER, 0000
 DAVID K.* CHAPMAN, 0000
 DAVID P. CHAPMAN, 0000
 ANDREW T. CLEMENTS, 0000
 JAY B. CONNORS, 0000
 JOHN M. COURTNEY, 0000
 CHARLES B. COX, 0000
 GREGORY S. CRECH, 0000
 BENJAMIN D. CROCKETT, 0000
 DANIEL J. CUNNINGHAM, 0000
 TODD A. CYRIL, 0000
 JOHN S. DAILEY, 0000
 CHARLES E. DAVIS, 0000
 PAUL L. DECECCO, 0000
 DAVID W. DETATA, 0000
 KEITH A. DETWILER, 0000
 RONALD C. DODGE JR., 0000
 SHARLENE J. DONOVAN, 0000
 PATRICK O. DOYLE, 0000
 GREGORY R. EBNER, 0000
 WILLIAM T. ENGLISH, 0000
 JOSE A. ESPINOSA, 0000
 ANTHONY O. EVANS, 0000
 PHILLIP J. FAIETA, 0000
 JEFFREY D. FROM, 0000
 WILLIAM A. FROMLAND, 0000
 RICHARD T. GIBBONS, 0000
 DONALD P. GILLILAND, 0000
 CATHERINE E. GILLUND, 0000
 STEPHEN J. GRANSBACK, 0000
 SHAWN P. GRESHAM, 0000
 ROBERT B. GRIDER JR., 0000
 CHRISTIAN B. GRINSELL, 0000
 RICHARD K. GUFFEY, 0000
 DANIEL J. GUILFORD, 0000
 JEFFREY E. HAGER, 0000
 ROBERT E. HAMILTON, 0000
 ROBERT J. HANNAH, 0000
 JOHN P. HANNON, 0000
 ROBERT D. HARPER, 0000
 ERIC M. HARTMAN, 0000

KEITH D. HARVEY, 0000
 MICHAEL T. HAWN, 0000
 BRIAN K. HEDRICK, 0000
 ANDREW R. HEPPPELMANN, 0000
 CARL B. HIGGS, 0000
 KEVIN J. HILLMAN, 0000
 MICHAEL A. HUFF, 0000
 PHILLIP D. JANZEN, 0000
 MARK E. JEFFRIS, 0000
 ANDREW W. JENKINS, 0000
 LEWIS A. JOHNSON JR., 0000
 MICHAEL E. KAFFKA, 0000
 WINFIELD R. KELLER, 0000
 JOSEPH B. KING, 0000
 JEFFREY T. KNIGHT, 0000
 RANDALL L. KOEHLMOOS, 0000
 KAZIMIERZ Z. KOTLOW, 0000
 ROBERT L. LARSON, 0000
 RANDY H. LAWRENCE, 0000
 JOHN W. LEWIS, 0000
 DOUGLAS D. LILLY, 0000
 DARRYL L. * LONG, 0000
 JOSEPH W. LONTOS JR., 0000
 DAVID M. LOVEJOY, 0000
 CHARLES D. MARTINO, 0000
 EDWARD E. MASON, 0000
 WILLIAM J. MAXCY, 0000
 TAMMY L. MCNAMARA, 0000
 BRIAN S. MCNAUGHTON, 0000
 ROBERT G. MCVAY, 0000
 RODNEY A. MENTZER, 0000
 MEL M. METTIS, 0000
 MICHAEL G. MILLER, 0000
 SCOTT A. MILLER, 0000
 JOSEPH S. MINUS JR., 0000
 MARK A. MISKOVIC, 0000
 TIMOTHY D. MITCHELL JR., 0000
 JAMES A. MOFFATT, 0000
 ERIC V. MOHNEY, 0000
 MICHAEL J. MONIS, 0000
 JEFFREY J. MURPHY, 0000
 WAYNE MURPHY, 0000
 ROBERT W. MYLES JR., 0000
 JOSEPH R. NAGEL, 0000
 MICHELLE NASSAR, 0000
 SCOTT NELSON, 0000
 STEVEN M. NOE, 0000
 AARON K. OGLESBEE, 0000
 MICHAEL K. OHARA, 0000
 ROBERT F. OLSEN, 0000
 JEFFREY T. OPPENHEIM, 0000
 JOHN M. OREGAN, 0000
 PAUL H. PARDEW, 0000
 KENDALL T. PARKS, 0000
 LUIS A. PEROZO, 0000
 MARTIN A. PERRYMAN, 0000
 WOLFGANG A. PETERMANN, 0000
 PAUL M. PHILLIPS, 0000
 ROBIN N. PHILLIPS, 0000
 JEFFREY C. PREDMORE, 0000
 JAMES M. PROCTOR JR., 0000
 STANLEY H. PUSTARFI, 0000
 JAMES J. RAFTERY JR., 0000
 JOSEPH W. RANK, 0000
 QUENTON T. RASHID, 0000
 CLYDE E. RICHARDS JR., 0000
 MATTHEW RIORDAN, 0000
 JAMES O. ROBINSON JR., 0000
 JOHN M. RODDY, 0000
 DARRIN H. RODESCHIN, 0000
 STUART K. ROGERS, 0000
 JAMES K. ROSE, 0000
 GARY F. SARGENT, 0000
 SANDE J. SCHLESINGER, 0000
 MATTHEW C. SCHNAIDT, 0000
 DAVID E. SCHOOLCRAFT, 0000
 CHRISTOPHER R. SEACORD, 0000
 JOHN E. SHANKLIN, 0000
 JAMES C. SHARKEY, 0000
 WILLIAM H. SHEEHY, 0000
 RANDY J. SMITH, 0000
 ALAN T. STATHAM, 0000
 EDWARD J. STAWOWCZYK, 0000
 GARY D. STEPHENS, 0000
 TIMOTHY J. STRANGE, 0000
 ADAM N. STROUP, 0000
 EDWARD J. SWANSON, 0000
 WALTER S. SWEETSER, 0000
 DAVID G. TATMAN, 0000
 REGINALD TERRY, 0000
 DEBORA L. THEALL, 0000
 THOMAS H. TODD III, 0000
 BRUCE J. TUFTIE, 0000
 PHILIP L. TURNER III, 0000
 WILLIAM T. UTROSKA, 0000
 ERIK VALENTZAS, 0000
 MICHAEL J. VASSALOTTI, 0000
 NORBERT E. VERGEZ, 0000
 JONAS VOGELHUT, 0000
 NICHOLAS J. VOZZO, 0000
 CLINTON J. WALLINGTON III, 0000
 SHAWN C. * WALTERS, 0000
 GAIL L. WASHINGTON, 0000
 TIMOTHY L. WATKINS, 0000
 ROBERT W. WEBSTER, 0000
 ARIC S. WHATLEY, 0000
 VERONICA A. * WILSON, 0000
 DAVID D. WISYANSKI, 0000
 DAVID M. WITTEVEEN, 0000
 ALBERT G. ZAKAIB, 0000
 JAMES F. ZINK, 0000
 SCOTT W. ZURSCHMIT, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY NURSE CORPS AND FOR REGULAR APPOINTMENT (IDENTIFIED BY AN ASTERISK(*)) UNDER TITLE 10, U.S.C., SECTIONS 624, 531, AND 3064:

To be lieutenant colonel

CELETHIA M. ABNER, 0000
 EDWIN M. ALBERTO, 0000
 HOLLY S. * BAKER, 0000
 RISA D. BATOR, 0000
 CASSANDRA E. BLAKLEY, 0000
 CHRISTINE J. BRIDWELL, 0000
 KRISTINE M. BRISTOW, 0000
 WILLIAM A. * BROCK, 0000
 EDYTHE A. BROWNE, 0000
 PRICE V. BULLOCK, 0000
 WENDY R. CAMPBELL, 0000
 MARY K. CARSON, 0000
 LEE A. CEBULA, 0000
 SATURNINO CHAVEZ, 0000
 PLACIDIA M. CLARK, 0000
 MARY C. CLARKE, 0000
 DEBRA L. CLISE, 0000
 RUTH G. CRAMPTON, 0000
 TRACI E. CRAWFORD, 0000
 BEVERLY A. CROSBY, 0000
 MARGARET A. DIXON, 0000
 REBECCA L. DOUGLAS, 0000
 EDWARD W. * DROST, 0000
 RICHARD L. EVANS JR., 0000
 PAMELA S. FERGUSON, 0000
 LINDA W. FISHER, 0000
 GRETEL FOSTERBOATWRIGHT, 0000
 KEVIN T. GALLOWAY, 0000
 PETRINA E. GAVRILIS, 0000
 PETER * GEREPKA, 0000
 JANICE D. GRADY, 0000
 CHRISTOPHER D. GRAHAM, 0000
 JOHN T. GROVES, 0000
 SHARON E. HEALY, 0000
 PAUL A. HIRD, 0000
 JOHN P. * HLABNICKA, 0000
 THOMASINE S. HOWARD, 0000
 RICHARDSON D. JAMES, 0000
 DAVID C. JOSS, 0000
 LORRAINE M. KNIGHT, 0000
 ERIC R. KOCH, 0000
 PATRICK A. KUNTZ, 0000
 TAMARA J. LAFRANCOIS, 0000
 GARY M. LANG, 0000
 GLENDA J. LOCK, 0000
 STACEY C. MANGANA, 0000
 CATHY M. MARTIN, 0000
 MADELYN S. MCKENNAN, 0000
 ERIN C. MCCLAUGHLIN, 0000
 MICHAEL A. * MCMAHON, 0000
 WILLIAM J. MORAN JR., 0000
 JOHN A. * NERGES, 0000
 JAMES B. NIX, 0000
 STOKES M. PAYNE, 0000
 JENNIFER L. PETERSEN, 0000
 MARIE H. * PRICE, 0000
 SHELLEY A. RICE, 0000
 SUZANNE K. RICHARDSON, 0000
 ENRIQUE RIVERA JR., 0000
 ETHEL L. * ROBERSON, 0000
 JEFFREY S. ROOS, 0000
 BARBARA A. RYAN, 0000
 NANCY B. SANCHEZ, 0000
 CHARLOTTE W. SCOTT, 0000
 PATRICK G. SHANNON, 0000
 THOMAS SIMPKINS, 0000
 SARA T. SPROAT, 0000
 PALACESTINE G. TABSON, 0000
 SONDRAS S. THOMPSON, 0000
 ORTIZ S. TILLMAN, 0000
 BARRY A. VANCE, 0000
 DONALD L. * VANDAM, 0000
 NEVA J. * WESTHOFF, 0000
 STEPHANIE C. WILCHER, 0000
 CHERUB I. * WILLIAMSON, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY AS CHAPLAINS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be major

STANLEY P. ALLEN, 0000
 STEPHEN R. ALSLEBEN, 0000
 NANA E. BASSAW, 0000
 ALVA R. BENNETT JR., 0000
 JAMES W. BLOUNT, 0000
 MITCHELL A. BUTTERWORTH, 0000
 SAUL E. CARDONA, 0000
 BRIAN P. CRANE, 0000
 DEAN A. DARROUX, 0000
 LOUIS A. DELTUFO, 0000
 DAVID J. DEPPMEIER, 0000
 LUCY M. DERGAARBEDIAN, 0000
 WIESLAW A. DYNEK, 0000
 PETER O. FERRIS, 0000
 RICHARD D. GARVEY, 0000
 KENNETH A. GESCH, 0000
 JAMES R. GRIFFIN, 0000
 ROBERT H. HART JR., 0000
 JEFFREY A. HORSMAN, 0000
 TERRY E. JARVIS, 0000
 JOSEPH R. JEFFRIES, 0000
 MICHAEL J. KING, 0000
 DAVID R. KIRK, 0000
 JONATHAN K. LANDON, 0000
 HENRY A. LEONARD, 0000
 JOHN C. LIM, 0000
 LONNIE L. LOCKE III, 0000
 BRIAN L. MEAD, 0000
 ROY M. MYERS, 0000
 DANIEL S. OH, 0000
 JOSHUA L. PAIR, 0000
 GARY G. PAYNE, 0000
 ROBIN W. PIZANTI, 0000
 CLARK E. RABE, 0000
 PAUL D. RAMSEY, 0000
 TIMOTHY L. RIETKERK, 0000
 RANDAL H. ROBISON, 0000
 JULIE M. ROWAN, 0000
 LUIS A. RUIZ, 0000
 FELIX SERMON JR., 0000
 SCOTT R. SHERRETTZ, 0000
 JAMES E. SMITH JR., 0000
 TIMOTHY D. SMITH, 0000
 BLAN M. STOUT JR., 0000
 JACK J. STUMME, 0000
 GREGORY S. THOGMARTIN, 0000
 ROBERT F. WILLIAMS, 0000
 CHARLES D. WOOD, 0000
 HENRY J. YOUNG, 0000
 THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS AND FOR REGULAR APPOINTMENT (IDENTIFIED BY AN ASTERISK(*)) UNDER TITLE 10, U.S.C., SECTIONS 624, 531, AND 3064:

To be major

THOMAS L. * ADAMS JR., 0000
 JOHN S. * ATTA, 0000
 PHILIP A. ALBANEZE, 0000
 JESSELLE E. * ALBERT, 0000
 MORALES S. * ALFORD, 0000
 SYED O. * ALL, 0000
 MARK I. * ANDERSON, 0000
 MIKE L. ANDERSON, 0000
 ALLAN H. * ANDREWS, 0000
 JAMES M. * ANDREWS, 0000
 GERARD M. * ANTOINE, 0000
 HAYS L. * ARNOLD, 0000
 HILLARY * ARNOLDHURTADO, 0000
 CHAD A. * ASPLUND, 0000
 MARIAPAZ S. * BABCOCK, 0000
 BRYAN L. * BACON, 0000
 KETH * BARTON, 0000
 MICHAEL J. * BATTAGLIA, 0000
 ANDREW P. * BATTIATA, 0000
 BRIAN J. * BAUMGARTNER, 0000
 KIMBERLY * BECK, 0000
 MICHAEL D. * BECKER, 0000
 SHERYL A. * BEDNO, 0000
 DAVID G. * BELL, 0000
 DELANO R. * BENJAMIN, 0000
 MARK J. * BERKOWITZ, 0000
 TAMARA L. BIEGA, 0000
 TIMOTHY J. BIEGA, 0000
 THOMAS P. * BIRK, 0000
 IAN H. * BLACK, 0000
 KIRSTEN A. * ELOMBERG, 0000
 SUDIP K. * BOSE, 0000
 DUSTIN L. BOYER, 0000
 TIMOTHY C. * BRAND, 0000
 JOSEPH P. * BROOKS, 0000
 JENNIFER A. * BROWN, 0000
 MILLARD D. * BROWN III, 0000
 GLORIA Y. * BROWNE, 0000
 MICHAEL * BRYWKA III, 0000
 LISABETH A. * BUSH, 0000
 JAY S. * CAMPBELL, 0000
 WILLIAM H. * CANN, 0000
 DIMITRI C. * CASSIMATIS, 0000
 EL T. * CASTRO JR., 0000
 ROBERT W. * CHALMERS, 0000
 JOHN R. * CHEWNING, 0000
 MICKEY S. CHO, 0000
 MARY * CHOI, 0000
 KEVIN K. * CHUNG, 0000
 DAVID W. COFFIN, 0000
 PATRICK B. COOPER, 0000
 MARK S. CRAGO, 0000
 NAOMI B. * CREEL, 0000
 PERCIVAL L. CUBETO, 0000
 HOWARD L. * CURLIN, 0000
 HEATHER M. CURRIER, 0000
 RICHARD V. * DANIELS III, 0000
 DAVID M. * DANIELSON, 0000
 DANIEL R. * DAVIS, 0000
 THOMAS C. * DEMER, 0000
 JAMES S. * DENNY, 0000
 MARK A. * DEOSSMAKSOU, 0000
 DEBORAH J. * DESHIELDS, 0000
 LAURENCE M. * DESHIELDS, 0000
 PATRICK J. * DEVINE, 0000
 KIMBERLY M. * DEVORE, 0000
 AMAN * DHAWAN, 0000
 MEGAN J. * DIFURIO, 0000
 JOSHUA E. * DITTMER, 0000
 CHARLES T. * DODSON II, 0000
 BENEDAN T. * DOHERTY, 0000
 ANDREW M. * DOOLITTLE, 0000
 SEAN C. * DOYLE, 0000
 ROGER H. * DUDA, 0000
 GARY W. * DUFRESNE, 0000
 SCOTT A. * EADER, 0000
 LARRY L. * ELLIS JR., 0000
 MICHELLE K. ERVIN, 0000
 ANTHONY J. * FADELL, 0000
 DANIEL B. * FAGBULI, 0000
 ERIC P. FILLMAN, 0000
 JOSEPH F. * FISK, 0000
 BRYAN A. * FISK, 0000
 PAUL W. * FLEENOR, 0000
 BRIAN T. * FOGARTY, 0000
 ANDREW J. FOSTER, 0000
 KECLA L. * FOXWORTH, 0000
 JENNIFER E. * FRANK, 0000
 ELIZABETH * GARCIA, 0000
 BEAU GARDNER, 0000
 STEVEN J. * GAYDOS, 0000
 GREGG G. * GERASIDON, 0000
 DENNIS J. GEYER, 0000

LOUIS M. *GIANGIULIO, 0000
 CHRISTINA M. *GILLESPIE, 0000
 DANIEL P. *GILLIGAN, 0000
 BRUCE A. *GLEASON, 0000
 BRIAN S. *GOSSE, 0000
 DARIN E. *GOULD, 0000
 CARROL E. *GRANT, 0000
 JILL A. *GRANT, 0000
 BRUCE A. *GREENBERG, 0000
 EILEEN B. *GREENWALD, 0000
 JANE *GROSS, 0000
 JOHN P. *GUERREIRO, 0000
 SEAN T. *GUNNING, 0000
 JENNIFER M. *GURNEY, 0000
 JAIME J. *HALVERSON, 0000
 JOHN A. *HAMEL, 0000
 JAMIE R. *HANSON, 0000
 JAMES G. *HARDIGAN, 0000
 JILL C. HASLING, 0000
 THOMAS C. *HATTAN, 0000
 ERIC L. HAWKINS, 0000
 JOSHUA S. *HAWLEY, 0000
 JAMES R. HEMPEL, 0000
 ROBERTO *HENNESSY, 0000
 SANDRA L. *HERNANDEZ, 0000
 ROBERT D. *HEROS, 0000
 LAURENCE B. *HERZOG, 0000
 KIMBERLY W. HICKEY, 0000
 PATRICK W. HICKEY, 0000
 JASON M. HILES, 0000
 JARREL K. *HOLMES, 0000
 CHRISTOPHER H. *HOYT, 0000
 KERMIT D. *HUEBNER, 0000
 LINDA L. *HUFFER, 0000
 DAVID M. *HUFNAGEL, 0000
 PAMELA *HUGHES, 0000
 MARC A. *HULTQUIST, 0000
 TIMOTHY R. *HURTADO, 0000
 STEPHEN P. *HYLAND, 0000
 DEREK F. *IPSEN, 0000
 MATTHEW J. *ISOM, 0000
 SHARI A. *JACKSON, 0000
 TRENTON L. *JAMES, 0000
 TRENTON A. *JANDS, 0000
 ABEL D. *JARELL, 0000
 DAVID J. *JENSEN, 0000
 MATTHEW R. JEZIOR, 0000
 ERIC K. *JOHNSON, 0000
 JOSEPH *JOHNSON, 0000
 PATRICIA A. KEEFE, 0000
 GLENN J. KERR, 0000
 THOMAS J. *KIM, 0000
 CATHERINE A. KIMBALLEAYRS, 0000
 SOO H. *KINDELIO, 0000
 MATTHEW T. *KLEESE, 0000
 THOMAS F. *KNISELY, 0000
 JOHN T. *KOLISNYK, 0000
 KENNETH W. *KOOSER, 0000
 KENNETH M. *KUDELKO, 0000
 KENNETH D. KUHN, 0000
 LORINE *LAGATTA, 0000
 MATTHEW C. *LAMBIASE, 0000
 KEVIN J. LEARY, 0000
 JAMES J. *LEE, 0000
 JOSEPH C. *LEE, 0000
 ALAN E. *LEIFESTE, 0000
 KEITH M. *LEMMON, 0000
 RANDLE L. *LIKES, 0000
 WILLIAM S. *LIN, 0000
 DAVID *LIN, 0000
 DEREK R. LINKLATER, 0000
 PHILIP D. LITTLEFIELD, 0000
 RICHARD C. LIU, 0000
 JOSE A. *LOPEZ, 0000
 ELIZABETH H. *LUCAL, 0000
 HUY Q. LUU, 0000
 JAMES H. *LYNCH IV, 0000
 TRACEY F. LYON, 0000
 ROBERT L. MABRY, 0000
 LOUIS R. *MACAREO, 0000
 CRAIG *MAIDDOX, 0000
 MICHAEL B. *MADKINS, 0000
 PAMELA M. MALLARI, 0000
 SALIM B. *MATHEW, 0000
 DAVID L. *MATHEAS, 0000
 LISA M. MAXWELL, 0000
 MATTHEW M. *MAYFIELD, 0000
 BRUCE M. *MCCLLENATHAN, 0000
 JOHN J. *MCGUIGAN JR., 0000
 REBECCA M. *MCGUIGAN, 0000
 PATRICIA A. MCKAY, 0000
 ROBERT MEADOWS, 0000
 CHRISTIAN J. *MEKO, 0000
 NORMA L. *MERCED, 0000
 JON H. *MEYERLE, 0000
 MARK W. *MEYERMAN, 0000
 JEFFREY A. MIKITA, 0000
 JOEL T. *MONCUR, 0000
 CHARLES M. *MOON, 0000
 CHRISTOPHER H. MOON, 0000
 TANYA M. *MORGAN, 0000
 ANTHONY J. *MORTON, 0000
 ELAINE M. MUNITZ, 0000
 ANDY T. *NGUYEN, 0000
 DAVID T. *NGUYEN, 0000
 HANG T. *NGUYEN, 0000
 VIET N. *NGUYEN, 0000
 JOSEPH J. *NOVACK III, 0000
 JAMES C. *NUNLEY, 0000
 CHRISTOPHER M. *NYSTUEN, 0000
 OLUYOMI O. *OLUSANYA, 0000
 MARK W. *OSBORN, 0000
 SHANE E. *OTTMANN, 0000
 WILLIAM C. *OTTO, 0000
 RAUL G. *PALACIOS, 0000
 JASON A. PATES, 0000
 AMY Y. *PAUL, 0000

TIMOTHY *PELLINI, 0000
 BRANDON C. *PELTIER, 0000
 KAREN *PENKO, 0000
 ANDREW D. *PLUMMER, 0000
 PATRICK J. POLLOCK, 0000
 DE L. *PONCE, 0000
 GORDON *PRAIRIE, 0000
 ANTHONY D. *PUOPOLO II, 0000
 CHARLES R. *RADMER, 0000
 LOUIS M. *RADNOTHY, 0000
 DONALD A. *RAVASIO, 0000
 MARYDONNA M. *RAVASIO, 0000
 BRIGHAM B. *REDD, 0000
 BRANDON M. *RHINEHART, 0000
 JOHN L. *RITTER, 0000
 MARYLYNN *RITTER, 0000
 CHRISTOPHER J. *ROACH, 0000
 LYNETTE C. *ROBBINS, 0000
 BRIAN D. ROBERTSON, 0000
 BARRETO C. *RODRIGUEZ, 0000
 EVELYN I. *RODRIGUEZ, 0000
 CHARLES P. *ROGERS, 0000
 MICHAEL L. *ROLLI, 0000
 ANNE B. *ROSSIGNOL, 0000
 MARC N. *ROY, 0000
 SAMARA A. RUTBERG, 0000
 PAUL M. *RYAN, 0000
 AARON A. *SAGUIL, 0000
 RUBEN SALINAS JR., 0000
 ELIZABETH M. SAWYER, 0000
 JODI L. *SCHULZ, 0000
 CHARLES L. *SCOTT, 0000
 SHAWNA E. *SCULLY, 0000
 CRAIG S. *SEE, 0000
 ROBERT J. *SEILER, 0000
 MARK F. SEWELL, 0000
 JOEL L. *SHAW, 0000
 JOHN H. *SHERNER III, 0000
 GREGORY M. *SHIPKEY, 0000
 SEAN M. *SILER, 0000
 MICHAEL *SIMPSON, 0000
 EUGENE K. SOH, 0000
 NOAH M. *SOLOMON, 0000
 BRYONY W. SOLTIS, 0000
 CHRISTINE E. STAHL, 0000
 BETH A. *STEINBERGER, 0000
 ERIK D. *STICKNEY, 0000
 JASON R. *STOKES, 0000
 TERRANCE H. *STONE, 0000
 DOMINIC L. *STORTO, 0000
 MATTHEW A. *STUDER, 0000
 THOMAS L. *SUTTON, 0000
 ALLEN C. *SWAN, 0000
 THOMAS B. *TALBOT, 0000
 JONATHAN C. *TAYLOR, 0000
 DARIN B. *THOMPSON, 0000
 LUZMIRA A. *TORRES, 0000
 ROBERT B. *TRUAX, 0000
 JEAN S. *TYNER, 0000
 RICHARD L. *URBON JR., 0000
 SARO *VERGHESE, 0000
 EDUARDO M. *VIDAL, 0000
 TODD C. *VILLINES, 0000
 CHRISTINA M. *VOKT, 0000
 ANNICA E. *WAALKES, 0000
 MELVIN E. WAGNER, 0000
 EUGENE *WALLACE JR., 0000
 MICHAEL K. *WALSH, 0000
 DAVID E. *WARD, 0000
 CAROLYNN M. *WARNER, 0000
 ROBERT L. *WARNER, 0000
 DANIEL S. WASHBURN, 0000
 THOMAS J. *WEBER, 0000
 WILLIAM B. WEISS, 0000
 DANIEL M. *WENZELL, 0000
 ERIC H. *WEPPLER, 0000
 JOHN L. WESTHOFF II, 0000
 SUNNY K. WHITEMAN, 0000
 CHIN S. *YI, 0000
 BRADLEY N. YOUNGGREN, 0000
 OMAYA H. YOUSSEF, 0000
 KATHRYN M. *ZAMBONICUTTER, 0000

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT
 TO THE GRADE INDICATED IN THE UNITED STATES NAVY
 UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

ARTHUR B. SHORT, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT
 TO THE GRADE INDICATED IN THE UNITED STATES NAVY
 UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

SCOTT DRAYTON, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT
 TO THE GRADE INDICATED IN THE UNITED STATES NAVY
 UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

CIPRIANO PINEDA JR., 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

MICHAEL P. AMSTUTZ JR., 0000
 THOMAS D. BALL, 0000
 REX D. BURKETT, 0000
 PAUL L. CHOATE, 0000
 JON C. CRUZ, 0000
 THOMAS M. DALL, 0000

RODNEY O. DAVIS, 0000
 JACQUELINE M. ETHERIDGE, 0000
 BRIAN K. GENTON, 0000
 LISA G. GREEN, 0000
 ROBERT C. GUSTAFSON, 0000
 MICAH B. HARLEY, 0000
 ANGELA M. JONES, 0000
 DARREN T. JONES, 0000
 ANTHONY S. KELLY, 0000
 KELLY T. LAVEDI, 0000
 DEMICHAEL T. MORGAN, 0000
 ROBERT Y. PALMORE, 0000
 CORY G. ROSENBERGER, 0000
 CHRISTOPHER M. SACCO, 0000
 EDWIN SANTANA, 0000
 TERRI A. SCHLOTTERBECK, 0000
 MARCELLE P. SHILLITO, 0000
 DOUGLAS R. SULLIVAN, 0000
 JAMES J. WOJTCWICZ, 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

JERRY L. ALEXANDER, 0000
 SHELLEY ANDERSON, 0000
 WILLIAM ARIAS, 0000
 DOUGLAS L. BARNARD, 0000
 DAVID P. BOURQUE, 0000
 DANIEL S. BRADLEY, 0000
 MONICA R. BRASWELL, 0000
 DEACQUANITA R. BROWN, 0000
 DEXTER A. BURLEW, 0000
 TANYA N. COOK, 0000
 ALPHONSO M. DOSS, 0000
 THAVEEPHO DOUANGAPHAIVONG, 0000
 MICHAEL G. GALLANT, 0000
 KATHERINE J. GOOD, 0000
 JOHN M. GRAF, 0000
 JENNIFER A. GREELLEY, 0000
 LEON A. HIGGINS, 0000
 DAVID W. HILL, 0000
 JOHN D. HUDSON, 0000
 JULIE A. KEEGAN, 0000
 JAMES A. LONG, 0000
 STORMI J. LOONEY, 0000
 DARRELL L. NEELEY, 0000
 DAVID W. NIKODYM, 0000
 CHARLES J. PUGLIA, 0000
 CYNTHIA A. RAMSEY, 0000
 DAVID A. READ, 0000
 KATHERINE A. SCHNEIRLA, 0000
 AARON J. WAGNER, 0000
 CLINT WEST, 0000
 LORI C. WORKS, 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

PATRICK L. BENNETT, 0000
 LAURA H. BOLLOCK, 0000
 AGUSTIN E. CAREY, 0000
 PATRICK A. CROLEY, 0000
 CHARLES W. EHNS, 0000
 BALDOMERO GARCIA JR., 0000
 DAVID W. GAST, 0000
 DANIELLE N. GEORGE, 0000
 LESLIE E. GLOSBY, 0000
 MICHAEL A. GLOVA, 0000
 GLYNN M. HARDEN, 0000
 DAVID T. HART, 0000
 JOHN B. HUGHES, 0000
 MARK E. JOHNSON, 0000
 DAVID S. KUHN, 0000
 JOSHUA J. LAPENNA, 0000
 JEREMY T. LEHORN, 0000
 TOBIAS J. LEMERANDE, 0000
 ERIC K. LIND, 0000
 ASSUNTA M. C. LOPEZ, 0000
 WILLIAM S. LUNT, 0000
 THOMAS D. MCKAY, 0000
 JAMES H. MILLER JR., 0000
 SETH A. MILLER, 0000
 DAVID A. MONTI, 0000
 ERIK A. NESTERUK, 0000
 STEVEN J. PERCHALSKI, 0000
 JOSHUA S. PRICE, 0000
 SHELLEY L. PRICE, 0000
 ETHAN R. PROPER, 0000
 JUAN C. RODARTE, 0000
 NATHAN A. SCHNEIDER, 0000
 WILLIAM A. SCHULTZ, 0000
 ROBERT D. SCOTT, 0000
 VICTOR E. SMITH, 0000
 MICHAEL SNELLING, 0000
 RICARDO VIGIL, 0000
 DWIGHT S. WARNOCK, 0000
 GODFREY D. WEEKES, 0000
 DIANNA WOLFSON, 0000
 ERNEST C. WOODWARD JR., 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

CLAUDE W. ARNOLD JR., 0000
 RICHARD R. BARBER, 0000
 DANIEL P. BETHEL, 0000
 HARRY C. BRADLEY, 0000
 DARRIN BRANSON, 0000
 JOAQUIN S. CORREA, 0000
 ROBERT C. FANNON, 0000
 JAMES B. GATEAU, 0000

BOBBY L HAND JR., 0000
 RUSSELL R HERRELL, 0000
 GARY W HOPEWELL JR., 0000
 DARRELL NEALY, 0000
 TRAVIS M RAUCH, 0000
 VINCENT J STEPHENS, 0000
 HAROLD E STOCKTON, 0000
 KEVIN D SULLIVAN, 0000
 MICHAEL K SUTORUS, 0000
 VINCENT S TIONQUIAO, 0000
 STEVEN M WENDELIN, 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

CHRISTOPHER L BOWEN, 0000
 GREG A BRAATEN, 0000
 CURTIS W BRUCE JR., 0000
 DEREK E COLE, 0000
 KEITH D COLLINS, 0000
 DANIEL B COPELAND, 0000
 OSWALDO CORNEJO, 0000
 RICHARD T DAVIES, 0000
 STEPHEN D DONALD, 0000
 JOHN R DROTAR, 0000
 MICHAEL C ELLIOT, 0000
 KIMBERLY A GRAHAM, 0000
 JENNA K HAUSVIK, 0000
 JAMES H HENDERSONCOFFEY, 0000
 RACHEL J V LIND, 0000
 FRED L LINDY, 0000
 CLEODIS MAY, 0000
 DALE D MCGHEE, 0000
 PATRICK D MEAD, 0000
 COLLEEN M ONEILL, 0000
 DAN E PALMER, 0000
 KEMAL O PISKIN, 0000
 BRIAN T PREVO, 0000
 AMBER R RYAN, 0000
 LOUIS J SHEARER, 0000
 DAVE SNELL, 0000
 VICTOR L SPEARS III, 0000
 LUCIANA SUNG, 0000
 HENRY M VEGTER, 0000
 CHRISTOPHER J WISE, 0000
 WILLIAM L WOOD, 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

JULIE M ALFIERI, 0000
 WILLIAM J ANDREWS, 0000
 STEVEN A ATTENWEILER, 0000
 RORY V BERKE, 0000
 CHARLES E BRICE JR., 0000
 ANTHONY V BROCK, 0000
 ARTA L BUSHAW, 0000
 JOHN P COLLINS, 0000
 KWAME O COOKE, 0000
 SCOTT M CORRIGAN, 0000
 TUNG S DANG, 0000
 JOSEPH P DIEMER, 0000
 DAVID B DOLBIER, 0000
 JOSEPH A ERNST, 0000
 TRENT W FINGERSON, 0000
 ROBERT T FLICKINGER, 0000
 JAMES P FORD, 0000
 DON S FURUKAWA, 0000
 WILLIAM D GALLAWAY, 0000
 MICHAEL N GOAD, 0000
 HEIDI M GREENTREE, 0000
 STACY L HANNA, 0000
 NEIL A HARMON, 0000
 RANDOLPH S HARRILL, 0000
 CHRISTOPHER M HERRON, 0000
 KIMBERLY A HIMMER, 0000
 CHRISTOPHER A HOFFMAN, 0000
 SEAN R HOYT, 0000
 JOSEPH M KASPERSKI, 0000
 RAYMOND E KENDALL, 0000
 JEFFREY J KRUPKA, 0000
 KYLE L LEESE, 0000
 JOHN B MARKLEY, 0000
 FRANCISCO J MARTINEZ, 0000
 JEFFREY G MAYBERRY, 0000
 WILLIAM D MCCORMICK II, 0000
 KEVIN J MCHALE JR., 0000
 SUZANNE R MEYER, 0000
 PETER J MORTON, 0000
 ERIC C MOSTOLLER, 0000
 CARLOS E MUNOZ, 0000
 JOHN C MYERS, 0000
 KEVIN E NELSON, 0000
 DENNIS S OGRADY, 0000
 GERALD P OLIVER, 0000
 CHARLES ONEAL JR., 0000
 SWAFAN M PATEL, 0000
 BRYAN A PETTIGREW, 0000
 CARLOS A PLAZAS JR., 0000
 JAMES G REESE JR., 0000
 JAMES R SANDERS, 0000
 THOMAS P SCARRY, 0000
 WILLIAM B SCHNEIDER, 0000
 MARCUS D STARKS, 0000
 JAMES J STEVENS, 0000
 JAMES R STOBIE, 0000
 TIMOTHY M SULLIVAN, 0000
 MICHAEL M THOMAS, 0000
 HERBERT R THOMPSON, 0000
 JONATHAN S VANLARE, 0000
 ALFRED D WALTERS II, 0000
 BRETT A WISE, 0000
 DONNA I YACOVONI, 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

MARIANIE O BALOLONG, 0000
 DAVID G BLENCOE, 0000
 ANNA C BRYANT, 0000
 MICHAEL J COOPER, 0000
 MICHAEL CORNELIUS, 0000
 ROBERT F CROFOOT, 0000
 TRACEY L DELK, 0000
 DENNIS T DERLEY, 0000
 JOEL W FELDMER, 0000
 BRAD G HARRIS, 0000
 CORY W HUYSOON, 0000
 JEREL R JOHNSON, 0000
 RICHARD A KENNEDY JR., 0000
 DAVID R KUEHN, 0000
 THOMAS A. MONEYMAKER II, 0000
 IVO J. PRIKASKY, 0000
 ERIC D. REHBERG, 0000
 BRIAN J. RIVENBARK, 0000
 WILLIAM A. SWICK, 0000
 JONATHAN J. VORRATH, 0000
 KAREN M. WINGEART, 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

THOMAS G. ALFORD, 0000
 WILLIAM P. ALLEN, 0000
 KEVIN L. ANDERSEN, 0000
 ERIC H. ANDREWS, 0000
 JAMES D. ANDREWS, 0000
 FLORENCIO C. ARCEO, 0000
 FRANK V. ARENA, 0000
 PETER T. AVRAM, 0000
 GREGORY O. AYDELLOTTE, 0000
 RICHARD H. BAILEY JR., 0000
 TOMMY L. BAILEY JR., 0000
 GUY A. BAKER, 0000
 SCOTT M. BANACH, 0000
 CELESTE D. BATEY, 0000
 KEVIN K. BAUER, 0000
 JAMES A. BEAVERS, 0000
 PERRY G. BECKMA, 0000
 TERRY W. BENNETT, 0000
 RONALD J. BENT, 0000
 GREGORY L. BENTON, 0000
 JAY T. BILADEAU, 0000
 MICHAEL C. BOBINGER, 0000
 WESLEY E. BOMYEA, 0000
 JAMES L. BOOTH, 0000
 RANDALL L. BOUGHTON, 0000
 ALAN R. BRADLEY, 0000
 MARK E. BRANHAM, 0000
 REGINALD S. BRIGGS, 0000
 DANIEL A. BRINSON, 0000
 PHILLIP K. BRIZZEE, 0000
 GERARD T. BROSNAN, 0000
 BARRY J. BROWN, 0000
 CARL E. BROWN, 0000
 MARK H. BROWN, 0000
 STEVEN E. BURKE, 0000
 BRIAN S. BURNS, 0000
 COY B. BYINGTON, 0000
 TENA L. BYRD, 0000
 BRADLEY J. CARDWELL, 0000
 JEAN S. CARRILLO, 0000
 THOMAS G. CARTER, 0000
 TIMOTHY A. CARTER, 0000
 WALTER C. CHANEY IV, 0000
 DANIEL J. CHECHE, 0000
 CARRICK B. CHENEY, 0000
 MARTIN G. CLAEYS, 0000
 JASON CLOTFELTER, 0000
 DAVID D. COMER, 0000
 TED J. COOPER, 0000
 ANTHONY L. CRAIGHEAD, 0000
 RICHARD L. CRANE, 0000
 TIMOTHY D. CRONE, 0000
 JAMES W. CROOKHAM, 0000
 ERNEST D. CULBREATH, 0000
 JEFFERY S. CURRIER, 0000
 TROY J. CZEMERY, 0000
 ELIZABETH K. DALTON, 0000
 FREDDIE L. DAVIS, 0000
 FRANK S. DEVENUTO, 0000
 MAC W. DIEHL, 0000
 DIANE M. DORRIS, 0000
 PAUL A. DOSEN, 0000
 JOHN J. DRENNEN JR., 0000
 BRYAN K. DUFFEY, 0000
 DALYN E. DUNN, 0000
 ROBERT J. DUPREE, 0000
 EUGENE F. EARHART, 0000
 RODGER N. ELKINS, 0000
 NORRIS L. ELLIS, 0000
 WILLIAM D. ERWIN, 0000
 FELIX J. ESTRADA, 0000
 HENRY FAMULARO, 0000
 ANDRE S. FELDMAN, 0000
 SEAN I. FISCHER, 0000
 DANIEL FONCELLO, 0000
 STEPHEN J. FORREST, 0000
 MICHAEL S. FOWLER, 0000
 GARY B. FROST, 0000
 BRADLEY H. FUDGE, 0000
 ROBBY D. FUENTES, 0000
 BRIAN H. GAINES, 0000
 WAYNE T. GALBRAITH, 0000
 CARMEN P. GASTON, 0000
 THOMAS L. GIBBONS, 0000

SCOTT A. GOBAR, 0000
 DAMIEN D. GOMEZ, 0000
 MAXINE GOODRIDGE, 0000
 THOMAS M. GOREY III, 0000
 LAWRENCE P. GRABIEL, 0000
 MARTIN M. GROOVER, 0000
 HOWARD D. GUBBS, 0000
 JAMES B. HADLEY, 0000
 JEFFREY L. HAIRE, 0000
 EDESEL R. HAISLIP, 0000
 AMOS HARDY, 0000
 JEFFREY R. HARMON, 0000
 WILBUR L. HARMON JR., 0000
 JAMES L. HARRELL JR., 0000
 ANTHONY L. HARRIS, 0000
 RANDELL R. HARRIS, 0000
 CHARLES E. HARRISON, 0000
 CAROLYN Y. HARTLEY, 0000
 ARTHUR E. HARVEY, 0000
 STEPHEN M. HARVEY, 0000
 PAUL B. HASLEY, 0000
 HARRY A. HAVERKAMP, 0000
 CAROL D. HAYNES, 0000
 DONALD R. HENDREN JR., 0000
 DONALD C. HENDRIX JR., 0000
 MICHAEL R. HERKENHOFF, 0000
 SCOTT A. HIGGINS, 0000
 MARK R. HILDEBRANDT, 0000
 RIKI M. HILTON, 0000
 DAVID G. HIRLINGER, 0000
 PAUL M. HLOUSEK, 0000
 DOUGLAS D. HOFFMAN, 0000
 LESTER L. HOOD JR., 0000
 DAVID C. HOWARD, 0000
 EDWARD E. HUNTER, 0000
 SCOTT G. HUNTER, 0000
 ROBERT J. HYDE, 0000
 KENAN D. JARRETT, 0000
 BERTRAM L. JENNINGS, 0000
 BARRY D. JONES, 0000
 JIMMIE L. JONES, 0000
 ROBIN L. JONES, 0000
 MICHAEL A. JULCH, 0000
 WILLIAM J. KAELBER, 0000
 KENNETH A. KASZA, 0000
 BRIAN T. KENNEY, 0000
 ALFRED J. LAICER JR., 0000
 HERVE M. LARA, 0000
 PAUL J. LAWRENCE, 0000
 TIMOTHY M. LEDBETTER, 0000
 CLIFFTON J. LINES, 0000
 WILLIAM O. LOCK III, 0000
 MILTON J. LOCKLEY, 0000
 GREGORY C. LUDWIG, 0000
 KENNETH C. LYNCH JR., 0000
 BRADLEY S. MAKI, 0000
 SCOTT A. MANN, 0000
 MICHAEL D. MARKUS, 0000
 HERBERT MARSHALL JR., 0000
 RENATO D. MARTINEZ, 0000
 STEVEN D. MAXWELL, 0000
 JOSEPH B. MAYERS, 0000
 MICHAEL J. MCGINN JR., 0000
 TINA M. MCHARGUE, 0000
 ROY W. MCKAY, 0000
 THOMAS P. MCKEAN, 0000
 ANDREW J. MCMENAMIN, 0000
 NICHOLAS P. MILANO, 0000
 JOHN D. MILTENERGER, 0000
 EUGENE H. MINCEY, 0000
 GREGORY D. MOCK, 0000
 HALLOCK N. MOHLER, 0000
 DENNIS R. MOHR, 0000
 EDUARDO E. MORALES, 0000
 JAMES R. MOSS, 0000
 HOWARD W. MUNIZ, 0000
 BARBARA A. MYERS, 0000
 WILLIAM S. NICOL, 0000
 PAUL NIX JR., 0000
 ALVIN OGLETREE, 0000
 DANIEL A. OLIVERA, 0000
 SANTIAGO ORTIZ JR., 0000
 ALLEN D. OVERSTREET, 0000
 STEVE PADRON, 0000
 BRIAN K. PATTERSON, 0000
 CARL R. PATTERSON, 0000
 JIMMY A. PAYNE JR., 0000
 STEPHEN J. PAYSSEUR, 0000
 WILLIAM D. PEACH, 0000
 ANDREW W. PELTON, 0000
 CATHERINE E. PETERSON, 0000
 KEVIN M. PETTIT, 0000
 JON R. PHILLIPS, 0000
 FREDERICK POLANEC JR., 0000
 ROBERT R. POWELL, 0000
 KARI A. PREMUS, 0000
 WARREN L. RABERN, 0000
 EDUARDO RAMIREZ, 0000
 SCOTT A. RAYBURN, 0000
 KEVIN S. RAYMER, 0000
 DENNIS L. REYNOLDS, 0000
 HEARTSILLE REYNOLDS, 0000
 VICTOR M. RIVERAS JR., 0000
 RAUL RODRIGUEZ, 0000
 RALPH E. ROE JR., 0000
 ANTHONY D. ROPER, 0000
 THOMAS W. ROSE, 0000
 ALONZA J. ROSS, 0000
 BRIAN K. ROTTNEK, 0000
 KEVIN W. RUBEL, 0000
 JULIAN E. SALLAS, 0000
 APRIL T. SARMENTO, 0000
 ROBERT A. SAWVELL, 0000
 DAVID W. SCHMIDT, 0000
 LORRINDA D. SEIBERLING, 0000
 DARREN S. SHAND, 0000
 DAVID B. SHANER, 0000

ESSIX SHANNON II, 0000
 RICHARD A SHEPHERD, 0000
 JEFF A SHIELDS, 0000
 KEVIN S SKINNER, 0000
 CHRISTOPHER S SLAGLE, 0000
 MATTHEW P SMALL, 0000
 KEVIN L SMITH, 0000
 VINCENT E SMITH, 0000
 WAYNE A SMITH, 0000
 KEVIN R SONCRANT, 0000
 BYRON J SPEARMAN, 0000
 RAYMOND C SPEARS, 0000
 AARON W STACY, 0000
 GREGORY W STARKEY, 0000
 FRED T STAUBS JR, 0000
 JOHN W STEFAN, 0000
 ARRON R STERLING, 0000
 WILLIAM J SUMMERER, 0000
 GARNAR A SUTTON, 0000
 MICHAEL SWANSON, 0000
 PHILLIP F SZUBA, 0000
 BIENVENIDO G TAPANG, 0000
 SANFORD T THORNTON, 0000
 MARC W TROSSEN, 0000
 JOHN F TROYANOS, 0000
 EDGAR S TWINING II, 0000
 JERIT L VANAUKE JR., 0000
 BRIAN O WALDEN, 0000
 TERRILL T WATKINS, 0000
 VINCENT U WEBSTER, 0000
 MATT A WELLS, 0000
 MARK D WESTBROOK, 0000
 ROBERT A WESTHEAD, 0000
 MAX J WILDERMUTH, 0000
 PAUL W WILKES, 0000
 CHRISTOPHER WLASCHIN, 0000
 JULIAN C WYATT, 0000
 KENDAL T ZAMZOW, 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

RYAN D AARON, 0000
 CHARLES S ABBOT, 0000
 ALAN C ABER, 0000
 PAUL V ACQUA VELLA, 0000
 CHRISTOPHER W ADAMS, 0000
 DANIEL C ADAMS II, 0000
 DAVID C ADAMS, 0000
 ALLEN D ADKIN, 0000
 DOUGLAS J ADKISSON, 0000
 RAYMOND J I ALBARADO, 0000
 JOSEPH W ALDEN, 0000
 JOHN D ALLISON, 0000
 LUIS A ALVAREZ, 0000
 DAMON K AMARAL, 0000
 ALYSA L AMBROSE, 0000
 MICHAEL J AMIS, 0000
 BRIAN P ANDERSON, 0000
 JON M ANDERSON, 0000
 BRIAN S ANDERTON, 0000
 DORY R APPELBERG, 0000
 DERICK S ARMSTRONG, 0000
 RONNY W ARMSTRONG, 0000
 MATTHEW J ARNOLD, 0000
 BRAD L ARTHUR, 0000
 EDMOND A ARUFFO, 0000
 DEREK J ATKINSON, 0000
 SCOTT A AVERY, 0000
 CHARLES F BABE, 0000
 DAVID N BACK, 0000
 CHRISTOPHER G BAILEY, 0000
 SHAWN T BAILEY, 0000
 JACOB A BAILEYDAYSTAR, 0000
 LEE G BAIRD, 0000
 ERIK R BAKER, 0000
 GREGORY E BAKER, 0000
 JOHN F BAKER, 0000
 MICHAEL L BAKER, 0000
 ROCKNE T BAKER, 0000
 STEPHEN D BAIKA, 0000
 ROBERT C BANDY, 0000
 WILLIAM B BANGERT, 0000
 WILLIAM J BARD, 0000
 ANTHONY C BARNES, 0000
 JOHN J BARNETT, 0000
 RAUL BARRAGAN, 0000
 JON A BARTER, 0000
 SEAN L BARTLETT, 0000
 DAVID H BASSETT, 0000
 WILLIAM B BASSETT, 0000
 JAMES S BATES II, 0000
 TERRY L BAUER, 0000
 BRIAN J BAUMHOVER, 0000
 MICHAEL J BEANE, 0000
 BRIAN L BECK, 0000
 JOSEPH R BECKER, 0000
 CLAYBORNE H BEERS, 0000
 GLENN A BEISERT, 0000
 STEVEN J BELLACK, 0000
 CARL D BENDIXEN, 0000
 JERRIS L BENNETT, 0000
 ANDREE E BERGMANN, 0000
 JOEL P BERNARD, 0000
 WILLIAM G BERRY III, 0000
 MARCUS J BERTIN, 0000
 ANTHONY BESSONE, 0000
 RICHARD A BESTGEN, 0000
 LAMONTE B BETHEA, 0000
 ANDREW M BIEHN, 0000
 MICHAEL A BISBEE, 0000
 BRIAN A BISHOP, 0000
 MICHAEL E BISSELL, 0000
 CORY J BLASER, 0000
 GREGORY D BLYDEN, 0000

MATTHEW D BOKMEYER, 0000
 JAMES S BOND, 0000
 MATT L BOREN, 0000
 MOLLY J BORON, 0000
 MATTHEW J BOWEN, 0000
 KYLE D BRADY, 0000
 FRANK E BRANDON, 0000
 JASON K BRANDT, 0000
 MICHAEL C BRATLEY, 0000
 JOHN A BRATTAIN, 0000
 ERIC D BRAY, 0000
 BRADLEY E BREWER, 0000
 WALTER D BREWER, 0000
 DAVID W BRICKEY, 0000
 MICHAEL W BRIGGS, 0000
 WESLEY P BRINGHAM, 0000
 KERTRECK V BROOKS, 0000
 TIMOTHY M BROSNAN, 0000
 ANDRE D BROWN, 0000
 DARRYL BROWN, 0000
 ERIC P BROWN, 0000
 JAMES A BROWNLEE, 0000
 ROBERT M BRUCE, 0000
 MARK R BRZEZINSKI, 0000
 JOHN L BUB, 0000
 WILLIAM H BUCEY III, 0000
 ROBERT B BUCHANAN, 0000
 ARIC W BUCKLES, 0000
 ARON F BUCKLES, 0000
 DANIEL A BUHR, 0000
 ROBERT M BULLOCK, 0000
 MARK L BUNN, 0000
 DAVID E BURKE, 0000
 JERRY L BURNS, 0000
 WILLIAM A BURNS, 0000
 BRADLEY W BUSCH, 0000
 DAVID V BUSH, 0000
 RICHARD D BUTLER, 0000
 KEITH A BUZALSKY, 0000
 JOHN E CAGE, 0000
 ERROL A CAMPBELL JR., 0000
 GARRETT I CAMPBELL, 0000
 JOHN E CAMPBELL JR., 0000
 DARYLE D CARDONE, 0000
 KEVIN L CAREY, 0000
 SCOTT W CARGILL, 0000
 SCOTT A CARROLL, 0000
 JOSEPH A CASCIO, 0000
 GARY B CASON, 0000
 MATTHEW J CASSADY, 0000
 ARTHUR D CASTILLO JR., 0000
 ROGER C CASTRO, 0000
 ANDREW M CAWLFIELD, 0000
 YONG K CHA, 0000
 MICHAEL C CHESTERMAN, 0000
 ANDREW G CHICOINE, 0000
 BRIANMICHAEL A CHILES, 0000
 JEFFERY E CHISM, 0000
 KYUJIN J CHOI, 0000
 BRANDON CHRISTENSEN, 0000
 TODD F CIMICATA, 0000
 DAVID A CISNEROS, 0000
 BRIAN J CLARK, 0000
 FRANKIE J CLARK, 0000
 RICHARD A CLARK, 0000
 MICHAEL J CLARK, 0000
 PONCE D CLAY, 0000
 ELLIOTT I I CLEMENCE, 0000
 ADAM H CLEVENGER, 0000
 ELIZABETH A CLIFTON, 0000
 RICHARD T COCHRANE, 0000
 DIEGO E CODOSEA, 0000
 JOSEPH W COLEMAN, 0000
 WILLIAM E COLEMAN JR., 0000
 MATTHEW K CONLIFFE, 0000
 MATTHEW CONNER, 0000
 ROBERT A CONNORS, 0000
 ROBERT F COOGAN, 0000
 CHRISTIAN E COOK, 0000
 CHRISTOPHER J COOK, 0000
 DONALD E COOPER, 0000
 SHANE D COOPER, 0000
 WESLEY W COOPER, 0000
 JAMES A CORLETT, 0000
 RUSSELL J CORPORN, 0000
 JENNIFER S COUTURE, 0000
 JOHN C COWAN, 0000
 CARL D COX, 0000
 CHRISTOPHER A COX, 0000
 BRIAN T COXSON, 0000
 WILLIAM M CRANE, 0000
 JAMES W CRATE, 0000
 PARIS E CRENSHAW, 0000
 MICHAEL H CROKER, 0000
 THOMAS E CROLEY, 0000
 JOHN R CUTTITTA, 0000
 JASON A DARISH, 0000
 MICHAEL B DAVIES, 0000
 MICHAEL F DAVIS, 0000
 JOSHUA H DECARO, 0000
 DAVID D DECKER, 0000
 PHILIP M DECKER, 0000
 WILLIAM F DEGIROLAMO, 0000
 CONSTANTINO F DELACRUZ, 0000
 BRIAN E DELANEY, 0000
 THOMAS C DELARGE, 0000
 CHRISTOPHER D DELINSKI, 0000
 LARRY D DELONG JR., 0000
 BRIAN E DELUTTO, 0000
 CHRISTOPHER J R DEMCHAK, 0000
 ANDREW P DEMONTE, 0000
 WILLIAM F DENTON, 0000
 MICHAEL A DEPALMA, 0000
 CHRISTOPHER R DESENA, 0000
 JAMES D DETWILER, 0000
 KENNETH P DEUEL, 0000
 JERROD E DEVINE, 0000

MICHAEL B DEVORE, 0000
 EDWARD A DEWINTER, 0000
 STEPHEN R DICKERSON, 0000
 THOMAS J DICKINSON, 0000
 BRIAN J DIEBOLD, 0000
 JAMES W DILLON, 0000
 ROBERT L DINUNZIO, 0000
 JASON T DOMZAL, 0000
 KEVIN T DONEY, 0000
 KATHERINE T DOOLEY, 0000
 LAMAR B DOUBERLY, 0000
 JOHN E DOUGHERTY IV, 0000
 JOHN J DOWD, 0000
 KEITH B DOWLING, 0000
 MATTHEW J DRAG, 0000
 JAY W DRISKELL, 0000
 DAVID G DUFF, 0000
 DAVID S DULL, 0000
 RAYMOND N DUMONT, 0000
 THERESA L EDWARDS, 0000
 MARK R EHLERMAN, 0000
 JOSHUA B ELKINS, 0000
 CHRISTIAN C ENTENZA, 0000
 HEATH E EPALOOSE, 0000
 BRIAN C ERICKSON, 0000
 MICHAEL S ERICKSON, 0000
 RICARDO M ESCANDON, 0000
 VICTOR ESPINOZA, 0000
 TREVOR B ESTES, 0000
 MICHAEL D EYMAN, 0000
 JAMES J FABISZAK, 0000
 DAVID J FAHNLE, 0000
 SCOTT D FAIRBANK, 0000
 BRIAN S FARLEY, 0000
 DENNIS L FARRELL, 0000
 STEFAN C FARRINGTON, 0000
 JAMES R FEELEY, 0000
 MARK R FEGLEY, 0000
 GREGORY E FENNEL, 0000
 VIRGIL W FENTERS JR., 0000
 PAUL S FERMO, 0000
 PETER R FEY, 0000
 CHRISTOPHER L FIELD, 0000
 HOWARD D FIELDEN, 0000
 PATSY FIELDEN, 0000
 DAVID B FIELDS, 0000
 LONNIE L FIELDS, 0000
 RONALD L FINCH JR., 0000
 GERALD P FINN III, 0000
 KURT E FISCHL, 0000
 BRIAN T FITTING, 0000
 JAMES M FITZGERALD, 0000
 THOMAS J FITZGERALD, 0000
 BRIAN M FITZPATRICK, 0000
 DEREK FLECH, 0000
 CHRISTOPHER D FLIS, 0000
 MICHAEL A FLYNN, 0000
 CHRISTOPHER G FOLLIN, 0000
 DONALD M FOSS JR., 0000
 THOMAS F FOSTER JR., 0000
 DARREN A FOUTS, 0000
 BRODY L FRAILLEY, 0000
 WILLIAM D FRASER, 0000
 NORMAN D FREEMAN II, 0000
 MATTHEW M FRICK, 0000
 JOHN P FRIEDMAN, 0000
 CHAD R FROELICH, 0000
 SEAN D FUJIMOTO, 0000
 JOSEPH A GAGLIANO, 0000
 DONALD L GAINES II, 0000
 BRENT S GALLOWAY, 0000
 CHARLES L GALLOWAY JR., 0000
 DON D GALLYON II, 0000
 ROGER C GARATE, 0000
 DANIEL G GARCIA, 0000
 JORGE F GARCIA, 0000
 NICKOLAS G GARCIA, 0000
 THOMAS J GARCIA, 0000
 VINCENT D GARCIA, 0000
 VINCENT S GARCIA, 0000
 DAVID M GARDELA, 0000
 KIRK J GARDNER, 0000
 CHRISTOPHER J GARNER, 0000
 JOSEPH L GEARY, 0000
 RONALD A GIBSON, 0000
 JOSEPH C GIRARD, 0000
 ALBERT M GIRIMONTE, 0000
 CLARENCE A GIVENS, 0000
 TODD S GLASSER, 0000
 ANDREW P GNAU, 0000
 ADAM N GOETZ, 0000
 JON P GOGGIN, 0000
 ANTHONY R GONZALEZ, 0000
 JONATHAN T GOOD, 0000
 TRAVIS N GOOD, 0000
 JOE A GOODMAN II, 0000
 WILLIAM B GOSS, 0000
 HENRY L GOURDINE, 0000
 STEVEN M GRANT, 0000
 MARK R GRASSICK, 0000
 JOHN A GREENE, 0000
 ROBERT E GREENE, 0000
 TIMOTHY M GROHMAN, 0000
 KENNETH W GRZYMALSKI, 0000
 GREGORY L GUIDRY, 0000
 CRAIG M GUMMER, 0000
 STEVEN R GUNTHER, 0000
 JON R GUSTAFSON, 0000
 CHARLES N HACKBARD JR., 0000
 PETER A HAGGE, 0000
 ROBERT S HALDEMAN, 0000
 ANDREW S HALY, 0000
 PATRICK D HANEY, 0000
 KENNETH L HANSEN, 0000
 KEITH R HANSON, 0000
 BRIAN K HARBISON, 0000
 MICHAEL A HARBISON, 0000

ISRAEL M HARDEN, 0000
 SCOTT A HARDY, 0000
 BENJAMIN W HARRIS, 0000
 KEVIN S HARRIS, 0000
 MICHAEL J HARRIS, 0000
 GARRY A HARSANYI, 0000
 DIRK J HART, 0000
 JAMES F HARTMAN, 0000
 JEREMY J HAWKS, 0000
 ROBERT E HAWTHORNE III, 0000
 DION C HAYLE, 0000
 DAVID R HAZELTON, 0000
 STEVEN D HEADRICK, 0000
 DANIEL C HEDRICK, 0000
 ROGER D HEINKEN JR., 0000
 LEONARD W I HENNESSY, 0000
 JOSHUA J HENRY, 0000
 JAVIER HERNANDEZ, 0000
 CHRISTOPHER H HERR, 0000
 BRETT C HERSHMAN, 0000
 JOHN W HEWITT, 0000
 CHRISTOPHER S HEWLETT, 0000
 JEFFREY M HIBBARD, 0000
 TROY C HICKS, 0000
 RANDY L HIGH, 0000
 JOSHUA J HILBY, 0000
 JOHN L HILDEBRANDT IV, 0000
 MATTHEW P HILL, 0000
 RICHARD B HILL, 0000
 SEAN O HIXSON, 0000
 SCOTT D HOCHWALD, 0000
 PAUL A HOCKRAN, 0000
 NEIL J HOFFMAN, 0000
 STEPHEN T HOFFMAN, 0000
 BRENT A HOLBECK, 0000
 WARREN L HOLBERT JR., 0000
 TRAVIS M HOLLAR, 0000
 JEFFREY P HOLZER, 0000
 MICHAEL L HORN, 0000
 TAVIS C HOWERY, 0000
 MICHAEL C HUBBARD, 0000
 CHARLES T HUBBARD, 0000
 SHAWN W HUEY, 0000
 JESSIE D HUGHES JR., 0000
 RICARDO F HUGHES, 0000
 KIRK R HUMMEL, 0000
 CHRISTOPHER H INSKEEP, 0000
 DENNIS J JACKO, 0000
 WILLIAM G JACKSON, 0000
 DONALD R JAMOLA JR., 0000
 SCOTT P JANIK, 0000
 KURT E JANKE, 0000
 PATRICK E JANKOWSKI, 0000
 MATTHEW J JERBI, 0000
 JOHN W JETTON, 0000
 ROBERT B JOHNS, 0000
 JOHN C JOHNSON JR., 0000
 FRANCIS M JONES JR., 0000
 SCOTT A JONES, 0000
 MATTHEW K JORDAN, 0000
 JEREMY P JURKOIC, 0000
 DANIEL S JURTA, 0000
 MARK S KAHLE, 0000
 JOSEPH B KAIN III, 0000
 NICHOLAS S KAKARAS, 0000
 STEPHEN C KARPI, 0000
 MATTHEW D KASLIK, 0000
 MATTHEW J KAWAS, 0000
 DENNIS P KECK, 0000
 STUART I KEINER, 0000
 GARY F KEITH, 0000
 BLAIR A KEITHLEY, 0000
 EDWARD J KELLEY III, 0000
 KREG L KELLY, 0000
 BENJAMIN S, VII KELSEY, 0000
 STEVEN G KELSEY, 0000
 CHAD J KENNEDY, 0000
 SHAWN M KEIN, 0000
 GEORGE A KESSLER JR., 0000
 JAN E KETCHUM, 0000
 RYAN T KEYS, 0000
 THOMAS H KIERSTEAD IV, 0000
 CHRISTOPHER A KIJEK, 0000
 JONG M KIM, 0000
 EDWARD J KINSELLA, 0000
 VAN J KIZER, 0000
 AARON E KLEINMAN, 0000
 MARK S KLOSTER, 0000
 RICHARD P KNAPP, 0000
 BRIAN S KNOWLES, 0000
 KURT A KOCHENDAEFER, 0000
 MICHAEL T KOERNER, 0000
 STEPHEN E KOFFLER, 0000
 KARL E KOHLER, 0000
 JEFFREY A KOLARS, 0000
 NEIL A KOPROWSKI, 0000
 FRANK J KORFIAS, 0000
 DIONISIOS KORKOS, 0000
 RICHARD S KRAMARIK, 0000
 LEOPOLD D KREISEL, 0000
 SEAN J KRISPIN, 0000
 ERIK S KRISTENSEN, 0000
 JASON A KRUEGER, 0000
 CHAD F KRUG, 0000
 JUSTIN A KUBU, 0000
 STEVEN J KULIKOWSKI, 0000
 BRIAN C KURZEJA, 0000
 KURT A KYLE, 0000
 IVAN L LACROIX, 0000
 RAMON I LAMAS, 0000
 DUANE E LAMBERT, 0000
 KEVIN A LANE, 0000
 CLAYTON J LANG, 0000
 LANCE C LANIER, 0000
 MICHAEL C LAPAGLIA, 0000
 KEVIN V LAPROCINA, 0000
 GILBERT E LARA, 0000

CURTIS G LARSON, 0000
 MARY K LAUNDON, 0000
 COREY P LAZARE, 0000
 JASON R LEACH, 0000
 JOHN C LEFEVRE, 0000
 YOSH A LEHMAN, 0000
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 SCOTT A LEMAY, 0000
 GREGORY J LENNOX, 0000
 RAYMOND C LEUNG, 0000
 STEPHEN L LEWIS, 0000
 TODD A LIBBY, 0000
 ALLEN G LINN, 0000
 ABDEL I LOPEZ, 0000
 MARCUS LOPEZ, 0000
 SCOTT C LUERS, 0000
 CARLISLE F LUSTENBERGER, 0000
 FREDERICK R LYDA, 0000
 JERRY F LYNCH, 0000
 GEOFFREY J MAASBERG, 0000
 MICHELE L MAASBERG, 0000
 PHILLIP A MACIAS, 0000
 KEITH A MACK, 0000
 LAWRENCE A MACLIN, 0000
 CHRISTOPHER D MACMILLAN, 0000
 PAUL A MADDOX, 0000
 TRACY A MAESTAS, 0000
 JOHN B MAITREJEAN, 0000
 KEITH L MAJOR, 0000
 DANIEL P MALATESTA, 0000
 STEPHEN F MANN, 0000
 CHARLES T MANSFIELD, 0000
 BOGOLJUB MARKOVICH JR., 0000
 GREGORY A MARKS, 0000
 MALCOLM W MARTIN, 0000
 MICHAEL E MARTIN, 0000
 ANTONIO MARTINEZ, 0000
 RICHARD M MASICA, 0000
 WILLIAM E MASKE, 0000
 CLAYTON E MASON, 0000
 JOE L MASON, 0000
 BENJAMIN B MASSIGLIA, 0000
 CRAIG T MATTINGLY, 0000
 MARK W MATTOX, 0000
 RUSSELL A MAYNARD, 0000
 SCOTT M MAZANKOWSKI, 0000
 JOSEPH C MCALLEXANDER, 0000
 CORRINE L MCCLELLAND, 0000
 SCOTT C MCCLELLAND, 0000
 EARL L MCDOWELL, 0000
 JEFFRY D MCGRATH, 0000
 CHRISTINE D MCMANUS, 0000
 JOSEPH J MCMONIGLE JR., 0000
 JAMES A MCMULLIN III, 0000
 ROBERT F MEDVE, 0000
 TODD B MENCKE, 0000
 CHRISTOPHER K MERCER, 0000
 MICHAEL W MEREDITH, 0000
 ERIC D METOYER, 0000
 GREGORY A MEYER, 0000
 TRACY L MICHAUD, 0000
 ELVIS T MIKEL, 0000
 STACIE E MILARK, 0000
 STEVEN E MILEWSKI, 0000
 GARRICK J MILLER, 0000
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 JAMES T MILLS, 0000
 TAVONYA S MINER, 0000
 JOSHUA W MINYARD, 0000
 PETER T MIRISOLA, 0000
 PAUL J MITCHELL, 0000
 PATRICK L MODLIN, 0000
 ENRIQUE G MOLINA, 0000
 JOHN M MONTAGNET, 0000
 OSCAR MONTES, 0000
 ALVIN D MONTGOMERY, 0000
 JOHN T MONTONYE, 0000
 DANIEL D MOORE, 0000
 TODD D MOORE, 0000
 BRIAN C MORGAN, 0000
 GEORGE E MORRILL IV, 0000
 DANIEL I MORRIS, 0000
 GLENN K MORRIS, 0000
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 EVAN L MORRISON, 0000
 RICHARD B MORRISON, 0000
 SHANE MORTON, 0000
 PAUL L MUCKENTHALER, 0000
 MATTHEW J MULCAHY, 0000
 NICHOLAS A MUNCAAS, 0000
 DOUGLAS J MUNZ, 0000
 MICHAEL D MURNANE, 0000
 CHRISTOPHER T MURPHY, 0000
 MATTHEW W MURPHY, 0000
 MICHAEL W MURPHY JR., 0000
 SEAN M MUTH, 0000
 BRIAN T MUTTY, 0000
 CHRISTIAN W MYRAH, 0000
 BENJAMIN G NELSON II, 0000
 DEREK A NELSON, 0000
 IAN S NEVILLENEIL, 0000
 EDWARD F NEWBY, 0000
 JOHN L NGUYEN, 0000
 MATTHEW D NORRIS, 0000
 DANIEL A NOWICKI, 0000
 FRANK G O'BRIEN, 0000
 JOHN P O'CONNOR, 0000
 MITCHELL K O'CONNOR, 0000
 DAVID M ODEN, 0000
 CHRISTOPHER B OGNEK, 0000
 MICHAEL P OHARA, 0000
 LON M OLIVER, 0000
 PATRICK N OLSEN, 0000
 ERIC C OLSON, 0000

DANIEL ORCHARDHAYS, 0000
 JASON W ORENDER, 0000
 JUSTIN P ORLICH, 0000
 DAVID A ORLOSKY, 0000
 ANTON D ORR, 0000
 MICHAEL J ORR, 0000
 ERIN P OSBORNE, 0000
 MEGAN C OSBORNE, 0000
 WILLIAM J OSSENFORT, 0000
 GREGORY J OSTDIEK, 0000
 JUSTIN M OTTO, 0000
 ALBERT D OUTCALT, 0000
 NOMER R OYTAS, 0000
 DANIEL R PARILLA, 0000
 CAMILLE G PARRA, 0000
 WILLIAM A PATTERSON, 0000
 KEITH E PATTON, 0000
 CHRISTOPHER A PEABODY, 0000
 MATTHEW S PEDERSON, 0000
 ANDREW M PENCE, 0000
 STEVEN A PENLEY, 0000
 SAMUEL E PENNINGTON, 0000
 MICHAEL M PEREIRA, 0000
 CHARLES L PERRY, 0000
 CHRISTOPHER M PERRY, 0000
 ESLY A PETERS, 0000
 JOHN M PETHEL, 0000
 SHAWN D PETRE, 0000
 TRAVIS M PETZOLDT, 0000
 HARRY T PHELPS, 0000
 MATTHEW F PHELPS, 0000
 TIMOTHY J PHELPS, 0000
 JOHN P PIENKOWSKI, 0000
 HENRY P PIERCE, 0000
 RAYMOND V PIERIE, 0000
 ROBERT F PIERONI, 0000
 BRADLEY J PILSL, 0000
 MATTHEW D PIORKOWSKI, 0000
 ROSS H PIPER III, 0000
 JOHN T PITTA, 0000
 ERIK M PLATT, 0000
 JOSE D PLANAS, 0000
 ANDREW M PLUMMER, 0000
 JAMES R POLAND, 0000
 SEAN P POLETTE, 0000
 MICHELE A POOLE, 0000
 HARTLEY A POSTLETHWAITE, 0000
 WILLIAM R POTTS, 0000
 NORMAN N PRESECAN, 0000
 RICHARD L PRESTON, 0000
 WESLEY A PRICE, 0000
 SCOTT L PROBST, 0000
 ANDY C PULLEY, 0000
 DJAMAL PULLOM, 0000
 GLEN B QUAST, 0000
 KEVIN S QUEEN, 0000
 ADRIAN D RAGLAND, 0000
 RUBEN RAMOS, 0000
 BRYAN K RAMSEY, 0000
 BARTLEY A RANDALL, 0000
 NATESH A RAO, 0000
 MICHAEL E RAY, 0000
 THOMAS N RAY, 0000
 WILLIAM E REAGAN, 0000
 CHRISTOPHER A REAGHARD, 0000
 CHRISTOPHER D REARDON, 0000
 WILLIAM R REED, 0000
 VIRGLE D REEVES, 0000
 LINCOLN M REIFSTECK, 0000
 JAMES R REINAUER JR., 0000
 JOHN R REINERTSON, 0000
 GEORGE A RENTERIA, 0000
 JOSE L RETA, 0000
 FRANK R RHODES IV, 0000
 JOHN D RHODES, 0000
 EYRAN E RICHARDS, 0000
 SCOTT A RICHARDS, 0000
 DAVID K RICHARDSON, 0000
 SCOTT N RICHARDSON, 0000
 BERNIE W RIDGEWAY, 0000
 PAUL H RIEHLE, 0000
 WILLIAM G RIELS, 0000
 PETER N RIES, 0000
 JASON E RIMMER, 0000
 ERNESTO A RIVERA, 0000
 ROBERT A RIVERA, 0000
 GREGORY G ROBERTS, 0000
 JAMES A ROBINSON, 0000
 EDWARD J ROBLEDO, 0000
 PAUL M ROCHE JR., 0000
 DAVID A RODRIGUEZ, 0000
 JESUS A RODRIGUEZ, 0000
 RICHARD Y RODRIGUEZ, 0000
 KENNETH D ROGERS, 0000
 BRADLEY N ROSEN, 0000
 JAMES B ROSS, 0000
 JOHN E ROTTTER, 0000
 PETER R ROWELL, 0000
 JUSTIN N RUBINO, 0000
 SEAN X RUSH, 0000
 JOSEPH A SAECERT, 0000
 JOSHUA A SAGER, 0000
 MARIO SALINAS, 0000
 TROY D SALLEE, 0000
 DEREK O SANDERS, 0000
 THOMAS M SANDOVAL, 0000
 GERALD MAMES M SANTIAGO, 0000
 JOSEPH E SANTOS, 0000
 SARA L SANTOSKI, 0000
 HEATH H SARVIS, 0000
 CHRISTOPHER D SAUFLEY, 0000
 DAVID R SAUVE, 0000
 CHRISTOPHER M SCHMIDT, 0000
 NANCY E SCHMIDT, 0000
 JAMES W SCHMITT, 0000
 KENNETH W SCHNEIDER, 0000
 CHRISTIAN D SCHOMAKER, 0000

JERROD M SCHRECK, 0000
BRUCE G SCHUETTTE, 0000
EDWARD J SCHWEIGHARDT, 0000
HENRY D SCHWERDTFEGER, 0000
MARK A SCORGIE, 0000
ADAM T SCOTT, 0000
JOHN M SEIP, 0000
JULIE L SELLERBERG, 0000
KURT M SELLERBERG, 0000
JAMES M SHANE, 0000
STEPHEN F SHEDD, 0000
RICHARD Z SHEDLOCK, 0000
MICHAEL E SHEEDY, 0000
AARON D SHELTON, 0000
JAMES A SHOMOCK, 0000
THOMAS H SHUGART III, 0000
BENJAMIN A SHUPP, 0000
MARK D SIBON, 0000
GLEN E SIDARAS, 0000
ROBERT A SILVA, 0000
STEPHEN E SIMMS, 0000
ROBERT V SIMONE, 0000
STEVEN A SIRINEK, 0000
JOHN W SKARIN, 0000
BRYON T SMITH, 0000
CHARLES W SMITH, 0000
CLINTON T SMITH, 0000
DAVID E SMITH, 0000
EDWARD S SMITH, 0000
J. W SMITH, 0000
JEFFREY S SMITH, 0000
JEROME F SMITH III, 0000
ROY E SMITH, 0000
SCOTT P SMITH, 0000
ANDREW R SMOLENACK, 0000
DAVID T SNEE, 0000
JEFFREY L SNYDER, 0000
JOHN H SNYDER JR., 0000
KURT R SNYDER, 0000
JAMES R SPOSATO, 0000
LOUIS J SPRINGER, 0000
CHARLES H STAHL IV, 0000
JOHN P STALLCOOP, 0000
DAVID W STALLWORTH, 0000
VERNON H STANFIELD, 0000
ZACHARY H STAPLES, 0000
ROBERT H STARK JR., 0000
SYLVESTER L STEELE, 0000
THEODORE J STEELMAN, 0000
JAMES S STEPHENS, 0000
KENNETH B STERBENZ, 0000

ROB W STEVENSON, 0000
CHARLES M STICKNEY, 0000
MICHAEL J STINSON, 0000
JOHN D STONER JR., 0000
ROBERT W STOVER, 0000
ERIC J ST PETER, 0000
FRANK S STRAZZULLA, 0000
SCOTT A STRINGER, 0000
BRENT M STRONG, 0000
RANDY L STUDDT, 0000
MATTHEW J SULLENS, 0000
WILLIAM R SUTTON, 0000
GRETCHEN M SWANSON, 0000
SHAUN A SWARTZ, 0000
STEVEN R SWEENEY, 0000
JONATHAN D SWEETEN, 0000
WILLIAM R TAFF JR., 0000
CHRISTOPHER J TARSA, 0000
JOSEPH K TAYLOR JR., 0000
MARK W TERRELL, 0000
DAVID C TERRY, 0000
WILLIAM B THAMES, 0000
PATRICK C THIEN, 0000
SCOTT P THOMAS, 0000
ANTHONY S THOMPSON, 0000
JOHN M THOMPSON, 0000
STEVEN R THOMPSON, 0000
JAMES M THORNTON, 0000
GREGORY S THOROMAN, 0000
ERIK M THORS, 0000
MATTHEW J THRASHER, 0000
JAMES E TIDWELL, 0000
MICHAEL E TIEFENBACH, 0000
TIMOTHY D TIPPETT, 0000
OSCAR J TOLEDO, 0000
BRENT K TORNGA, 0000
BRIAN L TOTHERO, 0000
JONATHAN R TOWNSEND, 0000
THEODORE M TREVINO, 0000
JOHN M TULLY, 0000
COREY J TURNER, 0000
MATTHEW D TURNER, 0000
KEVIN M UNDERWOOD, 0000
TIMOTHY T URBAN, 0000
DANIEL W VALASCHO, 0000
BRIAN K VANBRUNT, 0000
JOSEPH W VANDELAC, 0000
JONATHAN K VANDERVELDE, 0000
RANDY J VANROSSUM, 0000
GABRIEL A VARELA, 0000
JACKSON W VAUGHN, 0000

MICHAEL VECERKAUSKAS, 0000
JUSTIN M VERVILLE, 0000
JEFFREY M VICARIO, 0000
GEOFFREY K VICKERS, 0000
DENNIS J VIGEANT, 0000
THEODORE A VOLTZ, 0000
MATTHEW J WAESCHE, 0000
PAUL F WAKEFIELD, 0000
RONALD L WALKER, 0000
MONIKA L WASHINGTON, 0000
MICHAEL J WEAVER, 0000
JERRY P WEBB, 0000
MATTHEW I WEBER, 0000
MICHAEL L WEELDRREYER, 0000
WINCESLAS S WEEMS, 0000
RICHARD H WEITZEL, 0000
VAN T WENNEN, 0000
ERIC C WEVER, 0000
BRYAN D WHITE, 0000
ALEX C WIBE, 0000
ERIC WIDMAN, 0000
JAMES A WIEST, 0000
CARLOS R WILLIAMS, 0000
JEFFREY A WILLIAMS, 0000
KELLY S WILLIAMS, 0000
ROBERT R WILLIAMS, 0000
ULRIC A WILLIAMS, 0000
BENJAMIN J WILLIAMSON, 0000
ARTHUR E WILLS, 0000
CLAY R WILSON, 0000
TIMOTHY A WILSON, 0000
PAUL H WINGEART, 0000
MICHAEL L WITHERSPOON, 0000
CHAD A WORTHLEY, 0000
GERALD D WRIGHT, 0000
WILLIAM A WRIGHT, 0000
WILLIAM D WRIGHT, 0000
HSINFU WU, 0000
PAUL L WYNN, 0000
JOHN M YAKUBISIN, 0000
THOMAS E YARDLEY, 0000
MARK D YEHL, 0000
MICHAEL B J YESUNAS, 0000
RYAN M YOST, 0000
MICHAEL T YOUNG, 0000
TIMOTHY H YOUNG, 0000
CHHEM K YOUNGPEN, 0000
GLENN M ZEIGLER, 0000
DAVID G ZOOK, 0000