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## Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable LISA MURKOWSKI, a Senator from the State of Alaska.

### PRAYER

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

Let us pray.

Eternal Lord God, ruler of all nature, thank You for the gift of life and for the opportunity to invest in freedom. As electoral college votes are counted today, increase our gratitude for this great land.

Infuse the executive, legislative, and judicial branches of Government with strength to meet the challenges of our time. Remind our leaders that humility precedes honor and that service is the litmus test of greatness.

Continue to bless those who seek to relieve the suffering of the tsunami victims. Help them to remember that they are doing Your work and reward them from the bounty of Your love. We pray in Your strong Name. Amen.

### PLEDGE OF ALLEGIANCE

The Honorable LISA MURKOWSKI 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.

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. STEVENS).

The legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, January 6, 2005.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby

appoint the Honorable LISA MURKOWSKI, a Senator from the State of Alaska, to perform the duties of the Chair.

TED STEVENS,  
President pro tempore.

Ms. MURKOWSKI thereupon assumed the chair as Acting President pro tempore.

### RECOGNITION OF THE ACTING MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority whip is recognized.

### SCHEDULE

Mr. MCCONNELL. Madam President, today we are in session to consider two committee membership resolutions. We hope to have those resolutions considered and adopted in a short while. The two resolutions will make majority and minority committee appointments for the 109th Congress, as well as officially appoint the chairmen and ranking members for each of those committees.

In addition to that business, today at 1 p.m. we will have a joint meeting with the House to count electoral votes. Members should begin gathering in the Senate Chamber at 12:40 this afternoon so we may depart as a body at 12:50.

Senators have been asking about the possibility of rollcall votes during today's session. At this point we have to say, unfortunately, that rollcall votes are still possible during today's session. As always, we will alert Members as the voting schedule becomes more clear. Once we have adopted our committee resolutions and the electoral vote count is completed, it is my intention the Senate will adjourn until January 20, Inauguration Day.

I will have more to say on the schedule today before the Senate closes.

### RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The minority leader is recognized.

### TODAY'S AGENDA

Mr. REID. Madam President, we are very close to working something out on committee funding. We have an agreement on the split. It is just a question of what we are splitting. I have a meeting today with the ranking members. I spoke to virtually all of them last night and we will be able to work something out here. It is important we do that. We have Members on our side, new Senators, we want to appoint to committees. The majority has new Members they need to appoint to committees. There will be some new committee chairs, new ranking members. We want to expedite this. We hope to have it done, as I told the distinguished Senator from Kentucky, by noon today. It is something we need to do. I am confident we can do that.

On our side if, in fact, there is an objection filed to any of the States that are going to report their electoral college findings, we will not require a rollcall vote on our side, but that does not mean there won't be one. So whether there is an objection filed, we will wait and see at 1 o'clock today. After that, there will be decisions made by individual Senators as to whether there is a vote.

Procedurally, as I understand the rule, if there is an objection filed, automatically the electoral college proceedings are put in recess for 2 hours. During that 2 hours, Members in the House and Senate are allowed to speak for up to 5 minutes each on the objection. Following that, the electoral college reconvenes. If, in fact, there is an objection filed, I think everything would be completed by around 4 o'clock today.

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



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Mr. McCONNELL. Madam President, I might say with regard to speaking requests, I only have one or two. They will be very brief. It is my hope we might not take the entire 2 hours the Democratic leader has outlined, thereby allowing us to get that job finished earlier in the afternoon.

Mr. REID. Madam President, the distinguished Senator is again absolutely right. We have had a few requests on our side. At last count, I had less than five. That is 25 minutes, at most. But we cannot do anything until the House finishes. If they finish earlier, we would finish earlier and be able to move forward.

We will see what the day brings us. But it should not be a long day, no matter what happens.

Mr. McCONNELL. I yield the floor.

#### RESERVATION OF LEADER TIME

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

#### MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will be a period for the transaction of morning business, with Senators permitted to speak for up to 10 minutes each.

The Senator from Montana.

#### TSUNAMI TAX CREDIT

Mr. BAUCUS. Madam President, I rise to share a few remarks involving the overwhelming disaster that has hit Southeast Asia. I hope the distinguished deputy leader would heed my remarks because I very much hope we can get this legislation passed this year—not only this year, but passed today—which gives a charitable tax deduction, cash deduction to Americans on their tax returns for 2004 who give a charitable contribution to the tsunami disaster. Clearly that has to be done immediately. Otherwise it will not have any real effect. It affects taxpayers who wish to give today but take the deduction on their 2004 tax returns, or 2005. This gives an opportunity to take the deduction on the 2004 returns.

It is almost impossible to talk about the tsunami disaster. Words do not begin to describe the extent of the disaster. We all feel it when we watch television and see the photographs in the newspapers. We hear reports from those who have been there; Secretary Powell, for example. It is so overwhelming. It is so large scale. One hundred fifty thousand people perished. Just imagine.

September 11 was a disaster almost beyond belief, and that was 3,000 deaths. We are talking now about 150,000 people who just had no defense. Families were destroyed. In many cases there is very little hope because so many relatives are gone. Roads are

gone. Houses are gone. Up to 2 million people who are displaced are homeless. It is staggering. Some suggest this might be the worst disaster in modern history. It could well be. But whether it is the worst or second worst is not the point. The point is, it is a huge personal disaster, personal tragedy for so many people over such a large scale.

I am encouraged and very thankful so many people around the world have poured their hearts out to the victims. Many have flown over to volunteer help. Many have sent contributions, sometimes in-kind contributions, sometimes cash.

Last night, I was watching a television program to raise money for the tsunami victims, and you could see it happen over a 45-minute period. First it went to \$1 million, and then it went up to \$6 million that had been pledged within that 45 minutes. That is wonderful.

I think a lot of Americans want to give. Clearly, some Americans are strapped, but they still want to give. It is the American spirit. It is who we are as Americans.

I suggest, in cosponsoring a bill with the chairman of the Finance Committee, Senator GRASSLEY, that we pass legislation today which gives Americans the opportunity to take the full deduction that is currently available for deductions in 2005—after all, this is January—that Americans can take that deduction today on their 2004 tax returns. I think many Americans would like to do that. It would be an additional incentive, an additional encouragement for Americans to contribute to the tsunami disaster.

It is very simple legislation but legislation that will be very helpful, and it must pass right away. Clearly, it will not work if it is passed much later. It will cause a lot of administrative problems for the IRS. After all, April 15 is the deadline for 2004 tax returns. If we could pass this legislation today, the IRS has told us it can very easily accommodate and deal with the changes that are necessary to allow Americans to take those deductions on their 2004 tax returns for the contributions they make now.

I very much hope the minor questions people have about this legislation are resolved very quickly because there is no reason not to pass this legislation. It will not create a huge precedential problem. It is not going to be terribly costly. But it is the right thing to do. It is the right thing for Americans to do, to pass legislation to make it a little easier for Americans to contribute to the victims of the tsunami disaster.

I very much hope we can get it passed. I am going to stay on the floor today as long as it takes to get it passed. There is no conceivable reason it should not pass. I am going to stay here until we do get it passed because it is the right thing to do.

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

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

The assistant legislative clerk proceeded to call the roll.

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

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

#### JOINT SESSION

Mr. DAYTON. Mr. President, I would like to address a few subjects this morning.

First, regarding the joint session of the House and the Senate that will be meeting this afternoon, I have received a great number of calls and expressions of interest and concern about that historic event—where the two bodies meet in joint session to certify the tally of votes from the electoral college.

Our role is a very limited one under both the Constitution and under Federal law which was passed and has stood since 1887. The role of the House and the Senate is not to adjudicate last November's Presidential election. That should not be our role. Those who want us to insert ourselves into that process are very well intentioned, but the role they envision for us is, in my judgment, inappropriate and potentially even dangerous. Our role today in this joint session of the Senate and the House is one of witnessing the tally of the electoral college vote. If there is an objection, it is based on very limited circumstances.

In fact, only once in the entire history of this legislation since 1886, only one time has there been a formal objection made, and that was for one electoral vote cast by one elector who did not vote in the way in which they pledged—in this case, the District of Columbia; not a State, a district. That objection was rejected by the House and the Senate in 1969.

There has never been in the history of the country an entire State slate of electoral votes objected to or rejected by actions of both the House and the Senate.

If an objection is made today signed by at least one Member of the House and one Member of the Senate, under the law, under the Constitution, the Senate separates from the House and meets for 2 hours. Our debate is limited by law to 2 hours. We each can speak up to 5 minutes and speak only once. Then on the basis of that debate we are supposed to vote—each of us—on whether to accept that electoral slate and the tally certified by the election authorities of the respective States or reject it.

We are a partisan body. We are well intentioned. We are all honorable men and women, as are our colleagues in the House. But we are elected as Democrats or Republicans, and in one case an Independent. For us on the basis of a 2-hour meeting and a 5-minute presentation by each of us to vote on

whether to accept or reject the will of the people of a particular State is an enormously dangerous precedent. In my judgment, the standard and the bar under which any objection must qualify for our consideration, much less for our rejection, needs to be a very high one. That is what our Federal law envisions. It says:

No electoral vote or votes from any State which have been regularly given by electors whose appointment has been lawfully certified from which but one return has been received shall be rejected.

In other words, if the procedure that was followed by the election authorities of the State is a proper one and if it is certified as proper, if there is only one tally received from a State—in other words, if there are not two different representations of that State's electoral tally—then our function is to witness and acknowledge that that function has been performed properly; it is not to say whether that election was conducted properly. That review, if it is warranted, is the proper role of the Judiciary, which is supposed to be nonpartisan, which is supposed to be objective, impartial, fair, and ultimately make the decision which, under the respective States and Federal laws and the facts of all sides presented and carefully considered over whatever necessary period of time and finally in that very careful and sober deliberation, is determined to be the proper judgment.

That is not our capability. That is not our role. Under the restrictions of 2 hours today, that would be a travesty of justice. It is a situation where it would be reversed if JOHN KERRY had won this election. If a Republican-controlled Senate and a Republican-controlled House had objected based on the information I have seen regarding the electoral conditions in Ohio or any other State in the election, if they had been rejected and those electoral college votes had thrown the election into the House of Representatives where a partisan majority voted on partisan lines to elect the other candidate as President of the United States, there would be such a public outcry and loss of confidence in the integrity of our electoral process that I fear we would not recover as a nation—at least not for a long time. I would say the same if the situation were reversed.

This is not about partisanship. This is about ensuring the integrity of the legislative process. That is in its broad sense the proper role and responsibility of Congress; that is, one where those who are objecting to the conduct of this last election have solid ground and where we properly should insert ourselves once again as we did after the 2000 election when on a bipartisan basis in this body and the House we passed election reform legislation.

We provided funding for State and local governments to conduct these elections. And the intention was, I might add, under the Constitution they can do so more effectively and more ac-

curately. The principle is everyone should have the right to vote, and that vote should be counted accurately, which is fundamental to our democracy. If we fail at that, if we are not perfect in carrying that out, we are not carrying out our responsibility to protect the sanctity of this great democracy.

I take that responsibility very seriously. As a member of the Senate Rules Committee, which has jurisdiction over that, I will ask the chairman, Senator LOTT, to convene hearings into the 2000 election. We need to learn from that experience. A lot of focus and attention has been directed on Ohio, as it appropriately should. It was a State that ultimately in the final development of events on election night determined the outcome. There were probably other States which had some perhaps even greater imperfections in their voting procedures. That should be used as the basis for further legislation as necessary to safeguard this process so that, in fact and in perception, the American people know they had the right to vote, the chance to vote, and their vote was counted, and that the will of the majority, as reflected in the Presidential election through the electoral college, was faithfully, honestly, and accurately carried out by everyone responsible for doing so.

How much time remains under the order?

THE PRESIDING OFFICER. The Senator has 1 minute.

MR. DAYTON. I ask unanimous consent for an additional 5 minutes to complete my remarks.

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

#### IRAQ

MR. DAYTON. Last week, Senator LIEBERMAN and I traveled to Iraq, to Baghdad. When I visited Iraq a year and a half ago, our Senate delegation in Baghdad and other cities, Basra and Tikrit, boarded armed Humvees and with military escort drove throughout those respective cities. Last week, we were confined for security reasons to the heavily fortified green zone, which is the command post of the United States military, our Government representatives, and the Iraqi government.

The necessity for those restrictions was made apparent because one of the opposition political leaders with whom we were supposed to meet and where we envisioned traveling for 5 minutes outside of the green zone was the target of an assassination attempt the previous day. He was not harmed, but a suicide bomber killed himself and nine other Iraqis outside the location where the meeting was to occur, which underscores the perilous nature of the environment and the impossibility of providing the necessary and complete security for our own forces who are performing heroically and continue to risk their lives, and in some cases give up their lives, tragically, to protect the

Iraqi people from the insurgent forces which are brutal and sometimes lethally effective in what they are intending to do in that particular country.

Sunday, I had the occasion to meet with a few hundred Minnesotans, family members of loved ones who are presently serving in Iraq. They asked the same question over and over again: When are our husbands, wives, sons, fathers, mothers, coming home?

Although I opposed the Iraq war resolution in October of 2002 and continue to believe, unfortunately, we have on an overall basis weakened our national security, not strengthened it by our action, we are there, with 150,000 of our Armed Forces committed. It is imperative we succeed. It is also imperative that we start to devise—we should have already—a strategy to bring our troops home safely as soon as possible with the victory secure. The only way victory will be ultimately secured is by the Iraqi people.

When Senator LIEBERMAN and I met with the Deputy Prime Minister of Iraq he said exactly that: The security of Iraq can only be gained by the Iraqi people. The process from being subject to a brutal dictator, tyrannical oppression for over a quarter of a century, to self-determining democracy is an enormous social transformation, one that will probably take several years.

When we justify, by those who are responsible for our continued presence in Iraq, what we are doing there, they need to be very clear about the parameters. First, we were looking for weapons of mass destruction which turned out not to exist there. Then it was an alleged link between Saddam Hussein and al-Qaida which has never been demonstrated to exist. Then it was opposing an evil dictator, which Saddam Hussein certainly was, which was achieved in the first 3 weeks of magnificent effort by our military. For the last 21 months it has been protecting as much as possible the country and protecting the time necessary for the Iraqi people to form a government, which they are in the process of doing.

Holding the election on January 30 as scheduled is essential to doing that. Training and equipping the Iraqi forces—police, military, national guard—to be able to do what the people of any country have to do to have a functional country under any form of government, which is to protect and defend their own country, has been regrettably a very slow process. I asked the United States military command and our civilian leadership in Iraq as well as the Iraqi Government authorities how far they thought we had progressed from a starting point to 100 percent Iraqi self-sufficiency regarding their own self-security and the answer was variously between 40 and 50 percent. We have initiated and engaged in and this Congress has funded to the full extent requested by the administration the Iraqi security training programs for over a year, about 15 or 16 months.

It is obviously a difficult assignment, given that the previous military structure of the country was removed by the Provisional Authority, but that decision has been made and now that process of retraining new forces has been underway for 15, 16 months and we are told it is not even half way there.

The Iraqi people need to be responsible for their own country. They must be responsible for their own country. They must decide to stand up for themselves. Many are doing so and even giving their lives to conduct this upcoming election and engaging in various security actions.

But the brunt of that responsibility, the burden, the fighting, the bleeding, the dying, is still being incurred by our own forces. We need to know when that is going to be able to stop. We need to know how that transition and when that transition is going to occur. We need to put the Iraqi people and our allies on notice that we are not going to be there indefinitely and that they need to be willing to step forward to provide what I think everyone wants, most of the world wants: a stable, secure, and successful Iraq.

As a member of the Senate Armed Services Committee, I have been increasingly frustrated by our inability, either in the committee, whether in public or secret briefings, whether as a body or through other discussions, to get what turns out to be accurate and reliable information from the civilian command, from the administration. Yesterday afternoon we had an Armed Services Committee hearing, a secret hearing, for 3 hours. I received information regarding the force capabilities of the Iraqi police and military that was at significant variance from what I was told a week before in Baghdad, which itself was at considerable variance from what we were told 2 months before, which then was half of the force level we were told existed a year before that.

What the numbers are, what the training capabilities are—I hesitate to use this word on the Senate floor, but it applies here—I don't like being lied to. I am elected to represent the people of Minnesota. I am elected to look out for their best interests. I met on Sunday with a few hundred Minnesota family members who were depending upon me to look out for the interests of their sons and daughters, husbands and wives. I take that as a life-or-death responsibility, as it is to them and their loved ones and all the members of the U.S. Armed Forces, putting their lives on the line every day.

They deserve to know, we deserve to know, the American people deserve to know from this administration their plan, what is their timetable, and what kind of progress are we making. We deserve to know the facts. We deserve to be told facts today that hold up as the truth tomorrow. I regret to say that is not occurring. It has not occurred, not only in this instance yesterday but in other significant respects throughout the last several months.

I appreciate enormously and admire tremendously the leadership of the Senate Armed Services Committee under its chairman, Senator WARNER, and its ranking member, Senator LEVIN. Senator WARNER has convened any number of hearings and briefings on the situation in Iraq and other places around the world, on the prison abuses at Abu Ghraib, on the armoring and rearmoring of the equipment and personnel for service in Iraq and Afghanistan.

In the last month, we have found, according to the private contractors, there was an unused capacity in their production capabilities of 25 percent for armored Humvees and these rearmoring kits for those Humvees that are over there in Afghan and Iraq that are unarmored, a 25-percent unused capacity because of a lack of production orders from our military, when we were told—and we asked, Republican and Democratic members of the Armed Services Committee alike, repeatedly: What do you need? What money, laws, procedures? What do you need to maximize production and immediate distribution to protect our men and women serving in Iraq?

We were assured, again and again and again, there was 100-percent production, that everything was being done, and that they did not need anything. And then we find out there is significant variance to that, in fact, in the truth.

Chairman WARNER convened several hearings in the last 6 months on the alleged prison abuses at Abu Ghraib. There were rumors of abuses occurring elsewhere in Iraq and elsewhere in the world. We were assured again and again by the administration and the other authorities who spoke before us that it was limited to those isolated instances in Iraq and in the Abu Ghraib prison. Now it comes to light, in the last month, there were documented reports through the chain of command, information that people who testified before our committee had to be aware of when they told us in committee hearings information that was at variance with those reports.

Similarly, the status of the Iraqi security and military forces—being told by the Secretary of Defense, who I think believed what he was telling us because that was the information he was given, a year ago that force level was at 202,000; and then to find out last September 15, in public remarks he made elsewhere, that number was about half that level; and then to get published reports that the actual number is some 78,000; and then to get a report last week that the number is somewhat above that; and then to get a report yesterday that the number is some tens of thousands above that. Having that number not being able to be confirmed by those who are testifying before us is a great travesty of justice and legality, and their moral, ethical responsibility to tell us the truth and give us the facts so we can

make those judgments that we are elected and held responsible to make, along with them, so that hopefully the collective wisdom of all of us serves the best interests of this country, its foreign policy, and the lives of its men and women who are serving us overseas, and who, for every day we keep them over there, are continuing to risk their lives, and some of them losing their lives or losing limbs, bodily functions.

This is life and death, and it is time we stop being lied to. I want this administration, I want the Pentagon command, to tell us the facts, tell us the truth about the situation in Iraq—what is going right, but what is going wrong, to tell us the truth and the facts about the capability of the Iraqi forces to replace ours, to take over responsibility for the law and order of their own country, to tell us the truth and the facts about the economic recovery projects, which ones have started, which ones have not, how much money has been expended, how much money has been wasted, how much money has been stolen.

It is shameful this body, which has the history of Harry Truman setting up a special committee during World War II to investigate the proper contracting, the proper expenditure of taxpayer dollars for a defense effort, where again American men and women were relying on that equipment, relying on getting it right away, and living or dying as a result—Harry Truman said: I don't care whether they are Democratic contractors or Republican, let the chips fall where they may and the truth be known. He went on to become the Vice President and then the President of the United States because he had that kind of integrity and that kind of courage.

We ought to see that today on the other side of the aisle, to be willing to investigate these matters. Whether it is a Republican administration or a Democratic administration, I don't care; it is an American administration. Those are American soldiers putting their lives on the line. We are all responsible, and we can't even get anybody to look into what is happening or not happening there, and we can't get anybody to tell us the facts, the truth. It is deplorable. It is unconscionable. It is un-American. And it is intolerable.

I think this body collectively needs to stand up and demand that we get the facts and the truth so we can go back home and tell those sons and daughters and fathers and mothers and husbands and wives what is happening to their loved ones over in Iraq, and when they are coming home with the victory they worked for, lived for, bled for, and died for secured, and how we are going to do that and when.

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

The PRESIDING OFFICER (Mr. DEMINT). The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

#### TAX DEDUCTING FOR TSUNAMI RELIEF

Mr. BAUCUS. Mr. President, I suggested to the chairman of the Finance Committee, Senator GRASSLEY, and he agreed, that it would be appropriate and, in fact, it would be a good idea, to pass legislation today which would allow Americans to give a full deduction that is available under current law to the tsunami relief effort in 2004, if they wish. Even though we are clearly now in 2005, the idea is and the legislation would provide that, for Americans who want to give to the tsunami relief effort and take that contribution on their 2004 tax returns, they may do so.

I am very encouraged the House took up that bill a few minutes ago. It is unclear as to when that will actually pass, but it is my understanding it will pass today. I have spoken to a good number of Senators about this legislation, and I have with me a long list of cosponsors of this legislation. I think it would be good for us to do this right away. I say quickly because the IRS has informed me that the sooner we pass this, the better. That is, the sooner we pass the legislation, the more easily they can work with American taxpayers who want to take this deduction—it is a cash deduction—in 2004.

It is framed as a cash deduction because that is what the relief agencies want. They want cash. First, cash can be transmitted much more quickly than in-kind contributions, as much as food and clothes is important. They can transmit the cash contribution with the speed of light, frankly. Second, with cash it can be disbursed and sent to the area where it is needed the most. Maybe food is needed, maybe medical supplies are needed in one area more than another, maybe clothing or tents or whatnot is needed. With the cash available, the relief agencies can decide what is the best use.

This is also the approach taken by our President when he nominated and encouraged former President Bush and former President Clinton to go nationwide to encourage Americans to contribute to the relief effort. They, too, suggest cash contributions are best. They are much more efficient. It is what makes the most sense as being the most helpful to the people in that part of the world who need it the most.

I have a special feeling, almost reverence, for Southeast Asia, because I have traveled in that part of the world many times. The Southeast Asia ambassadors have been guests of mine in my home State of Montana just recently, this past year. I visited Southeast Asia quite recently. My heart, all of our hearts, clearly, go out to the victims and their families. Words cannot describe the extent and depth of this

tragedy, and I am not going to make the effort to do so. But certainly when we see the photographs and we read the reports and hear people such as Secretary Colin Powell comment on what they have seen and what has happened or has not happened over there, it tugs very deeply at the hearts of all of us. That part of the world has our deepest prayers and our fondest hopes that we will do all we can to help out.

That is happening. The American public, the American people are the most generous people in the world. I don't know what it is, there is something extra special about the American spirit. We dig down to help people who need help. We are there. I think it is probably because we are a society that is much more open than most others. We are also a country with many immigrants. We feel for the goings on in other countries in the world.

We are a young country by comparison. I wouldn't say that makes us naive, but it certainly enables us to have much more hope about the future because we still are young. We are very hopeful. Many countries that are much older do not have quite the same hope, it seems. There is maybe a little cynicism—they have seen it all, or maybe not, but we are a country that is open and we want to help.

Therefore, I ask unanimous consent to have printed in the RECORD a resolution which would accelerate the income benefits for charitable cash contributions for the relief of victims in the Indian Ocean tsunami. Also, I ask unanimous consent to have printed in the RECORD a list of all the cosponsors of this Senate joint resolution. I am not going to read all the names. It is a long list.

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

S.J. RES.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. ACCELERATION OF INCOME TAX BENEFITS FOR CHARITABLE CASH CONTRIBUTIONS FOR RELIEF OF INDIAN OCEAN TSUNAMI VICTIMS.

(a) IN GENERAL.—A taxpayer may treat any contribution described in subsection (b) made in January 2005 as if such contribution was made on December 31, 2004, and not in January 2005.

(b) CONTRIBUTION DESCRIBED.—A contribution is described in this subsection if such contribution is a cash contribution made for the relief of victims in areas affected by the December 26, 2004, Indian Ocean tsunami for which a charitable contribution deduction is allowed under section 170 of the Internal Revenue Code of 1986.

Mr. BAUCUS. Mr. President, I want our colleagues to know that Senator GRASSLEY and I were joined in the effort to provide tsunami relief assistance by dozens of our Colleagues. I want to acknowledge them by asking for unanimous consent that the text of the Senate Joint Resolution and the full list of cosponsors be printed in the RECORD.

Senator AKAKA of Hawaii, Senator ALEXANDER of Tennessee, Senator BIDEN of Dela-

ware, Senator BUNNING of Kentucky, Senator BYRD of West Virginia, Senator CANTWELL of Washington, Senator CLINTON of New York, Senator CORZINE of New Jersey, Senator DAYTON of Minnesota, Senator DURBIN of Illinois, Senator FEINGOLD of Wisconsin, Senator FEINSTEIN of California, Senator HAGEL of Nebraska, Senator HARKIN of Iowa, Senator HATCH of Utah, Senator INOUE of Hawaii, Senator JEFFORDS of Vermont, Senator KERRY of Massachusetts, Senator KOHL of Wisconsin, Senator LANDRIEU of Louisiana.

Senator LAUTENBERG of New Jersey, Senator LEAHY of Vermont, Senator LEVIN of Michigan, Senator MCCAIN of Arizona, Senator MIKULSKI of Maryland, Senator MURRAY of Washington, Senator NELSON of Nebraska, Senator NELSON of Florida, Senator OBAMA of Illinois, Senator REID of Nevada, Senator ROCKEFELLER of West Virginia, Senator SANTORUM of Pennsylvania, Senator SCHUMER of New York, Senator SMITH of Oregon, Senator WYDEN of Oregon, Senator STABENOW of Michigan, Senator DORGAN of North Dakota, Senator DODD of Connecticut.

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

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

#### APPOINTMENT

The PRESIDING OFFICER. Pursuant to S. Con. Res. 1, the Chair appoints the Senator from South Dakota, Mr. JOHNSON, as teller on part of the Senate, in lieu of the Senator from Connecticut, Mr. DODD.

#### MAKING MAJORITY PARTY APPOINTMENTS TO COMMITTEES

Mr. MCCONNELL. I send a resolution to the desk and ask for its consideration.

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

The assistant legislative clerk read as follows:

A resolution (S. Res. 5) making majority party appointments to certain Senate committees for the 109th Congress.

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

Mr. MCCONNELL. I ask unanimous consent that the resolution be agreed to.

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

The resolution (S. Res. 5) was agreed to, as follows:

S. RES. 5

*Resolved*, That notwithstanding the provisions of Rule XXV, the following shall constitute the majority standing committees for the One Hundred Ninth Congress, or until their successors are chosen:

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY: Mr. Chambliss (Chairman), Mr. Lugar, Mr. Cochran, Mr. McConnell, Mr. Roberts, Mr. Talent, Mr.

Thomas, Mr. Santorum, Mr. Coleman, Mr. Crapo, Mr. Grassley.

COMMITTEE ON APPROPRIATIONS: Mr. Cochran (Chairman), Mr. Stevens, Mr. Specter, Mr. Domenici, Mr. Bond, Mr. McConnell, Mr. Burns, Mr. Shelby, Mr. Gregg, Mr. Bennett, Mr. Craig, Mrs. Hutchison, Mr. DeWine, Mr. Brownback, Mr. Allard.

COMMITTEE ON ARMED SERVICES: Mr. Warner (Chairman), Mr. McCain, Mr. Inhofe, Mr. Roberts, Mr. Sessions, Ms. Collins, Mr. Ensign, Mr. Talent, Mr. Chambliss, Mr. Graham, Mrs. Dole, Mr. Cornyn, Mr. Thune.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS: Mr. Shelby (Chairman), Mr. Bennett, Mr. Allard, Mr. Enzi, Mr. Hagel, Mr. Santorum, Mr. Bunning, Mr. Crapo, Mr. Sununu, Mrs. Dole, Mr. Martinez.

COMMITTEE ON COMMERCE, SCIENCE, AND TECHNOLOGY: Mr. Stevens (Chairman), Mr. McCain, Mr. Burns, Mr. Lott, Mrs. Hutchison, Ms. Snowe, Mr. Smith, Mr. Ensign, Mr. Allen, Mr. Sununu, Mr. DeMint, Mr. Vitter.

COMMITTEE ON ENERGY AND NATURAL RESOURCES: Mr. Domenici (Chairman), Mr. Craig, Mr. Thomas, Mr. Alexander, Ms. Murkowski, Mr. Burr, Mr. Martinez, Mr. Talent, Mr. Burns, Mr. Allen, Mr. Smith, Mr. Bunning.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS: Mr. Inhofe (Chairman), Mr. Warner, Mr. Bond, Mr. Voinovich, Mr. Chafee, Ms. Murkowski, Mr. Thune, Mr. DeMint, Mr. Isakson, Mr. Vitter.

COMMITTEE ON FINANCE: Mr. Grassley (Chairman), Mr. Hatch, Mr. Lott, Ms. Snowe, Mr. Kyl, Mr. Thomas, Mr. Santorum, Mr. Frist, Mr. Smith, Mr. Bunning, Mr. Crapo.

COMMITTEE ON FOREIGN RELATIONS: Mr. Lugar (Chairman), Mr. Hagel, Mr. Chafee, Mr. Allen, Mr. Coleman, Mr. Voinovich, Mr. Alexander, Mr. Sununu, Ms. Murkowski, Mr. Martinez.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS: Mr. Enzi (Chairman), Mr. Gregg, Mr. Frist, Mr. Alexander, Mr. Burr, Mr. Isakson, Mr. DeWine, Mr. Ensign, Mr. Hatch, Mr. Sessions, Mr. Roberts.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS: Ms. Collins (Chairman), Mr. Stevens, Mr. Voinovich, Mr. Coleman, Mr. Coburn, Mr. Chafee, Mr. Bennett, Mr. Domenici, Mr. Warner.

SELECT COMMITTEE ON INTELLIGENCE: Mr. Roberts (Chairman), Mr. Hatch, Mr. DeWine, Mr. Bond, Mr. Lott, Ms. Snowe, Mr. Hagel, Mr. Chambliss, Mr. Warner (ex officio).

COMMITTEE ON THE JUDICIARY: Mr. Specter (Chairman), Mr. Hatch, Mr. Grassley, Mr. Kyl, Mr. DeWine, Mr. Sessions, Mr. Graham, Mr. Cornyn, Mr. Brownback, Mr. Coburn.

SPECIAL COMMITTEE ON AGING: Mr. Smith (Chairman), Mr. Shelby, Ms. Collins, Mr. Talent, Mrs. Dole, Mr. Martinez, Mr. Craig, Mr. Santorum, Mr. Burns, Mr. Alexander, Mr. DeMint.

COMMITTEE ON THE BUDGET: Mr. Gregg (Chairman), Mr. Domenici, Mr. Grassley, Mr. Allard, Mr. Enzi, Mr. Sessions, Mr. Bunning, Mr. Crapo, Mr. Ensign, Mr. Cornyn, Mr. Alexander, Mr. Graham.

SELECT COMMITTEE ON ETHICS: Mr. Voinovich (Chairman), Mr. Roberts, Mr. Thomas.

COMMITTEE ON INDIAN AFFAIRS: Mr. McCain (Chairman), Mr. Thomas, Ms. Murkowski, Mr. Coburn, Mr. Domenici, Mr. Smith, Mr. Crapo, Mr. Burr.

JOINT ECONOMIC COMMITTEE: Mr. Bennett (Vice-Chairman), Mr. Brownback, Mr. Sununu, Mr. DeMint, Mr. Sessions, Mr. Cornyn.

COMMITTEE ON RULES AND ADMINISTRATION: Mr. Lott (Chairman), Mr. Stevens, Mr. McConnell, Mr. Cochran, Mr.

Santorum, Mr. Frist, Mr. Chambliss, Mrs. Hutchison, Mr. Bennett, Mr. Hagel.

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP: Ms. Snowe (Chairman), Mr. Bond, Mr. Burns, Mr. Allen, Mr. Coleman, Mr. Thune, Mr. Isakson, Mr. Vitter, Mr. Enzi, Mr. Cornyn.

COMMITTEE ON VETERANS' AFFAIRS: Mr. Craig (Chairman), Mr. Specter, Mrs. Hutchison, Mr. Graham, Mr. Burr, Mr. Ensign, Mr. Thune, Mr. Isakson.

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

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

The motion to lay on the table was agreed to.

#### MAKING MINORITY PARTY APPOINTMENTS TO COMMITTEES

Mr. REID. Mr. President, I send a resolution to the desk.

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

The assistant legislative clerk read as follows:

A resolution (S. Res. 6) making minority party appointments to certain Senate committees for the 109th Congress.

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

Mr. REID. Mr. President, I ask unanimous consent that the resolution be agreed to.

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

The resolution (S. Res. 6) was agreed to, as follows:

#### S. RES. 6

*Resolved*, That notwithstanding the provisions of rule XXV, the following shall constitute the minority party's membership on the following standing committees for the 109th Congress, or until their successors are chosen:

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY: Mr. Harkin (Ranking Member), Mr. Leahy, Mr. Conrad, Mr. Baucus, Mrs. Lincoln, Ms. Stabenow, Mr. Nelson of Nebraska, Mr. Dayton, and Mr. Salazar.

COMMITTEE ON APPROPRIATIONS: Mr. Byrd (Ranking Member), Mr. Inouye, Mr. Leahy, Mr. Harkin, Ms. Mikulski, Mr. Reid, Mr. Kohl, Mrs. Murray, Mr. Dorgan, Mrs. Feinstein, Mr. Durbin, Mr. Johnson, and Ms. Landrieu.

COMMITTEE ON ARMED SERVICES: Mr. Levin (Ranking Member), Mr. Kennedy, Mr. Byrd, Mr. Lieberman, Mr. Reed, Mr. Akaka, Mr. Nelson of Florida, Mr. Nelson of Nebraska, Mr. Dayton, Mr. Bayh, and Mrs. Clinton.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS: Mr. Sarbanes (Ranking Member), Mr. Dodd, Mr. Johnson, Mr. Reed, Mr. Schumer, Mr. Bayh, Mr. Carper, Ms. Stabenow, and Mr. Corzine.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION: Mr. Inouye (Ranking Member), Mr. Rockefeller, Mr. Kerry, Mr. Dorgan, Mrs. Boxer, Mr. Nelson of Florida, Ms. Cantwell, Mr. Lautenberg, Mr. Nelson of Nebraska, and Mr. Pryor.

COMMITTEE ON ENERGY AND NATURAL RESOURCES: Mr. Bingaman (Ranking Member), Mr. Akaka, Mr. Dorgan, Mr. Wyden, Mr. Johnson, Ms. Landrieu, Mrs. Feinstein, Ms. Cantwell, Mr. Corzine, and Mr. Salazar.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS: Mr. Jeffords (Ranking

Member), Mr. Baucus, Mr. Lieberman, Mrs. Boxer, Mr. Carper, Mrs. Clinton, Mr. Lautenberg, and Mr. Obama.

COMMITTEE ON FINANCE: Mr. Baucus (Ranking Member), Mr. Rockefeller, Mr. Conrad, Mr. Jeffords, Mr. Bingaman, Mr. Kerry, Mrs. Lincoln, Mr. Wyden and Mr. Schumer.

COMMITTEE ON FOREIGN RELATIONS: Mr. Biden (Ranking Member), Mr. Sarbanes, Mr. Dodd, Mr. Kerry, Mr. Feingold, Mrs. Boxer, Mr. Nelson of Florida, and Mr. Obama.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS: Mr. Kennedy (Ranking Member), Mr. Dodd, Mr. Harkin, Ms. Mikulski, Mr. Jeffords, Mr. Bingaman, Mrs. Murray, Mr. Reed, and Mrs. Clinton.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS: Mr. Lieberman (Ranking Member), Mr. Levin, Mr. Akaka, Mr. Carper, Mr. Dayton, Mr. Lautenberg, and Mr. Pryor.

COMMITTEE ON THE JUDICIARY: Mr. Leahy (Ranking Member), Mr. Kennedy, Mr. Biden, Mr. Kohl, Mrs. Feinstein, Mr. Feingold, Mr. Schumer, and Mr. Durbin.

COMMITTEE ON RULES AND ADMINISTRATION: Mr. Dodd (Ranking Member), Mr. Byrd, Mr. Inouye, Mrs. Feinstein, Mr. Schumer, Mr. Dayton, Mr. Durbin and Mr. Nelson of Nebraska.

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP: Mr. Kerry (Ranking Member), Mr. Levin, Mr. Harkin, Mr. Lieberman, Ms. Landrieu, Ms. Cantwell, Mr. Bayh, and Mr. Pryor.

COMMITTEE ON VETERANS' AFFAIRS: Mr. Akaka (Ranking Member), Mr. Rockefeller, Mr. Jeffords, Mrs. Murray, Mr. Obama and Mr. Salazar.

SPECIAL COMMITTEE ON AGING: Mr. Kohl (Ranking Member), Mr. Jeffords, Mr. Feingold, Mr. Wyden, Mrs. Lincoln, Mr. Bayh, Mr. Carper, Mr. Nelson of Florida, and Mrs. Clinton.

COMMITTEE ON THE BUDGET: Mr. Conrad (Ranking Member), Mr. Sarbanes, Mrs. Murray, Mr. Wyden, Mr. Feingold, Mr. Johnson, Mr. Byrd, Mr. Nelson of Florida, Ms. Stabenow, and Mr. Corzine.

SELECT COMMITTEE ON ETHICS: Mr. Johnson (Vice Chairman), Mr. Akaka, and Mr. Pryor.

COMMITTEE ON INDIAN AFFAIRS: Mr. Dorgan (Vice Chairman), Mr. Inouye, Mr. Conrad, Mr. Akaka, Mr. Johnson, and Ms. Cantwell.

SELECT COMMITTEE ON INTELLIGENCE: Mr. Rockefeller (Vice Chairman), Mr. Levin, Mrs. Feinstein, Mr. Wyden, Mr. Bayh, Ms. Mikulski, and Mr. Corzine.

JOINT ECONOMIC COMMITTEE: Mr. Reed, Mr. Kennedy, Mr. Sarbanes, and Mr. Bingaman.

Mr. REID. Mr. President, I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

#### FUNDING LEVELS

Mr. REID. Mr. President, I want to engage my colleague, the distinguished majority leader, in a colloquy regarding committee funding. As the majority leader is aware, the current biennial funding authorization for committee funding expires on February 28. Normally, by now the Rules Committee has advised the committees of the budget assumptions for the next biennial period, March 1, 2005 through February 28, 2007, so that they may be preparing their committee authorizing resolutions for the next biennial funding period. However, the Rules committee is awaiting direction from the



leadership. Based on conversations between the majority leader and myself, is the majority leader in a position to announce the funding and allocation assumptions for the next biennial committee funding period?

Mr. FRIST. I am pleased to respond to the inquiry of the Democratic leader. The budget assumptions for the next committee funding biennial period, subject to appropriations, will be an across-the-board freeze budget, with salary baselines adjusted by COLAs of 3.71 percent in 2005, as approved by the President pro tempore this week; and 3.3 percent assumed for 2006 and 3.5 percent assumed for 2007, although both the 2006 and 2007 actual COLA amounts remain subject to the approval of the President pro tempore.

Mr. REID. Is it my understanding that such a freeze will result in aggregate funding levels, subject to appropriations, as follows: March 1, 2005–September 30, 2005: \$53,243,918; October 1, 2005–September 30, 2006: \$93,467,365; and October 1, 2006–February 28, 2007: \$39,782,891, and that such funding levels include, but do not separately allocate, the additional 10 percent allocated to the committees in the 108th Congress?

Mr. FRIST. That is correct. With regard to committee personnel salary allocations between the majority and minority staff, the Democratic leader and I have agreed to a 60–40 split of all personnel funds, after allocations for non-designated administrative and clerical staff are agreed to by the chairman and ranking member pursuant to Rule XXVII of the Standing Rules of the Senate. However, the chairman and ranking member of any committee may, by mutual agreement, modify the allocation of personnel funds. The division of committee office space shall be commensurate with this allocation agreement.

Mr. REID. I thank the majority leader for his comments and assistance in reaching this agreement.

Mr. REID. Mr. President, if I could, if the distinguished acting leader would allow me to say a word, what we have just done has been something that is important for the institution. We want to show bipartisanship, and this has been very difficult. Briefly, because I know we have a joint session, let me say the chairmen and ranking members do yeoman's work around here. They work very hard.

What has just been completed is a compromise. I appreciate the cooperation of Senator FRIST and Senator MCCONNELL, Senator LOTT and Senator DODD. We have worked hard to arrive at this point, and we have shown some bipartisanship. We on the Democratic side, and I think I can speak for some of my friends on the Republican side, hope that the money the committees are going to get to do their work is not all needed. We didn't use it all last time. I hope we don't need it this time. But at least we have a framework where we have divided the responsibilities of the Senate on a 60–40 basis. I

believe that is fair. I hope never in the future of this institution, no matter what party is in control, will it ever change and be any lower.

Mr. MCCONNELL. Mr. President, I thank my colleague, the Democratic leader, as well. I am glad we were able to work this out.

#### UNANIMOUS CONSENT AGREEMENT—H.R. 241

Mr. MCCONNELL. I ask unanimous consent that when the Senate receives from the House H.R. 241, the Senate proceed to its immediate consideration, that the bill be read three times, passed, and the motion to reconsider be laid on the table without intervening action or debate.

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

#### RECESS FOR JOINT SESSION OF THE TWO HOUSES

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate now recess to reassemble in the Hall of the House of Representatives for the joint session for the purpose of the counting of electoral votes and the Senate reassemble in the Senate Chamber on the dissolution of the Joint Session.

There being no objection, the Senate, at 12:52 p.m., recessed, to reassemble in the Hall of the House of Representatives for a joint session, and at 1:30 p.m. reassembled in the Senate Chamber when called to order by the Vice President.

#### OBJECTION TO COUNTING OF OHIO ELECTORAL VOTES

The VICE PRESIDENT. Pursuant to S. Con. Res. 1 and section 17 of title 3, United States Code, when the two Houses withdraw from the joint session to count the electoral vote for separate consideration of an objection, a Senator may speak to the objection for 5 minutes and not more than once. Debate shall not exceed 2 hours, after which the Chair will put the question: Shall the objection be sustained?

The clerk will report the objection made in the joint session.

The assistant legislative clerk read as follows:

Ms. TUBBS JONES, a Representative from Ohio, and Mrs. BOXER, a Senator from California, object to the counting of electoral votes of the State of Ohio on the ground that they were not, under all of the known circumstances, regularly given.

The PRESIDENT pro tempore. Who seeks recognition?

The Senator from California.

Mrs. BOXER. Mr. President, thank you so much.

For most of us in the House and in the Senate, we have spent our lives fighting for what we believe in, always fighting to make our Nation better. We may not agree from time to time, but we are always fighting to make our Na-

tion better. We have fought for social justice. We have fought for economic justice. We have fought for environmental justice. We have fought for criminal justice. Now we must add a new fight: the fight for electoral justice.

Every citizen of this the greatest country in the world who is registered to vote should be guaranteed that their vote matters, that their vote is counted, and that in the voting booth in their community their vote has as much weight as any Senator, any Congressperson, any President, any Cabinet member, or any CEO of any Fortune 500 corporation. I am sure every one of my colleagues agrees with that statement, that in the voting booth everyone is equal. So now it seems to me that under our great Constitution of the United States of America, which we swear allegiance to uphold, which guarantees the right to vote, we must ask certain questions.

First, why did voters in Ohio wait hours in the rain to vote? Why were voters at Kenyan College, for example, made to wait in line until 4 a.m. to vote? It was because there were only 2 machines for 1,300 voters when they needed 13.

Why did voters in poor and predominantly African-American communities have disproportionately long waits?

Why in Franklin County did election officials use only 2,798 machines when they needed 5,000? Why did they hold back 68 machines in warehouses, 68 machines that were in working order? Why were 42 of those machines in predominantly African-American communities?

Why in the Columbus area alone did an estimated 5,000 to 10,000 voters leave polling places out of frustration without having voted? How many more never bothered to vote after they heard this because they had to take care of their families or they had a job or they were sick or their legs ached after waiting for hours?

Why is it when 638 people voted at a precinct in Franklin County, a voting machine awarded 4,258 extra votes to George Bush? Thankfully, they fixed it. Only 638 people had shown up, but George Bush got more than 4,000 votes. How could that happen?

Why did Franklin County officials reduce the number of electronic voting machines to downtown precincts while adding them in the suburbs? This also led to long lines.

In Cleveland, why were there thousands of provisional ballots disqualified when everyone knew that poll workers had given faulty instructions to the voters?

Because of this and voting irregularities in so many other places, I am joining today with Congresswoman STEPHANIE TUBBS JONES, a 10-year judge, an 8-year prosecutor, a 6-year Member of Congress, a woman inducted into the Women's Hall of Fame. Folks, she has great credibility, and she asked just one Senator to take a couple of

hours. I hate inconveniencing my friends, but I believe it is worth a couple of hours to shine some light on these issues.

We passed the Help America Vote Act, which was important to help American voters, but then we did nothing.

Senators GRAHAM, CLINTON, and I introduced a bill to ensure that a paper trail go along with electronic voting. We couldn't even get a hearing in the last Congress. In the House, it is the same problem. We need this kind of bill.

Let me simply say to my colleagues: I have great respect for all of you. But I think it is key, whether it is Republicans or Democrats, that we understand that the centerpiece of this country is democracy, and the centerpiece of democracy is ensuring the right to vote.

I ask you, my friends from both sides of the aisle, when we get busy working within the next few weeks, let us not turn away from the things that happened in Ohio. Our people are dying all over the world. A lot of them are from my State. For what reason? To bring democracy to the far corners of the globe. Let us fix it here, and let us do it the first thing out.

Thank you very much, Mr. President. I yield the floor.

The PRESIDENT pro tempore. The Senator from Pennsylvania.

Mr. SANTORUM. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDENT pro tempore. The Senator from Ohio.

Mr. DEWINE. Mr. President, I find it almost impossible to believe that I am actually standing on the floor of the Senate today engaged in a debate over whether George Bush won Ohio in the 2004 Presidential election. Clearly he did and did so by 118,000 votes.

Because I am limited under the rules to 5 minutes, I will not have time to address all of the wild, incoherent, and completely unsubstantiated charges that have been made about the 2004 Ohio Presidential election. What might be a better way for me to explain the absurdity of the suggestion that Ohio did not go for President Bush is to quote from numerous editorials that have been written in Ohio newspapers.

The Cleveland Plain Dealer, a newspaper that did not endorse either President Bush or JOHN KERRY, said in an editorial this past Tuesday addressing those in Ohio and those from out of State still contesting Ohio's results:

The election horse is dead. You can stop beating it now. Not one ounce of political flesh remains on that carcass. Ohio has counted and recounted: President George W. Bush received 118,775 more votes than your man Sen. John Kerry.

The senator had the good grace and sense to acknowledge the abundantly obvious, go home, and resume his life. You might consider emulating his excellent example, be-

cause what you are doing now—redoubling your effort in the face of a settled outcome—will only drive you further toward the political fringe. And that long grass already is tickling your knees.

The 176 Democrats who sit on Ohio's 88 county election boards pondered their jurisdictions' results, accepted their subordinates' good work, and are turning their energies toward the future. Are they all dupes in some Machiavellian Republican scheme? Or do they simply have a firmer grasp of reality than that displayed by the two of you and a handful of unrelenting zealots still ranting in the January rain, eight weeks after the November voting?"

The headline for the Akron Beacon Journal's editorial from December 24, 2004 was:

We wish John Kerry would have won Ohio. He didn't.

The piece went on to say:

The allegations being thrown around are of the flimsiest nature . . . Not one shred of evidence has been presented to show that Ohio's strictly bipartisan system of running elections was manipulated.

The Columbus Dispatch, in an editorial dated December 12, 2004, said:

On Monday, the 20 Ohio members of the Electoral College will cast their votes to elect the next president of the United States. When those votes are added to those from electors in the other 49 states, George W. Bush's re-election will be official.

But that won't stop the conspiracy theorists who claim that Bush stole his victory. Though they are small in number, these naysayers are loud and repetitious. So the truth bears repeating, too: Bush won because more Ohioans voted for him than for Senator John Kerry.

Kerry understands that George Bush legitimately won the election, which is why he conceded on November 3rd. Those who claim that Ohio's vote was rigged have produced nothing that approaches credible evidence, nor have they explained how a conspiracy could be carried out successfully in a decentralized system involving 88 separate, bipartisan county election boards.

Such a conspiracy would have to involve scores, if not hundreds, of Democratic election-board members actively working against their own party and presidential candidate.

It is terribly unfortunate that this body is meeting under these circumstances. I urge my colleagues to act unanimously in seating Ohio's electors.

I ask unanimous consent to have the full text of the above-mentioned articles printed in the RECORD.

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

(From the Cleveland Plain Dealer, Jan. 4, 2005)

PLEASE, LET IT GO. ELECTION WAS 2 MONTHS AGO; INAUGURATION IS IN 2 WEEKS; JACKSON AND TUBBS JONES SHOULD GET ON TO SOMETHING USEFUL."

Memo to Rep. Stephanie Tubbs Jones and the Rev. Jesse Jackson: The election horse is dead. You can stop beating it now.

Not an ounce of political flesh remains on that carcass. Ohio has counted and recounted: President George W. Bush received 118,775 more votes than your man, Sen. John Kerry.

The senator had the good grace and sense to acknowledge the abundantly obvious, go

home and resume his life. You might consider emulating his excellent example, because what you are doing now—redoubling your effort in the face of a settled outcome—will only drive you further toward the political fringe. And that long grass already is tickling your knees.

The 176 Democrats who sit on Ohio's 88 county election boards pondered their jurisdictions' results, accepted their subordinates' good work, and are turning their energies toward the future. Are they all dupes in some Machiavellian Republican scheme? Or do they simply have a firmer grasp of reality than that displayed by the two of you and a handful of unrelenting zealots still ranting in the January rain, eight weeks after the November voting?

Yes, long lines built voter frustration. Yes, some electronic machines malfunctioned. Yes, boards rejected more provisional ballots than usual. But such things happen when hundreds of thousands of new voters join the process and new technology debuts under fire. Your doubts notwithstanding, numerous nonpartisan election experts say Ohio did an above-average job.

Americans treasure the right to be loudly mistaken—a right you now freely exercise. But for two national figures whose constituencies are among the poorest of the poor, it seems an embarrassing waste of energies sorely needed elsewhere. Fold your mildewed tents, collect your soggy cardboard and focus on the poverty, single-parenthood and dropout rates that have so impoverished those in whose names you protest too much. Good causes await your serious advocacy. And what you are doing now isn't serious.

[From the Akron Beacon Journal, Dec. 24, 2004]

STILL CHASING CONSPIRACIES; WE WISH JOHN KERRY WOULD HAVE WON OHIO. HE DIDN'T

The \$1.5 million recount of presidential votes in Ohio is almost finished. With all counties except Lucas reporting, the results haven't shifted by more than a few hundred votes for either candidate. George W. Bush's win in Ohio, which gave him a majority of Electoral College votes, is safe.

Still, die-hards are continuing to question. A challenge filed in the Ohio Supreme Court by a group backed by the Rev. Jesse Jackson alleges fraud, computer hacking and post-election vote-switching, among other things. John Conyers of Michigan, the highest-ranking Democratic member of the House Judiciary Committee, wants an FBI investigation. A lawyer representing Sen. John Kerry's campaign now says some parts of the recount in Cuyahoga County should be counted again.

The allegations being thrown around are of the flimsiest nature. Jackson and Conyers are, for example, seeking exit polling data to compare with the official voting results. To what end? Is the election to be handed to Kerry based on a sampling of voters' opinions on Election Day, or the actual results?

Conyers based his request for an FBI investigation, in part, on the fact that a vote-tabulating computer had undergone routine maintenance before the recount in Hocking County. A review of the procedure by the election board and computer technicians showed the maintenance hadn't altered a thing.

Not one shred of evidence has been presented to show that Ohio's strictly bipartisan system of running elections was manipulated. There isn't any. What happened on Election Day, the long lines, tens of thousands of punch-card ballots that failed to record a vote, confusion over provisional voting and proper registration, can and should be addressed by J. Kenneth Blackwell, the secretary of state, and local election boards.



The voters would be better served if those backing the challenges backed off, concentrating on election reforms instead of electoral futility.

[From the Dayton Daily News, Dec. 20, 2004]

#### DID VOTES VANISH IN MIAMI VALLEY?

Specific complaints about the Ohio vote count keep getting aired—especially on the Internet—and keep getting laid to rest, but then just keep on getting cited by some die-hard Democrats.

The supposed outrage in Republican Warren County? There the authorities closed off the vote-counting site on election night. Turns out, however, the local Democratic authorities were there, inside the building, and were fine with what went down, seeing no shenanigans.

The fact that many ballots in Montgomery County showed no vote for president? Turns out there was an electrical malfunction, and the counts have been changed, with Republicans benefiting.

Votes showing up late in the process in Miami County? Turns out the original state reports were wrong.

Similar phenomena in other parts of the state have similarly turned out not to amount to much.

Yet 12 Democrats on the U.S. House Judiciary Committee have posed questions about these alleged irregularities to Secretary of State J. Kenneth Blackwell. The strategy seems to be throw everything at the wall and see what sticks.

Several Miami Valley issues are at the center of this national squabble.

Some committee questions are just nonsense: How can the secretary of state explain that Sen. John Kerry did no better in Warren County than Al Gore did in 2000, even though Sen. Kerry spent more money and Ralph Nader wasn't on the ballot this time? Please. This is nothing. Republicans are leaving central urban counties for places like Warren, making the places they leave bluer and the new places redder.

Perhaps the most intriguing question is the one about the race for chief justice of the Ohio Supreme Court.

Democratic challenger C. Ellen Connally ran worse than Sen. John Kerry statewide, by about 3 percentage points. But in some counties in Southwest Ohio—Miami, Darke, Butler, Claremont, Brown—she ran ahead of him. Why?

Is it possible, as has been charged, that some 60,000 Kerry votes somehow disappeared in those counties?

Consider: Party labels do not appear on the ballots for judicial candidates. So, in these very Republican counties, one would not expect Judge Connally to have the kind of problem that Sen. Kerry had.

But why did Judge Connally run behind Sen. Kerry statewide if she ran ahead of him in these counties? Probably because the Moyer campaign—the only well-funded one—focused its commercials and mailings someplace other than small, Republican counties.

To ask the secretary of state to explain these things is absurd. Any response he offers will be treated by the Democrats on the House committee as partisan. Nonpartisan think tanks could do this work more credibly and with more expertise.

The partisan Democrats know that. They're just playing games.

[From the Cleveland Plain Dealer, Dec. 15, 2004]

#### MOVE ON NOW; THE ZEALOTS WHO REFUSE TO ACCEPT OHIO'S VOTE COUNT RISK UNDERMINING CONFIDENCE IN THE SYSTEM ITSELF

Most Americans, including the vast majority of those who supported John Kerry for

president, have grasped the most basic reality of Election Day 2004:

George W. Bush was re-elected. He won roughly 60.7 million votes and carried 31 states with 286 electoral votes. Ohio's 20 Electoral College members formally cast ballots for the president Monday in the Statehouse.

Unfortunately, there is a small, but very vocal, group of Americans who refuse to accept this reality. They argue that what appear to be routine technical glitches and human errors were in fact an elaborate conspiracy to skew the election results. They claim that long lines at a few polling places, the rather unsurprising result of high voter interest, were evidence of a systematic campaign to discourage participation. In short, having failed to get the outcome they wanted at the polls, they have decided to mount an irresponsible campaign aimed at undermining public confidence in the electoral system itself.

Ohio, arguably the most intensive battleground for Bush and Kerry, has been the No. 1 target of these diehards.

Since Election Day, they have seized on isolated problems in a relative handful of this state's 11,366 precincts as proof of greater ills or even criminal activity.

One speaker in Columbus over the weekend likened Ohio to Ukraine. The Rev. Jesse Jackson has complained of widespread "fraud and stealing."

The Green and Libertarian parties, whose presidential candidates got a combined three-tenths of one percent of the vote in Ohio on Nov. 2, have demanded a recount of the state's 5.7 million ballots. That will cost taxpayers about \$1.4 million. A coalition of critics, led by a former Ohio organizer for Ross Perot, has asked the Ohio Supreme Court to overturn the presidential election, as well as the outcome in the race for chief justice. The Kerry campaign, reflecting its leader's maddening desire to have everything both ways, has said it does not expect a recount to change anything—yet has also issued a list of things it wants local elections officials to double-check.

Obviously, there were problems on Election Day. There always are. Elections are run by imperfect humans. Many individual polling places are in the hands of civic-minded neighbors with a few hours of training. Machines malfunction. Voters mess up ballots.

But Ohio has already done its usual intensive post-election audit and reconciliation, a process designed to spot mistakes. That canvass resulted in Bush's unofficial 136,000-vote margin being reduced to the 119,000-vote edge that Secretary of State Kenneth Blackwell certified last week.

Ohio's bipartisan elections system makes the kind of GOP conspiracy that some allege all but impossible to execute. Every county board of elections consists of two Democrats and two Republicans. So when Jackson and other national Democrats question Ohio's outcome, they demean their own allies. William Anthony Jr., the African-American who chairs both the Franklin County Democratic Party and its elections board, has been personally stung by Jackson's slander: "Why would I sit there and disenfranchise my own community?" he asks.

The recount will go forward because by law it must; history suggests few votes will change. But it is time to focus on how to make future elections more efficient.

Clearly it would help if groups that register new voters did not deliver thousands of applications at the last minute. Ohio also needs an early voting system to relieve at least some of the pressure on Election Day. And rather than retreating from electronic voting machines, the state needs to find a se-

cure system and back it up with a paper record.

Common-sense solutions can make a difference. Endless sour grapes will not.

[From the Columbus Dispatch, December 12, 2004]

#### SOUND AND FURY; ELECTION-CONSPIRACY THEORISTS DO NOTHING TO IMPROVE VOTING

On Monday, the 20 Ohio members of the Electoral College will cast their votes to elect the next president of the United States. When those votes are added to those from electors in the other 49 states, George W. Bush's re-election will be official.

But that won't stop the conspiracy theorists who claim that Bush stole his victory. Though they are small in number, these naysayers are loud and repetitious. So the truth bears repeating, too: Bush won because more Ohioans voted for him than for Sen. John Kerry.

Kerry understands that Bush legitimately won the election, which is why he conceded on Nov. 3. Those who claim that Ohio's vote was rigged have produced nothing that approaches credible evidence. Nor have they explained how a conspiracy could be carried out successfully in a decentralized system involving 88 separate, bipartisan county election boards.

Such a conspiracy would have to involve scores, if not hundreds, of Democratic election-board members actively working against their own party and presidential candidate.

The idea that Democratic election officials disenfranchised voters in minority and Democratic precincts offends William A. Anthony Jr., chairman of the Franklin County Democratic Party and of the Franklin County Election Board, who was at the center of planning for the Nov. 2 election.

He was particularly incensed after the Rev. Jesse Jackson recently repeated the allegations and called for an investigation of the Ohio election.

"I am a black man," Anthony said. "Why would I sit there and disenfranchise voters in my own community? I feel like they're accusing me of suppressing the black vote. I've fought my whole life for people's right to vote."

Anthony's indignation is justified.

The major problem with the Nov. 2 election was the long lines at many polling places. But these were the result of high turnout, not conspiracy. Republican and Democratic voters alike were inconvenienced. In many precincts, the problem was exacerbated by a long ballot containing many tax and bond issues in addition to candidate choices.

Ohio is in the midst of an effort to replace election machinery throughout the state. Secretary of State J. Kenneth Blackwell made a good-faith effort to have the new equipment in place in time for the Nov. 2 election, but he was stymied by political disputes over the security and verifiability of the machines. County election officials wisely are waiting until this issue is sorted out before moving ahead with purchases of new machines.

But before that, Ohio lawmakers can reduce lines by rewriting election laws to allow voters to cast absentee ballots instead of visiting polling places.

Much work remains to be done to improve the state's voting system. The conspiracy theorists are contributing nothing to the effort but useless noise.

The PRESIDENT pro tempore. The Senator from Nevada.

Mr. REID. Mr. President, I advise Members on the minority side if they

want to speak on this issue, I have been informed that when the speeches end there will be a rollcall vote. If people are waiting to come here an hour from now, they may not get the chance to speak. Members who want to speak should come here now. I have been informed on the majority side there may not be another speaker or, if so, maybe only one other speaker.

For my side, I repeat, as I understand the rules, they should be here to speak for the 5 minutes when the time comes. That time is now.

The PRESIDENT pro tempore. The Senator from Minnesota is recognized.

Mr. DAYTON. Mr. President, I have the greatest respect and personal regard for my friend from the State of California. It is not often I find myself rising in disagreement, but I emphatically disagree and say respectfully that I believe those involved, citizens from around the country, with all their good intentions, are seriously misguided and are leading us into a very unfortunate precedent that was not in any way contemplated by the Constitution, by the law, or by historical precedent.

Obviously, the law, which was established in 1887, did not envision that our role would be to adjudicate in any State the results of an election for President. If it were the intent, it clearly would not have designed this kind of forum where an objection is raised, we each express our opinion for up to 5 minutes, and then vote on a whole array of facts and allegations and statements and contradictions that we could not possibly in this setting determine fairly and accurately.

If we were to do so, if we were to hypothetically object on an inevitably partisan basis to the actions taken by the electorate of a certain State, certified by the election officers of that State and then brought to us today, if we were to overturn that process and in this instance throw the election into the House of Representatives, the damage it would do to our democracy, to the integrity of our system, would be incalculable. If it were to result hypothetically in an alteration of the publicly expressed electoral will in an election for President, the entire credibility of our system would possibly be destroyed.

I am not the complete authority, but as I have read some of the assertions made about the conduct of the election in Ohio, I find serious imperfections. If we shed that spotlight on most States in this country, including my own State of Minnesota, we would find other imperfections.

Democracy is not a perfect process, but it is a process that we have a responsibility, not in hindsight but with foresight, to try to structure and to continue to perfect so it is as close to perfect as is humanly possible. I share entirely the concerns expressed by my colleague from California and others who said despite our best efforts—and I was part of that collaborative effort in this body and under the Rules Com-

mittee in the last couple of years—we made some progress but we still fell short.

I respectfully ask the chairman of the Rules Committee, Senator LOTT, who is here today, if he would be willing to convene hearings in the very near future and look not just at Ohio but at the experience from this election and how it can instruct us to improve that process for the future.

The Senator from California is absolutely right; every American should know he or she has a right to vote, that they can vote expeditiously, that their vote will be counted and it will be tabulated accurately, whether under Republican or Democratic election officials, whether it is for President from one party or another.

Whether I agree or disagree with the judgment of the American people, I respect and agree more than anything else with that process and the integrity of the process that produces whatever result they determine. It is that which we must guard today. I regret we are in a position of possibly compromising it. It would be a fatal mistake to overturn it in the way suggested.

The PRESIDENT pro tempore. The Senator from Illinois.

Mr. DURBIN. Mr. President, I say at the outset, this historic meeting in the Senate will end at some point in a vote. When the time comes to vote I would vote to certify the vote from the State of Ohio.

I do not have personal knowledge of what occurred in the election in Ohio, but I have spoken to those who were present, who tell me that despite irregularities, which I will note, they do not rise to a level where we would challenge the outcome of the election in Ohio.

In addition, the Democratic Party Kerry-Edwards campaign had more than 2,000 lawyers on the ground in Ohio on election day. That was replicated in many States across the Nation. I think what it says is that the nature of this debate and the challenges which we are raising do not go to the results of the election but rather go to our electoral system.

Some may criticize our colleague from California for bringing us here for this brief debate. I thank her for doing that because it gives Members an opportunity once again on a bipartisan basis to look at a challenge that we face not just in the last election in one State but in many States. Because of different electoral practices in States across America, voters who wish to cast a vote for President or Vice President cannot approach the polls with certainty that their vote will be counted or that they can vote in a fair and convenient manner.

There are litanies of examples that could be cited. I do not challenge the legitimacy of the 2004 election outcome. I do not believe there is evidence of widespread fraud. I believe Senator KERRY was correct in announcing his concession, but let us concede on a bi-

partisan basis that we can and should do better.

In the case of *Reynolds v. Sims*, the Supreme Court of the United States made it clear that we have a constitutional right to vote. Thank God. That decision which was handed down in 1964 appears clear and unequivocal. But wait. Four years ago that same Supreme Court, in the case of *Bush v. Gore*, reached a different conclusion and stated that the individual citizen has no Federal constitutional right to vote for electors for the President of the United States.

It appears that this statement by the highest court in the land is inconsistent with a decision reached 40 years ago.

So where do we stand today? There is great uncertainty. Congressman JESSE JACKSON of my home State of Illinois is proposing a constitutional amendment to make it clear and unequivocal that we have a constitutional right to vote in America. I am loathe to jump on the bandwagon for constitutional amendments. I have seen some things done here that are not very proud moments in the history of the Senate when it comes to offering constitutional amendments, but I will take this one seriously.

When you look at the results of the election in Ohio and in many other States, serious questions are raised. These have been documented by the House Judiciary Committee Democratic staff.

Mr. President, I ask unanimous consent that the Executive Summary of this report, entitled "Preserving Democracy: What Went Wrong in Ohio," be printed in the RECORD.

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

#### WHAT WENT WRONG IN OHIO EXECUTIVE SUMMARY

Representative John Conyers, Jr., the Ranking Democrat on the House Judiciary Committee, asked the Democratic staff to conduct an investigation into irregularities reported in the Ohio presidential election and to prepare a Status Report concerning the same prior to the Joint Meeting of Congress scheduled for January 6, 2005, to receive and consider the votes of the electoral college for president. The following Report includes a brief chronology of the events; summarizes the relevant background law; provides detailed findings (including factual findings and legal analysis); and describes various recommendations for acting on this Report going forward.

We have found numerous, serious election irregularities in the Ohio presidential election, which resulted in a significant disenfranchisement of voters. Cumulatively, these irregularities, which affected hundreds of thousands of votes and voters in Ohio, raise grave doubts regarding whether it can be said the Ohio electors selected on December 13, 2004, were chosen in a manner that conforms to Ohio law, let alone federal requirements and constitutional standards.

This report therefore, makes three recommendations: (1) consistent with the requirements of the United States Constitution concerning the counting of electoral votes by Congress and Federal law implementing these requirements, there are ample

grounds for challenging the electors from the State of Ohio; (2) Congress should engage in further hearings into the widespread irregularities reported in Ohio; we believe the problems are serious enough to warrant the appointment of a joint select Committee of the House and Senate to investigate and report back to the Members, and (3) Congress needs to enact election reform to restore our people's trust in our democracy. These changes should include putting in place more specific federal protections for federal elections, particularly in the areas of audit capability for electronic voting machines and casting and counting of provisional ballots, as well as other needed changes to federal and state election laws.

With regards to our factual finding, in brief, we find that there were massive and unprecedented voter irregularities and anomalies in Ohio. In many cases these irregularities were caused by intentional misconduct and illegal behavior, much of it involving Secretary of State J. Kenneth Blackwell, the co-chair of the Bush-Cheney campaign in Ohio.

First, in the run up to election day, the following actions by Mr. Blackwell, the Republican Party and election officials disenfranchised hundreds of thousands of Ohio citizens, predominantly minority and Democratic voters:

The misallocation of voting machines led to unprecedented long lines that disenfranchised scores, if not hundreds of thousands, of predominantly minority and Democratic voters. This was illustrated by the fact that the Washington Post reported that in Franklin County, "27 of the 30 wards with the most machines per registered voter showed majorities for Bush. At the other end of the spectrum, six of the seven wards with the fewest machines delivered large margins for Kerry." Among other things, the conscious failure to provide sufficient voting machinery violates the Ohio Revised Code which requires the Boards of Elections to "provide adequate facilities at each polling place for conducting the election."

Mr. Blackwell's decision to restrict provisional ballots resulted in the disenfranchisement of tens, if not hundreds, of thousands of voters, again predominantly minority and Democratic voters. Mr. Blackwell's decision departed from past Ohio law on provisional ballots, and there is no evidence that a broader construction would have led to any significant disruption at the polling places, and did not do so in other states.

Mr. Blackwell's widely reviled decision to reject voter registration applications based on paper weight may have resulted in thousands of new voters not being registered in time for the 2004 election.

The Ohio Republican Party's decision to engage in preelection "caging" tactics, selectively targeting 35,000 predominantly minority voters for intimidation had a negative impact on voter turnout. The Third Circuit found these activities to be illegal and in direct violation of consent decrees barring the Republican Party from targeting minority voters for poll challenges.

The Ohio Republican Party's decision to utilize thousands of partisan challengers concentrated in minority and Democratic areas likely disenfranchised tens of thousands of legal voters, who were not only intimidated, but became discouraged by the long lines. Shockingly, these disruptions were publicly predicted and acknowledged by Republican officials: Mark Weaver, a lawyer for the Ohio Republican Party, admitted the challenges "can't help but create chaos, longer lines and frustration."

Mr. Blackwell's decision to prevent voters who requested absentee ballots but did not receive them on a timely basis from being

able to receive provisional ballots likely disenfranchised thousands, if not tens of thousands, of voters, particularly seniors. A federal court found Mr. Blackwell's order to be illegal and in violation of HAVA.

Second, on election day, there were numerous unexplained anomalies and irregularities involving hundreds of thousands of votes that have yet to be accounted for:

There were widespread instances of intimidation and misinformation in violation of the Voting Rights Act, the Civil Rights Act of 1968, Equal Protection, Due Process and the Ohio right to vote. Mr. Blackwell's apparent failure to institute a single investigation into these many serious allegations represents a violation of his statutory duty under Ohio law to investigate election irregularities.

We learned of improper purging and other registration errors by election officials that likely disenfranchised tens of thousands of voters statewide. The Greater Cleveland Voter Registration Coalition projects that in Cuyahoga County alone over 10,000 Ohio citizens lost their right to vote as a result of official registration errors.

There were 93,000 spoiled ballots where no vote was cast for president, the vast majority of which have yet to be inspected. The problem was particularly acute in two precincts in Montgomery County which had an undervote rate of over 25% each—accounting for nearly 6,000 voters who stood in line to vote, but purportedly declined to vote for president.

There were numerous, significant unexplained irregularities in other counties throughout the state: (i) in Mahoning county at least 25 electronic machines transferred an unknown number of Kerry votes to the Bush column; (ii) Warren County locked out public observers from vote counting citing an FBI warning about a potential terrorist threat, yet the FBI states that it issued no such warning; (iii) the voting records of Perry county show significantly more votes than voters in some precincts, significantly less ballots than voters in other precincts, and voters casting more than one ballot; (iv) in Butler county a down ballot and underfunded Democratic State Supreme Court candidate implausibly received more votes than the best funded Democratic Presidential candidate in history; (v) in Cuyahoga county, poll worker error may have led to little known third party candidates receiving twenty times more votes than such candidates had ever received in otherwise reliably Democratic leaning areas; (vi) in Miami county, voter turnout was an improbable and highly suspect 98.55 percent, and after 100 percent of the precincts were reported, an additional 19,000 extra votes were recorded for President Bush.

Third, in the post-election period we learned of numerous irregularities in tallying provisional ballots and conducting and completing the recount that disenfranchised thousands of voters and call the entire recount procedure into question (as of this date the recount is still not complete):

Mr. Blackwell's failure to articulate clear and consistent standards for the counting of provisional ballots resulted in the loss of thousands of predominantly minority votes. In Cuyahoga County alone, the lack of guidance and the ultimate narrow and arbitrary review standards significantly contributed to the fact that 8,099 out of 24,472 provisional ballots were ruled invalid, the highest proportion in the state.

Mr. Blackwell's failure to issue specific standards for the recount contributed to a lack of uniformity in violation of both the Due Process Clause and the Equal Protection Clauses. We found innumerable irregularities in the recount in violation of Ohio law, in-

cluding (i) counties which did not randomly select the precinct samples; (ii) counties which did not conduct a full hand count after the 3% hand and machine counts did not match; (iii) counties which allowed for irregular marking of ballots and failed to secure and store ballots and machinery; and (iv) counties which prevented witnesses for candidates from observing the various aspects of the recount.

The voting computer company Triad has essentially admitted that it engaged in a course of behavior during the recount in numerous counties to provide "cheat sheets" to those counting the ballots. The cheat sheets informed election officials how many votes they should find for each candidate, and how many over and under votes they should calculate to match the machine count. In that way, they could avoid doing a full county-wide hand recount mandated by state law.

Mr. DURBIN. Mr. President, the irregularities were not confined to the State of Ohio. Let me give you an Illinois example. In DuPage County, IL, 26 percent of provisional ballots were counted, but in Chicago, a few miles away, 61 percent were counted. That is more than twice as many. That is largely because Chicago allows provisional ballots to be cast by a voter who turns up in the wrong precinct on election day. DuPage County does not, the county right next to Cook County.

How is it that the fundamental right of an American citizen to have his or her vote counted can vary dramatically—not just from State to State but from county to county? We need to address this on a national basis.

The PRESIDENT pro tempore. The Senator's time has expired.

Who seeks recognition?

The Senator from Michigan is recognized.

Ms. STABENOW. Mr. President, I rise today to talk about the most fundamental right in our democracy, the right to vote. Every election day, millions of people in America from different social, economic, and ethnic backgrounds converge on polling stations to cast their ballots. And as they leave the polling booths, they emerge, one by one, as equals.

They are equals because the power of our Constitution resides with the people who delegate power to the Government. Our Constitution guarantees the right of every American to be heard equally about whom they want to lead their Government. We, as their elected leaders, have a responsibility to ensure that those constitutional freedoms are honored and protected.

We have heard from some voters in Ohio and across the country about the election in November. They feel that their voices were not heard.

Thousands of voters waited in line for up to 10 hours to cast their ballots. Some waited until 4 in the morning, and some waited for hours in the rain. Many voters with job, family, and other responsibilities simply could not wait any longer, and they left without voting. It is unreasonable to expect voters to wait 10 hours to exercise their constitutional right to vote.

Some soldiers and other Americans living overseas believe their ballots

were not counted. Without question, every legal ballot should count, whether it is cast overseas or here in the United States.

Many precincts across the country continue to use outdated punch-card ballots and decades-old voting machines that are more prone to error or simply do not work properly. That is disturbing enough—machines from the 1950s being used in 2004—but even more disturbing is that urban areas are disproportionately affected. More urban areas do not have the modern voting machines and equipment that is available in other areas of the country. This disparity affects voting for a large number of minorities, and that is unacceptable.

Even those precincts with electronic voting machines had problems. Some machines malfunctioned, causing votes to be counted more than once or not at all. Anyone who has used a computer at home or at work knows that even saved data can be lost. Yet most electronic voting machines do not have a paper record to back up the system. It could be as simple as a paper receipt like the one you get when you withdraw money from an ATM machine.

In Nevada, electronic voting machines have a paper trail, and we need it for all electronic voting machines. We must ensure the integrity of our voting process.

Many voters felt intimidated at the polls. When they went to vote, so-called election observers demanded that they provide more than the required form of identification. Others read flyers that directed them to the wrong polling places.

These are real people with real concerns, and we need to listen to them. Our Constitution requires that we listen to them. As elected leaders of these people and all of those in our States who have delegated to us the power to represent them, we have an obligation to listen.

After voters experienced similar problems in the last election, we addressed many of those issues. Congress passed, and I supported, the Help America Vote Act, which required the use of provisional ballots for voters who went to the wrong location so ballots would be sealed and counted later in the proper precinct, and each State received funding to update their voting systems.

But in Ohio, the provisional ballot was rendered virtually worthless in the November 2004 election. Ohio's Secretary of State ruled that provisional ballots were valid only if they were cast in the proper precinct.

So today we talk about the problem, but I think we also need to talk about the solution. Voting is fundamental to our democracy. The process should be fair, honest, and easy.

I do not support holding up the results of our November election to address the concerns many voters have raised about the process because I believe we need to move on with the busi-

ness of the country. But I do support the GAO investigation into these concerns. When we find out what the GAO has to say, we have an obligation to address the problems they uncover.

I do support true election reform that will create a 21st century voting system that we can all be proud of.

The PRESIDENT pro tempore. The Senator's time has expired.

The Senator from Massachusetts is recognized.

Mr. KENNEDY. First of all, I commend and thank our friend from California, Senator BOXER, for giving us this opportunity to address the Senate on this issue.

On November 3, JOHN KERRY conceded the 2004 Presidential election to George Bush. While we do not question the outcome, many of us remain deeply concerned that for the second time in a row, in a closely contested election, there were so many complaints about the ability of voters to cast their votes and have them counted fairly.

The right to vote is the cornerstone of our democracy. Every Member of Congress has a duty to protect and uphold that right. When that right is threatened, Congress must act to protect it. Clearly, the legislation we enacted to do so after the 2000 election was not adequate for the 2004 election.

Forty years ago this year, after the Selma-Montgomery march, many of us in the Senate and House worked hard to pass the landmark Voting Rights Act of 1965, to guarantee that racism and its bitter legacy do not close the polls to any citizen.

After the 2000 election, we passed the Help America Vote Act in an effort to correct the serious problems that undermined the right to vote in that election.

Unfortunately, last November, we learned that we still have work to do. As in 2000, the votes of many who wanted to vote were not, in fact, counted. The reasons are many and varied. Some voters gave up in the face of endless lines and waits of many hours at polling places unable to handle the large turnout of voters. In other cases, voting was frustrated by broken or ancient voting machinery, by confusion over applicable rules for voting precincts, or because States decided that certain votes did not comply with arbitrary and inflexible State or local procedures. We saw all those problems in Ohio. It is far from clear the extent to which these serious problems were the result of intended manipulation or widespread incompetence, but either way, the voting process did not live up to the standards worthy of our democracy.

Today's debate is an opportunity for all of us to admit that the 2004 election was flawed and to pledge action in this new Congress to fix the festering problems once and for all.

Citizens must have faith that they will be able to cast their votes efficiently and with complete confidence that their votes will be fairly and accu-

ately counted. We cannot go through another election wondering whether a patchwork of unequal and outdated procedures—whether by accident or design—have yet again denied so many of our fellow citizens the right to vote.

I commend the many thousands of citizens in Massachusetts and other States who insisted that treating today's electoral vote count in Congress as a meaningless ritual would be an insult to our democracy unless we register our own protest against the obviously flawed voting process that took place in so many of our States. We are hopeful that this major issue that goes to the heart of our democracy is now firmly implanted on the agenda for effective action by this Congress.

Few things are more important to the Nation and to each of us, both Republican and Democrat, than a genuine guarantee that the people's will is heard through the ballot. No democracy worth the name can allow such a flawed election process to take place again.

Mr. President, I yield the floor.

Mr. BYRD. Mr. President, today, the Congress gathers to exercise the role laid out by the Framers in the Constitution of the United States. The past two national elections have been surrounded in controversy, not just controversy over issues and ideas—which is important and healthy in a democratic system of government—but also controversy over the mechanics of the election and the counting of the votes.

The 2000 election left citizens across this country with a belief that not every vote was fairly counted. In response, Congress passed a much-needed reform legislation. States worked to modernize their equipment and procedures. We had high hopes that the 2004 election—under much closer scrutiny than the election of 2000—would provide the public with confidence that everyone who registered would be able to vote, and that every vote cast would be counted accurately.

Yet, despite the legislation and the more than \$2 billion dedicated to fixing the election problems, the election of 2004 was marred with reports of irregularities and, as a result, there is a significant group of our citizenry that seriously questions the results of the vote, and particularly the vote in Ohio.

There are several groups and organizations that are investigating the reported irregularities in the Ohio election. That is important work and it should and will continue. When the investigations conclude, should there be solid evidence of criminal activity, those responsible should be prosecuted, no matter how high that responsibility may reach. But the Senate should not prejudge the results of those investigations.

I applaud the efforts of the Senator from California, Mrs. BOXER, and the Congressional Black Caucus to defend the integrity of the electoral process. But the question before us today is

whether we uphold the objection to the certification of Ohio's electors in the count of the electoral vote. The Senate must vote, based on the information available to us at this moment, and absent the clear conclusions of the ongoing investigations into reported irregularities in Ohio, I shall vote to allow the electoral count to proceed.

In this session of Congress, I hope that we can take the lessons learned from November and continue to improve the integrity of elections and encourage greater faith in the results. The legitimacy of our government rests upon the confidence of the people. We, in Congress, must get serious about crafting legislation aimed at restoring confidence in the most fundamental characteristic of a representative democracy, the Constitutional right and duty to vote.

Mr. INOUE. Mr. President, although there were voting irregularities in Ohio, I will not vote in support of the objection. I do respect the result of the recent Presidential election, but I do not respect the process. Several thousand voters believe they were discouraged or even prevented from voting, and several thousand who did vote believe that their votes were not correctly reported. The inequitable allocation of voting machines, the lack of instruction for the review of provisional ballots, and the questionable activities surrounding the recount of the electronic ballots call into question the final results in Ohio. However, I am unconvinced that it would have made a difference in the final outcome of this Presidential election.

I had hoped that we would not have the electoral college votes called into question again. After the 2000 Presidential election, we worked together to pass election reform legislation, the Help America Vote Act. That legislation set Federal requirements for provisional ballots and for voter information, registration, and identification. Unfortunately, that legislation has not yet been fully implemented and does not go far enough.

I would like to work with my colleagues craft legislation to ensure that all of our citizens are encouraged to vote and participate in our democratic process. Our citizens must believe their vote will count. At a time when we are risking lives of our service men and women to spread democracy throughout the world, we cannot ignore the threats to the democratic process here at home. I do not relish the vote I am forced to cast today, but I as I do, I look forward to being able to cast future votes on Federal election reform to ensure that we are not in this position again.

Mr. KOHL. Mr. President, serious allegations have been raised about voting irregularities in Ohio during the 2004 presidential election. I agree with many of my colleagues that these allegations must be investigated to the fullest extent possible because every eligible citizen in this nation must

have an equal opportunity to exercise the constitutional right to cast a vote in Federal elections. That said, I do not believe there is anything to be gained by sustaining the objection to the ballot certification with regard to the state of Ohio. Senator JOHN KERRY has already conceded the election and there are no pending investigations that will result in sufficient votes being changed so as to alter the outcome of this election.

However, the last two elections have revealed a glaring need for us to rethink how we conduct elections in our Nation. With more and more voters needing to cast their ballots on Election Day, we need to build on the movement which already exists to make it easier for Americans to cast their ballots by providing alternatives to voting on just one election day. Twenty-six states, including my own state of Wisconsin, now permit any registered voter to vote by absentee ballot. Twenty three states permit in-person early voting at election offices or at other satellite locations. The state of Oregon now conducts statewide elections completely by mail. These innovations are critical if we are to conduct fair elections for it has become unreasonable to expect that a nation of 294 million people can line up at the same time and cast their ballots at the same time. And if we continue to try to do so, we will encounter even more reports of broken machines and long lines in the rain and registration errors that create barriers to voting.

That is why I have been a long-time advocate of moving our federal election day from the first Tuesday after the first Monday in November to the first weekend in November. Holding our federal elections on a weekend will create more opportunities for voters to cast their ballots and will help end the gridlock at the polling places which threaten to undermine our elections. I look forward to introducing legislation to this end in the 109th Congress and I urge my colleagues to join me in this effort.

Ms. CANTWELL. Mr. President, we meet in historic session today. The twelfth amendment to the Constitution sets forth the requirements for casting electoral votes and counting those votes in Congress. The electors are required to meet, cast and certify their ballots and transmit them to the Vice President in his capacity as President of the Senate.

With the exception of objections to the electoral votes from the State of Florida in the 2000 election, objections to an entire slate of votes from a State have been rare. But we have had one today, which gives us the opportunity to discuss and debate a very important issue for our country and for the citizens of my State—the issue of whether we have ensured that every vote is counted.

I will vote to uphold the outcome of this most recent election.

However, I think we have more work to do in the area of election reform,

and I think the discussion we are having today is appropriate and overdue.

In 2001, I supported the passage of the Equal Protection of Voting Rights Act. That law was designed to protect voting rights and ensure the integrity of the electoral system in our nation. I did so because I feel that making certain that each citizen's vote is counted and promoting public trust and confidence in our election process is crucial.

The job is far from over. We may need to have additional hearings and we may need to take additional legislative action. There have been troubling reports from this most recent election.

Representative JOHN CONYERS and the minority staff of the House Judiciary Committee have conducted their own hearings and investigations of instances of voter disenfranchisement, flawed or corrupted voting machinery, and inappropriate procedures for counting and recounting votes in Ohio. They have produced a compelling report itemizing and analyzing the irregularities.

A 2-hour debate on the matter, when people across the country waited in 4, 6 and 12-hour lines to vote all over this country in November, is the least we can do.

The debate we are having focuses attention on legitimate concerns that have been raised regarding the Ohio vote and count, and on broader concerns about America's inconsistent and sometimes flawed election processes which vary so radically from State to State that genuine equal protection concerns arise.

I will certify the election results, because I don't think we should sacrifice the greater good of the continuity of Government at this time. We need to govern. But, what we should be doing is using this debate to get this Congress, and this country, talking about the steps that must be taken to ensure that American elections provide a true representation of the people's will.

Mr. LEAHY. Mr. President, while I was pleased at the large number of Americans who turned out to vote in last year's Presidential election, I am deeply concerned about the many credible allegations of voting irregularities that surfaced in the weeks following the election.

I cannot, however, support an objection to the certification of Ohio's electoral votes. Although I believe this debate is worthwhile, I am not persuaded that the alleged fraud was sufficient to change the outcome of either the Electoral College or the popular vote. Senator KERRY conceded the election more than 2 months ago, and he does not support a challenge. Moreover, the practical effect of discounting Ohio's electoral votes would simply be to allow the election to be decided by the House of Representatives.

In the months leading up to Election Day, I joined with Senator KENNEDY in

writing with great frequency to Attorney General Ashcroft about our concerns about voter suppression and possible partisan activity by the Department of Justice. It is with dismay, then, that I have learned about the secret counting of votes in Warren County, OH, allegedly prompted by an FBI terrorism warning that the FBI denied making. I have read also of the nearly 4,000 votes President Bush was mistakenly awarded in a Franklin County precinct with only 800 voters. Although this mistake was corrected, such a malfunction suggests the possibility that other problems with the vote count may have been missed.

Finally, I would point to the shocking misdistribution of voting machines in Ohio. Voters from minority and urban communities frequently waited in line for four to five hours to cast their votes, while suburban voters faced far more manageable waiting times.

We cannot know the effect this may have had on vote totals, but we can and should work with State and local officials to prevent this from happening in future Presidential and other Federal elections.

I commend Representative CONYERS and many of his Democratic colleagues on the House Judiciary Committee for their tireless pursuit of a goal that all of us—Republicans and Democrats alike—should desire: a free and fair election in which every vote counts.

I look forward to the results of the Government Accountability Office's investigation of election irregularities called for by Representative CONYERS.

Mrs. LINCOLN. Mr. President, I accept the decision voters made on November 2 to elect George W. Bush as the President of the United States. I do not come to the floor today to challenge the outcome of the election. However, I do have concerns about the process. I believe there are some valid issues raised with the Ohio electoral votes regarding the legitimacy of our Nation's voting procedures, and I take these issues very seriously. In this modern, computerized age and in our magnificent, democratic country, there is absolutely no excuse for database errors, lack of polling-place education and training, equipment malfunctions, or voter disenfranchisement.

I supported the Help America Vote Act, HAVA, and have consistently supported adequately funding this law so that States can achieve its requirements and improve voting procedures to ensure every valid vote is counted. In addition, I helped introduce the Restore Elector Confidence in Our Representative Democracy, RECORD, Act, S. 2313, last year. This act contains a provision to strengthen security measures for electronic voting devices to prevent outside tampering and requires a paper printout of votes cast at electronic voting machines.

The right to vote freely and without intimidation is the foundation of democracy and we must do all we can to

ensure every vote is counted and recorded accurately. I believe voters must have faith in the electoral process for our democracy to succeed, and I look forward to working with my colleagues in the coming year to ensure that our Nation's election system is fair and effective.

Mr. JEFFORDS. Mr. President, we are here today in this extraordinary session to discuss a challenge to Ohio's electors.

It was gratifying to see the high level of interest in the election create such a large voter turnout. However, it was discouraging to hear of the problems that affected the election in many parts of the country, including Ohio.

Representative CONYERS, other House Democrats, and individuals across this country deserve our thanks for the important work they have done to document the issues that arose from the 2004 election.

I would also like to thank Senator BOXER and Representative TUBBS JONES for their diligence in bringing this issue to the forefront.

All voters deserve to get answers, and corrective actions, to the reported irregularities and flaws of the 2004 election.

As my colleagues may know, the Government Accountability Office, GAO, is currently conducting a comprehensive investigation of many of the issues raised in the 2004 election.

I am very supportive of this investigation, and believe that through a complete and full investigation by the GAO, answers to the questions raised regarding the 2004 election will be obtained.

The information the GAO obtains will allow the Congress to take appropriate action to address the problems uncovered.

At a minimum, there are two changes to our election system that should be implemented by the Congress: requiring a paper trail for electronic voting machines and creating a national standard for provisional ballots.

I will work with my colleagues in the Congress to enact these important reforms. We must work to maintain, and indeed improve, the confidence in and integrity of the election process.

I am under no illusion that the actions taken on this challenge will change the outcome of the election. Senator KERRY has conceded the election. The events of today will not change this result, and I fear they will only further polarize our political landscape.

The solutions to the irregularities of the election will not be found or enacted in this 2-hour process today. They will come from a complete investigation, like the on-going GAO one.

Because I believe that contesting the slate of Ohio electors is not the way to achieve the needed reforms of the election system, I will vote against this challenge today.

However, I want to put my colleagues on notice that I will be vigorously pur-

suing reforms of the election system to enact much needed improvements in the system.

We have to make sure our elections are a solid reflection of the voters' intent. Given the resources of our great Nation, there is no reason why we should not be able to achieve this goal.

Mr. FEINGOLD. Mr. President, I appreciate this opportunity to comment briefly on voting irregularities that occurred during our most recent presidential election. While some steps were taken after the 2000 election to help rectify a number of problems with our voting process that were identified across the country, the election in November demonstrates that more needs to be done.

The outcome of the November election will not change because of the current process underway in both the Senate and the House, but I certainly understand the goal of those who have initiated this debate with their written objections to certifying the election results. While I understand that the Senator from Massachusetts (Mr. KERRY) has indicated that his campaign's legal team was unable to find evidence that would change the outcome of the election, enough questions have been raised to justify a thorough examination by Congress and the administration. Of course, the rules governing this debate are highly restrictive, and do not afford any meaningful review of potential voting irregularities, let alone the consideration of possible solutions to any problems. That effort will have to be done outside the confines of the specific work we have today, and to that end, I strongly hope the Senate Rules Committee will make this the very highest priority, and that the Senate's leadership will schedule any legislation that comes from such a review for prompt floor action.

Since the election, I have heard both Democrats and Republicans pledge to work together to tackle some of our most pressing issues. We are 3 days into the 109th Congress and it is time to put that promise to the test. I look forward to working with all of my colleagues to help ensure that in future elections every eligible citizen who wishes to vote is able to do so and all votes are counted.

(At the request of Mr. REID, the following statement was ordered to be printed in the RECORD.)

• Mr. CORZINE. Mr. President, as we prepare to commemorate the 40th anniversary of the Voting Rights Act of 1965, we are called on to look back and reflect on whether we have fixed the systemic problems that this historic legislation sought to address. Have we ensured that all citizens are provided equal access to the ballot, regardless of race, ethnicity, or language-minority status? Have we created the proper safeguards and procedures that make certain that every vote is counted? Have we done enough to protect our democracy's most sacred right—the right to vote?



The accounts from our most recent Presidential election suggest that we have not yet met our goal of securing a free and fair election for all Americans. Driving this point home is yesterday's 102-page report published by the House Judiciary Committee's Democratic staff. The report goes into great detail describing the voting irregularities that arose in Ohio last November. The allegations include accounts of voter registration barriers, voter intimidation, voting machine shortages and failures, and confusion over the counting of provisional ballots. These accounts raise serious doubts about whether Ohio electors selected on December 13, 2004, were chosen in a manner that conforms to Ohio law or Federal requirements and constitutional standards.

The most troubling revelation from the committee staff's report is the seeming disproportionate impact these voting irregularities had on minority voters. And so I ask, 40 years later, have we done enough to make sure the letter and spirit of the Voting Rights Act is being enforced?

I ask my colleagues to join me in pushing for congressional hearings on the alleged voting irregularities witnessed in Ohio and elsewhere this past election season. I also ask them to join me in examining whether we need to reform our election laws to ensure that we have free and fair elections for all Americans, regardless of race or ethnicity. Only then can we be sure that we have adequately protected the constitutional right of all qualified citizens to participate in our democracy's most cherished right.

I am traveling overseas on a humanitarian mission to Southeast Asia to visit the areas most affected by the recent tsunami and regret that I will not be available to participate in this afternoon's debate. I nonetheless commend my colleagues who are raising these important issues, and applaud their efforts to give a voice to those who were disenfranchised last November.●

Ms. MIKULSKI. Mr. President, today I rise to discuss an issue that Congress tried to address after the 2000 election nightmare. Frankly, I am stunned to be standing before you 4 years later to take up the same issues of voting irregularities and uncounted votes. And I thank my colleague from California for bringing this important issue before the Senate for debate. Her opposition serves as a call upon the Congress to take action this year to address the ongoing problems in our electoral system.

Today, I will vote to certify the result, but once again we see that the election system in the United States does not work to provide absolute confidence in the results. Today, I am voting to certify the results because I do not believe that the voting problems changed the outcome of the election. Certification should not be delayed further under such circumstances. I believe the majority of voters in Ohio

have spoken and that result should be certified.

But while I do not question the result, I rise today to call attention to what went wrong, to the disenfranchised voters, the broken machines and problems people had casting their ballots on election day.

This should not be happening in the United States of America. When we vote for President, we should all have total confidence that every vote counts and that every vote is counted.

There simply should be no questions or problems when we vote for the President of the United States. But, here we are, again, talking about voting problems and talking about lost or uncounted votes.

Like many Americans, I was shocked in 2000 to see how outdated the voting systems in America were. I was also shocked to see how easy it was to manipulate those voting systems and how easy it was for votes to be lost or go uncounted.

It was literally unbelievable. I asked myself, how could such things happen here in the United States? In 2000, we all learned that many ballots, many people's votes, were thrown out, lost, misplaced, or miscounted.

We saw election officials who did not know the rules and some who appeared to ignore the rules.

We witnessed innocent mistakes, machine mistakes, ballot mistakes and mistakes that were not so innocent.

The result was that many votes simply did not count.

The Presidential election of 2000 was an eyeopener. Our election systems in this country, the World's oldest democracy, were broken and needed to be fixed.

Republicans and Democrats agreed this had to be done. It was important. It was vital.

And we did something. We passed the Help America Vote Act. We set standards. We authorized money for the states to help them get new machines, new technology and fix their electoral systems. We provided for provisional ballot systems so that if there was a question about a voters registration they could still cast a ballot.

We thought that our voting systems were well on their way to being fixed. We thought that we would never have another election like 2000. We thought that all votes were going to count and all votes were going to be counted.

We were wrong.

We now see, in 2004, 4 years after the 2000 election debacle, we have people standing in lines for hours because polling places could not handle the turnout, people being given the wrong information, machines breaking down, too few machines in some precincts, ballots being lost or misplaced, and voters being told to go to the wrong place to vote. That is simply not right.

It is not clear if these problems by accident or intended, but the result was that again people were not able to cast their votes or their votes simply

were not counted. That's just wrong. That is not suppose to happen in the United States.

And where did much of this happen? In minority neighborhoods, in cities, in economically distressed areas, in primarily Democratic areas across the Nation. I ask myself, is this just a coincidence? Those communities do not think so. And it is critical that we let them know that we take their concerns seriously.

What happened in the last election is less important than making sure that it never happens again. These communities need to know that the Congress is taking action to meet their concerns and will work to correct the abuses that were documented in many States in 2004.

This is not a Republican or a Democratic issue. Ensuring that every registered voter who wants to vote can vote is not a partisan issue. It is an issue of what it means to be an American. In 2004, everyone should agree that every vote should count and we have to do whatever is necessary to make sure that happens.

I call on the Congress to renew its efforts to ensure that there is true electoral reform that every American who casts their ballot can be sure it is counted and that every American who wants to cast their ballot has that opportunity. This Congress should take three steps:

We should fully fund the Help American Vote Act so that all States have the resources that they need to truly reform their electoral systems.

We need to pass legislation to ensure that there is a voter verified paper trail on electronic machines so voters can verify that they cast their ballot and who they cast it for.

We need to re-examine the issue of electoral reform to see what steps the Congress needs to take to ensure that the voting rights of all Americans are protected. So that we have uniform standards. So that provisional ballots work, people do not have to wait in long lines, machines are operative and voters can get to the polls on election day.

And, we must do it now, before this issue fades from view again. The media will move on to other issues. We will move on to other issues. There are many important issues that this Congress will address this year, but as we look forward, and this year celebrate the 40th Anniversary of the Voting Rights Act, we must make this a priority issue. We must act to protect those vital rights and protect our democracy. There is no better way to honor this historic Act than to ensure that we fix the problems in our electoral system that continue disenfranchise voters.

I thank my colleague, Senator BOXER, from California for giving us the opportunity to debate these important points and focusing the spotlight on the voting problems still facing our democracy. And while I vote today to

certify the election, I do not certify how our electoral system works in the United States and on that front we must now act.

I look forward to working on this with other members of the Senate. But, we must not be here in 2006 or 2008 talking about how shocked we are to see yet again votes not counted, ballots missing, lost and misplaced, and confused election officials. We must act this year, while the spotlight is still on, to do more to ensure that all voters will have confidence in our electoral system.

Mr. LEVIN. I will vote against objecting to counting Ohio's electoral votes. Of course I am concerned by reports of irregularities across the country during the 2004 presidential election. The 109th Congress should address these problems this year as part of election reform legislation. But voting to throw out the electoral votes of a State in the absence of clear evidence that voting fraud in that State changed the outcome would set a dangerous precedent for future elections in which the majority party of Congress could overturn the outcome of a presidential election.

(At the request of Mr. REID, the following statement was ordered to be printed in the RECORD.)

• Mr. KERRY. Mr. President, free and fair elections are the foundation of our democracy. Thanks to the efforts of tens of thousands of citizens, millions more Americans registered and went to the polls this year. But despite this dramatic expansion in public participation, many voters faced barriers to casting their ballot. Disenfranchisement and barriers to voting are fundamentally undemocratic and should be unacceptable in the freest nation in the world.

On November 3, I conceded the Presidential election to George Bush and also expressed my commitment to ensuring that every vote in this election is counted. The questions being raised by my colleagues in Congress about the vote in Ohio are important. As evidenced by the media and Congressman JOHN CONYERS' report of the vote in Ohio, there were many voting irregularities in the November election that led to the disenfranchisement of voters. These included long lines at predominantly minority polling places resulting from the failure to provide sufficient number of voting machines; voter intimidation and misinformation; the restriction of provisional ballots in a fashion that likely disenfranchised voters; and instances in which malfunctioning voting machines transferred Kerry votes to Bush.

I strongly believe that we need to investigate this election and reform our system. However, while I am deeply concerned about the issues the questions and issues being raised by this objection and think they are very important, I do not believe that there is sufficient evidence to support the objection and change the outcome of the

election and I am not joining their protest of the Ohio electors.

Despite widespread reports of irregularities, questionable practices by some election officials and instances of lawful voters being denied the right to vote, our legal teams on the ground have found no evidence that would change the outcome of the election.

It is critical that we investigate and understand any and every voting irregularity anywhere in our country, not because it would change the outcome of the election but because Americans have to believe that their votes are counted in our democracy.

We must take action this Congress to make sure that the problems voters encountered in Ohio and elsewhere never happen again. We must make sure there are no questions or doubts in future elections. It is critical to our democracy that we investigate and act to prevent voting irregularities and voter intimidation across the country.

I strongly support the efforts of the civil rights and voting rights groups across the country that continue to investigate what happened in 2004 and how we can ensure it will never happen again. A Presidential election is a national Federal election but we have different standards in different States for casting and counting votes. We must have a national Federal standard to solve the problems that occurred in the 2004 election.

I am calling on my Republican colleagues to put election reform on the congressional agenda this year. The Republican leadership in the House and Senate must commit to make protecting voting rights a priority and commit to adding election reform legislation to the legislative calendar this year. One goal must be to eliminate barriers to voting, to encourage the greatest level of civic participation possible, and to restore confidence in the notion that every eligible voter will have the opportunity to vote and to have their vote counted.

I have spoken with Democratic Senate Leader HARRY REID and my colleagues in the House and Senate about my intention to introduce legislation this year to ensure transparency and accountability in our voting system and the need for the Democratic Caucus to make voting rights and electoral reform one of our top priority pieces of legislation. Election reform will be one of my top agenda items.

I will be meeting in coming weeks with key leaders on both sides of the aisle and from civil rights and voting rights groups across the Nation. I plan to use the information gathered by Representative CONYERS in his report, and information from other investigations underway, to guide my legislation.

We must invest resources in our country to help State and local communities purchase modern voting machines and do research and development on safe and secure forms of voting. We must ensure that our voting

machines enable voters to verify their vote.

No American citizen should wake up the morning after the election and worry their vote wasn't counted. No citizen should be denied at the polls if they are eligible to vote. As the greatest, wealthiest nation on Earth, our citizens should not have to be forced to vote on old unaccountable voting machines. And, as the greatest, wealthiest Nation on Earth, our citizens should never be forced to vote on old, unaccountable and nontransparent voting machines from companies controlled by partisan activists.

Together we can put the critical issue of electoral reform on the front burner in Washington and across the country. •

Mr. WYDEN. Mr. President, I believe it is extraordinarily important for both sides to be gracious when an American election is over. But I also believe it is extraordinarily important not to ignore urgently needed election reform, such as requiring a paper trail for every single ballot that is cast in our country. Such a paper trail is required in my home State. In this last election, record numbers of Oregonians voted. There were no allegations of fraud. The system worked, and it worked well. Unfortunately, that is not the case in too many communities in our country.

When the Senate last debated the issue of election reform, this body spent weeks debating whether one dog in the Midwest was an illegal voter. I worked with colleagues on a bipartisan basis. We made sure that dog, Mitzi, would not be allowed to vote again. Now, in the name of justice, when hundreds of thousands of Americans feel they have been disenfranchised, I don't think their concerns ought to be swept under the rug.

Credible journalists have now documented voting irregularities across the country, and that ought to trouble every Member of the body. Incredible reports come from the States of North Carolina, Indiana, Washington, Florida, and Ohio. In my view, while not proving to be of a volume that would have changed the outcome of the Presidential election, when you take these findings together, they raise very significant and troubling matters that this body should be tackling on a bipartisan basis. I do believe there is critical work ahead of this body with respect to election reform. So I did write in November to Representative CONYERS to ask that he examine these voting irregularities. The problems with provisional ballots in the State of Ohio particularly concerned me because I was one of the principal authors of the section of the Help America Vote Act that involved provisional ballots. The decision of the Ohio Secretary of State to restrict the ability of voters to use provisional ballots, I thought, was troubling. His decisions raised serious questions with respect to whether they were consistent with what the Senate had in mind as we wrote that provision.

I was also concerned about the reports from Ohio, where in one county only 800 citizens were registered to vote and more than 4,500 votes were counted. This just defies common sense, and it is one of the reasons why I have come to the floor to make the case for a continued focus on the issue of election reform.

The problems of election abuse are not ones that can be given short shrift if we are to keep faith with our citizens and ensure that their fundamental belief that our democratic system is sound is maintained. Otherwise, we will see a growing lack of confidence in the conduct of our elections, and that lack of confidence will come to overshadow some of our elections altogether. We will see many more Members of this body come to the floor demanding to know what has happened.

I end my statement with the plea that, on a bipartisan basis, this body return to the issue of election reform, correct the abuses that have been credibly documented over the last few weeks, and that we do it in a bipartisan fashion.

I yield the floor.

The PRESIDENT pro tempore. The Senator from New Jersey is recognized.

Mr. LAUTENBERG. Mr. President, I rise to support the contention of the junior Senator from California that we have to take a very hard look at this. We are trying to demonstrate the virtues of democracy to Iraqis and Ukrainians and other people around the world who are struggling to be free. People must have confidence that our election results are unassailable.

Unfortunately, questions have been raised in the Presidential election of 2000 and in the Presidential election of 2004. At this point, I want to be clear: I am not challenging President Bush's victory in the State of Ohio. Neither has Senator KERRY. But there have been reports of systematic voter disenfranchisement and other problems in Ohio, such that we would be derelict in our duty if we failed to investigate it.

Yesterday, Congressman JOHN CONYERS, ranking Democrat on the House Judiciary Committee, issued a report of problems that occurred in Ohio. Some of the problems he reported include problems with voting machines in predominantly minority, Democratic-leaning wards, which caused people to wait 10 hours or more in the rain. One precinct was forced to close at 9:25 in the morning because its voting machines were not working. The Ohio Republican Party suppressed the turnout of minority, Democratic-leaning voters by engaging in preelection caging tactics, tactics which were declared illegal by a Federal court.

Ohio Secretary of State Ken Blackwell, a Republican, deviated from election law by severely restricting voters' access to provisional ballots. He went so far as to reject voter registration applications based on paperweight and texture. Those actions and his complete unwillingness to cooperate

with Congressman CONYERS' investigation are deeply troubling. His actions are troubling, particularly because he didn't just serve as the chief election official of his State; he also cochaired the Bush-Cheney campaign in Ohio.

Allowing a State official to oversee a Federal election and simultaneously serve as a partisan campaign official for a candidate in that election is a blatant conflict of interest and we have to put a stop to it. That is why later this month I am going to introduce the Federal Election Integrity Act, a bill to prohibit State election officials from overseeing Federal elections in which they play a partisan role on behalf of one of the candidates.

Secretary Blackwell is now running for Governor. He recently sent a fundraising letter to potential Republican donors. I think his letter underscores the need for my bill. The first page of his letter tells the story. In part, it says:

I have no doubt that the strong campaign we helped the President run in Ohio . . . can easily be credited with turning out record numbers of conservatives and evangelicals on election day.

It is not surprising that many people have no doubt that Secretary Blackwell also ran a strong campaign against other voters, namely minorities and Democrats.

Americans need to believe their election officials are beyond reproach. Allowing such officials to serve simultaneously in a partisan campaign capacity seriously undermines that confidence. That is why, regardless of what happens today, I will introduce the Federal Election Integrity Act. It is a step we can and should take to restore confidence that our elections are fair and the results are accurate.

I don't believe the objection the junior Senator from California has raised will be sustained this afternoon, but that doesn't mean we should not discuss the problems that precipitated the objection and do something about them in the future to assure that when the votes are counted, we know everybody has had a fair chance to cast their ballots and that there hasn't been any tinkering with them.

I yield the floor.

The PRESIDENT pro tempore. Who seeks recognition?

The Senator from New York is recognized.

Mrs. CLINTON. Mr. President, this is obviously a difficult debate for many reasons. I commend the Senator from California for joining with members of the House, most particularly Congresswoman STEPHANIE TUBBS JONES, in raising the objection, because it does permit us to air some of these issues—something I believe is necessary for the smooth functioning of our democracy and the integrity of the most precious right of any citizen, namely, the right to vote.

As we look at our election system, I think it is fair to say there are many legitimate questions about its accu-

racy and about its integrity, and they are not confined to the State of Ohio. They are ones that have arisen throughout our country and certainly because of the election of 2000 have been given high relief in the last 4 years. Then questions were raised additionally with respect to this election which deepened the concern of many people about whether we can assure the continuity of our democratic process by ensuring the consent of the governed and the acceptance of the results of elections.

Several weeks ago, we stood in great admiration as a nation behind the people of Ukraine as they took to the streets to demand they be given the right to an election where every vote was counted.

In a few weeks, we are going to see an election in Iraq. We know there are people literally dying in Iraq for the right to cast a free vote. I am very proud of our country, that we have stood with Ukrainians, Iraqis, and others around the world, but increasingly, I worry that if this body, this Congress does not stand up on a bipartisan basis for the right to vote here at home, our moral authority will be weakened.

I take that very seriously because freedom is our most precious value, and we have for 225-plus years worked to form a more perfect Union. At first, not everybody was permitted to vote in our own country, but through constitutional changes, a civil war, and a civil rights movement, we expanded the franchise. This year we will celebrate the anniversary of the Voting Rights Act, and it will be an opportunity for us to take a look at this landmark legislation and determine how we are going to move it into the 21st century so it really stands for what it was intended to do when it was first passed.

I would be standing here saying this no matter what the outcome of the election because I still think the best rule in politics is the golden rule: Do unto others as you would have them do unto you. I worry, whether it is a Democratic or Republican administration or a local county, State, or Federal election, that we are on a slippery slope as a nation.

My colleague, Senator BOXER, and I, along with former Senator BOB GRAHAM of Florida, introduced legislation last year to try to assure a verifiable paper audit. We did not get anywhere with that. We did not get a hearing before the Rules Committee, and I hope the distinguished chair of the Rules Committee will hold such a hearing this year because if we can buy a lottery ticket or go to a bank and make an ATM deposit, then we know we can use an electronic transfer mechanism that gives us a record. That is just one of the many issues we can deal with technologically.

Last spring, India, the largest democracy—we are the oldest democracy, so in that way we are real partners in this great enterprise of democracy—had an election. Mr. President, 550 million or

so people voted, from the dot-com billionaire to the poor illiterate peasant. They all voted. They voted on electronic voting machines. They voted in a way that guaranteed the safety, security, and accuracy of their vote. They had uniform standards. They had a nonpartisan board that oversaw that election, and the result was shocking. They threw out the existing government. Nobody had predicted that. Yet they did it with integrity.

Surely, we should be setting the standards. I hope in this body, and thanks to the objection of my friend from California, this debate which started today will continue.

Thank you, Mr. President.

The PRESIDENT pro tempore. The distinguished Democratic leader.

Mr. REID. Mr. President, I spoke on a procedural matter earlier. I ask unanimous consent that not be deemed to be my speech in regard to this matter.

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

Mr. REID. Mr. President, today great men and women of our Armed Forces are working to bring the right of free and fair elections to Iraq. In less than a month, there will be elections in Iraq. The sacrifice of our military demands that we work to ensure our own elections are fair. That is why today's debate is here, and I applaud my friend from California for allowing us to talk a little bit about elections generally.

A constitutional right that can be said to help secure all other rights is the right to vote. History has shown us that the right to vote demands constant vigilance and attention. While secured by our Constitution, widespread disenfranchisement of African Americans and other Americans led to the landmark Voting Rights Act of 1965 and the amendments in 1970, 1975, and 1982.

Constitutional protection was not enough. We needed tough new laws and took action. More recently, the abuses in Florida 4 years ago demonstrated the need for change and led to reform—and it was reform—in the Help America Vote Act of 2002.

I spread on the RECORD today the good work of Senator MCCONNELL, Senator DODD, and Senator BOND. There were others, but those are the three who stand out in my mind.

While the literacy tests and poll taxes of the past are gone, a more insidious form of disenfranchisement continues to taint our electoral system.

In this past election, in the State of Nevada, phone calls were made to heavily African-American parts of Las Vegas to try to trick those voters into not voting. The same happened in the Hispanic areas of our State, especially in Clark County. These calls, which we were unable to trace, told voters election day was November 3, not November 2.

Our registration process in Nevada is also tainted by the proven destruction

of Democratic voter registration forms. This is clear. It happened. There was a company hired by the Republican National Committee to register only Republicans. We had people come forward and say they destroyed Democratic registration forms. That investigation is still underway.

In some of my earliest elections in Nevada, private individuals dressed in uniforms meant to resemble police officers stood around polling places in minority voting spots to frighten people from coming to vote, and it worked. These officers were posted, as I indicated, at the polls to intimidate these minority voters.

In this past election in Ohio, we heard a lot about what appeared to be wrong there, and I hope there will be more done to determine what went on in Ohio.

Legal challenges to restrict provisional voting, a provision of HAVA, which is the Help America Vote Act which I talked about earlier, meant to cure the widespread disenfranchisement of minorities in Florida and around the rest of the country.

These problems damage our system, deny our citizens equal protection, and undermine the right to vote. Rooting out this corruption requires not only strong laws but I believe strong hearts. It relies upon the integrity of our election officials in every State and each one of us to speak up when abuses occur.

It is my hope the debate today will once again lead to action to cure some of the more glaring defects of the 2004 election. One of the most significant problems in Ohio and in many other States was the lack of measures to ensure the integrity of electronic voting machines. While we have made improvements that are historic with HAVA, one important omission is in this area; that is, electronic voting, how to ensure the integrity of it.

In the last election, of all 50 States, Nevada was the only State where we had total electronic voting with a paper trail. When you voted in Nevada, you did your electronic voting and you could look right there to see for whom you voted. No mistakes. You did not take it with you, of course, but it was in the machine, and if there was a recount, it could be determined easily.

This is the way it should happen all over America, an electronic machine with a paper trail.

Last year, my colleague, the distinguished junior Senator from Nevada, Mr. ENSIGN, and I introduced a measure to require paper trails for electronic voting machines every place. We will introduce our bipartisan Voting Integrity and Verification Act in this Congress.

I hope that as we consider the 2004 election today—I ask unanimous consent for one additional minute, Mr. President.

The PRESIDENT pro tempore. The statute allows no more than 5 minutes to any Senator, I regret.

Mr. REID. I will end by saying we look forward to enacting commonsense measures such as the Voting Integrity and Verification Act which Senator ENSIGN and I will introduce in a few days to continue to improve the integrity of our elections.

I do not view the need to consider these additional reforms as a sign that our electoral system has failed. That we learn, investigate, and reform demonstrates its strength. The only failure following the 2004 election would be to not acknowledge and act to strengthen the right to vote.

I hope my colleagues on the other side of the aisle will join with me in that effort.

The PRESIDENT pro tempore. The Senator from Iowa.

Mr. HARKIN. The Senator from California is performing an important service for American democracy today, along with her partner in this effort on the House of Representatives side, the Congresswoman from Ohio. Their challenge allows a needed debate in the Senate, as well as in the House of Representatives. This debate is short today. We are limited to 5 minutes. I hope this debate will continue in the future, at least this year, to try to reach some better conclusions as to how we operate voting in America.

I want to be clear that I do not question the legitimacy or outcome of our 2004 Presidential election. Nor will I vote to overturn the result of the vote in Ohio. The irregularities and the disenfranchisement that took place in that State and elsewhere, which are real and deeply worrisome, do not appear to me to have determined the outcome, either nationally or in Ohio.

But the right to vote and the need for citizens to have confidence that their votes will be counted correctly are basic to our democracy. That is why I believe there can be no more appropriate time to talk about problems in our electoral system than today, the day on which we officially confirm and proclaim the results of our recent election. So I thank Senator BOXER, as well as Representative TUBBS JONES, who is a former judge in the State of Ohio, for this responsible action.

I say to my friend Mr. DEWINE from Ohio, whom I listened to briefly a little bit ago, this is not about whether George Bush won the election. It is about taking a hard look at the voting structure in America, asking how we can make it better. How can we make it better and more equitable for people?

Now we tried, through the Help America Vote, to fix some of the problems, but there is evidence we did not do enough. We know that massive lines at the polls in Ohio likely led to thousands of voters giving up on voting. People had to wait 4, 5, 10 hours in line. Standing in line for 10 hours in America is like throwing acid in the face of democracy. It mars it. It scars it permanently.

Now, why the long lines? They did not have an adequate number of voting

machines. Where were the lines? Many of them were in urban areas and minority communities because there was an inequitable distribution of machines between urban and suburban areas.

According to the New York Times, in Columbus, OH, there was an average of 4.6 machines per voter in Bush's strongest precincts while there were only 3.9 machines in the so-called Kerry precincts.

What we saw in Ohio was a concerted effort by an official, the Secretary of State, to try to minimize the ability of Ohioans to cast their vote. The Secretary of State was also the Chairman of the Ohio Bush re-election campaign. For example, in the weeks leading up to the election, the Secretary of State of Ohio tried to argue that thousands should be denied the right to vote because the forms they used to register were printed on the wrong weight of paper.

The Secretary of State also argued that absentee voters who had not received their ballots should not be allowed to vote, another concerted effort to suppress votes.

We also have reports of electronic voting machines not voting properly. A system where software is kept secret has been allowed to be the norm. This is an inappropriate practice that could result in serious fraud. Clearly, we need a Federal statute requiring independent review of the software used in electronic voting machines, as well as providing both sides access to the software in these machines.

What we saw in Ohio, what we likely would see in many States if they came under this type of scrutiny, is continuing problems with the whole election process that need to be fixed. We need to make changes in Federal law to make it clear that election officials are to work to maximize the right of people to vote rather than finding technicalities to disenfranchise them.

It is curious to note that in the Constitution of the United States, there is not a provision guaranteeing the right to vote. There are a number of amendments, the 14th, the 15th, 19th, 24th, 26th, that expand the concept, say people cannot be denied the right to vote on the basis of poll taxes, race, color, gender, and age.

Perhaps what we need is a constitutional amendment guaranteeing the right of every citizen of the United States a secret ballot and to have that ballot counted. I think it would come as a shock to most Americans to know that it is not in the Constitution of the United States that we have that right to vote.

This debate is needed to fix a system that is broken.

The PRESIDENT *pro tempore*. Is there any Senator who has not spoken who wishes to speak on this matter?

The Senator from Illinois.

Mr. OBAMA. Mr. President, I did not anticipate speaking today, but the importance of this issue is enough for me to address this body.

During the election, I had the occasion of meeting a woman who had supported me in my campaign. She decided to come to shake my hand and take a photograph. She is a wonderful woman. She was not asking for anything. I was very grateful that she took time to come by. It was an unexceptional moment except for the fact that she was born in 1894. Her name is Marguerite Lewis, an African-American woman who had been born in Louisiana, born in the shadow of slavery, born at a time when lynchings were commonplace, born at a time when African Americans and women could not vote. Yet, over the course of decades she had participated in broadening our democracy and ensuring that, in fact, at some point, if not herself, then her children, her grandchildren, and her great-grandchildren would be in a position in which they could, too, call themselves citizens of the United States and make certain that this Government works not just on behalf of the mighty and the powerful but also on behalf of people like her.

So the fact that she voted and her vote was counted in this election was of supreme importance to her and it is the memory of talking to her and shaking her hand that causes me to rise on this occasion.

I am absolutely convinced that the President of the United States, George Bush, won this election. I also believe he got more votes in Ohio. As has already been said by some of the speakers in this body, this is not an issue in which we are challenging the outcome of the election. It is important for us to separate the issue of the election outcome with the election process.

I was not in this body 4 years ago, but what I observed as a voter and as a citizen of Illinois 4 years ago was troubling evidence of the fact that not every vote was being counted. It is unfortunate that 4 years later we continue to see circumstances in which people who believe they have the right to vote, who show up at the polls, still continue to confront the sort of problems that have been documented as taking place not just in Ohio but places all across the country.

I strongly urge that this Chamber, as well as the House of Representatives, take it upon itself once and for all to reform this system.

There is no reason, at a time when we have enormous battles taking place ideologically all across the globe, at a time when we try to make certain we encourage democracy in Iraq and Afghanistan and other places throughout the world, that we have the legitimacy of our elections challenged—rightly or wrongly—by people who are not certain as to whether our processes are fair and just.

This is something we can fix. We have experts on both sides of the aisle who know how to fix it. What we have lacked is the political will.

I strongly urge that, in a circumstance in which too many voters

have stood in long lines for hours, in which too many voters have cast votes on machines that jam or malfunction or suck the votes without a trace, in which too many voters try to register to vote only to discover that their names don't appear on the roles or that partisan political interests and those that serve them have worked hard to throw up every barrier to recognize them as lawful, in which too many voters will know that there are different elections for different parts of the country and that these differences turn shamefully on differences of wealth or of race, in which too many voters have to contend with State officials, servants of the public, who put partisan or personal political interests ahead of the public in administering our elections—in such circumstances, we have an obligation to fix the problem.

I have to add this is not a problem unique to this election, and it is not a partisan problem. Keep in mind, I come from Cook County, from Chicago, in which there is a long record of these kinds of problems taking place and disadvantaging Republicans as well as Democrats. So I ask that all of us rise up and use this occasion to amend this problem.

The ACTING PRESIDENT *pro tempore*. The time of the Senator has expired. The Senator from Connecticut is recognized.

Mr. DODD. Mr. President, I commend and thank our colleague from California who, as a result of her objection, has allowed us to have a couple of hours here to debate and discuss the events that occurred on election day this year. I thank her for doing that. Whatever occurred during the day, I think it is important that this body take a moment now and review what has occurred since election 2000 and this election as well. I recognize we are still operating under a very imperfect system when it comes to the Federal elections in this country. I thank the distinguished minority leader, Senator REID, for commending this body for its support of the Help America Vote Act that we adopted almost unanimously in this body a couple of years ago, through the work of Senators McCONNELL and BOND and others.

It was certainly not a perfect piece of legislation, but it was the first time in the history of this country, outside of the Voting Rights Act, that this body, the Congress of the United States, spoke comprehensively about the conduct of Federal elections.

I point out to my colleagues that while certainly things need to be done to improve even that effort, there were 119,000 provisional ballots cast in the State of Ohio that never would have been counted had we not adopted provisional ballot requirements.

There are certainly legitimate questions about what does and doesn't constitute a ballot. I am drafting for my colleagues' approval a comprehensive piece of legislation that deals with the shortcomings in the HAVA bill itself.

The fact is we are going to have access to statewide voter registration. The fact is we are making it possible for 20 million disabled Americans to cast a ballot independently and privately.

I know personally what this is like, having watched a sibling of mine having to cast a ballot with the help of someone else, despite two master's degrees and being a teacher for 40 years. We also put into HAVA the requirement that every voter have the right to see his or her ballot before actually casting their ballot. HAVA required that all voters who are challenged, for any reason, have the right to cast a provisional ballot. The Federal Court of Appeals for the Sixth Circuit of the United States affirmed the absolute right to receive a provisional ballot, without any additional requirements.

We have made great progress here. More needs to be done, clearly, if we are going to make a Federal election system exist where every vote will be counted and every eligible person will have an equal opportunity to vote.

I appreciate the opportunity here to talk about this. My hope would be that we would build bipartisan support, just as we did 2 years ago in adopting the Help America Vote Act, in both bodies, and get the kind of bipartisan support necessary so the conduct of elections, Federal elections, will have a system that has the confidence of the voters of this country.

I think it was Thomas Paine who, more than 200 years ago, said the right to vote is the right upon which all other rights depend. If you don't get this right, every other right is in jeopardy, and that is the business we need to be about.

Obviously events in Ohio and elsewhere raise legitimate and serious concerns. In this country we are still operating Federal elections on the basis of a voluntary work, pretty much, of local people. It worked pretty well for many years. It doesn't work any longer. It has to be changed. We have to do a better job. It is important that this body, the Congress of the United States, say to the American public we are going to do everything we can to see to it that you have an equal opportunity to vote and that your vote will be counted, and we are going to have the people, the technology, and the resources in place to make that happen.

We have made great strides. More needs to be done. The Senator from California has given us an opportunity today to highlight the importance of this. I regret that the Senate finds itself in this situation today where we find that the American public still lacks confidence in the legitimacy of the process and the results of our presidential elections.

But as painful as this debate today may be, this discourse is necessary to ensuring the American public that we, here in Congress, hear their concerns and frustrations, and will continue to fight to see that their most basic of all democratic rights—the right to vote—is secure.

Sadly, the concerns we are hearing expressed today are all too familiar to those we heard exactly 4 years ago following the debacle of the 2000 presidential election.

Following the 2000 presidential election, Congress responded to the problems which arose in Florida and other states by enacting bipartisan legislation, the Help America Vote Act, which I was pleased to coauthor. The goal of that bill was to ensure that every eligible American would have an equal opportunity to cast a vote and have that vote counted, regardless of race, gender, disability, language or party or precinct; and, that it would be easier to vote, but harder to defraud the system.

The Help America Vote Act—or HAVA—had the support of countless civil rights, disability, language minority and voting rights groups, and organizations representing state and local governments. HAVA has been hailed as the first civil rights law of the 21st century and I am committed to ensuring that it is fully implemented as such.

While the results of the 2004 presidential election may not have been contested in the same manner as those of the 2000 election, the jury is still out on whether HAVA successfully addressed all the problems that arose in the 2000 election. While I believe there is still much work to do to ensure the franchise for all Americans, I am confident that without HAVA, thousands of eligible American voters would not have been able to cast a vote, nor have their vote counted, in the November 2004 presidential election.

It is important to remember that HAVA is not yet fully implemented. In some respects, the most important reforms have yet to be implemented by the States.

These reforms include:

- mandatory uniform and nondiscriminatory requirements that all voting systems provide second-chance voting for voters;

- full accessibility for the disabled and language minorities;

- a permanent paper record for manual audits;

- uniform standards for what constitutes a vote and how such a vote will be counted for each type of voting system used by a State; and

- a computerized statewide voter registration list which must contain the name and registration information for every eligible voter in a State and be electronically available to every State and local election official at the polling place on election day.

Had these additional reforms been in place on election day this November, many of the Election Day problems that arose across the country could have been avoided or resolved at the polling place.

But one of the HAVA reforms that was in place this November did make a difference: the requirement that all States provide a provisional ballot to voters who are challenged at the polls, for any reason. This requirement ensured the franchise for thousands of Americans on November 2 last year.

In Ohio alone, 155,000 voters cast provisional ballots, of which an estimated

77 percent were counted. That represents over 119,000 American voters who otherwise might not have been able to cast a vote or have their vote counted, but for HAVA.

Some States, including Ohio, attempted to restrict the right to a provisional ballot, but were ultimately unsuccessful. The Federal Court of Appeals for the 6th Circuit of the United States affirmed the absolute right to receive a provisional ballot, without any additional requirements, in the decision of *Sandusky vs. Blackwell* decided on October 26, just one week prior to the election.

More importantly, that decision upheld the right of an individual voter to seek judicial redress of the rights conferred by HAVA and upheld HAVA as a civil rights law enforceable as such in the courts.

As with any comprehensive civil rights legislation, HAVA's reach and effectiveness will have to be hammered out by the courts. As that process plays out, coupled with the States' implementation of the remaining HAVA reforms, we will be in a better position to assess whether this landmark legislation hit the mark or needs further reform.

But it is already clear, based on the November election, that it will take further reform to ensure that all eligible Americans have an equal opportunity to cast a vote and have that vote counted. We already know that States are implementing the provisional ballot requirements in significantly differing manners. It is simply unacceptable that a Federally-guaranteed provisional ballot, cast for President of the United States, may not be counted simply because of the local precinct that the otherwise eligible voter was standing in at the time he or she voted.

We know from the November elections that election officials did not provide sufficient numbers of machines to ensure that all voters could vote in a timely manner. We also know that many voters, such as those in Ohio, were still forced to vote on antiquated equipment such as the punch card which disenfranchises minority voters at greater rates than other voters, or use ballots that are confusing. And we know that some states still insist on purging voters based on inaccurate lists and refuse to reinstate the voting rights of felons, even after they have completed their debt to society.

It is time to consider whether, for Federal elections, there is a national responsibility to ensure that no matter where and how a ballot is cast for the office of the President of the United States, all Americans will have confidence that their vote was cast and counted in a uniform and nondiscriminatory way.

I will be introducing comprehensive election reform legislation when we reconvene which will build on HAVA and address these and other issues. My proposal will:



require states to provide enough machines, and ensure they are geographically distributed;

ensure that the provisions of HAVA that require that voters have a chance to verify their ballot before it is cast and that an audit trail exists to establish that such ballot was counted are implemented;

require states to offer extended voting times to ensure that single parents, the disabled, and those who simply cannot get to the polls on the one day can still cast their vote;

ensure that only eligible voters can vote, but that no voter who is eligible will be barred from the polls simply because he or she did not check a box on a form; and

require the reinstatement of felons for the purpose of casting a Federal ballot.

And my legislation will provide the Federal funds necessary to ensure that the states can timely implement the reforms.

The Help America Vote Act is an historic landmark legislation that comprehensively defines, for the first time in this Nation's history, the role of the Federal government in the conduct of Federal elections. It was an important first step, but our work is not done.

The real test, however, will be not so much on how we vote in the next few minutes on some resolution here, but whether in the coming days we are willing to pass legislation to fill in the gaps that are left vacant as a result of our inability to get more done with the HAVA bill.

I believe we can do it. We did it in the last Congress. We ought to do it in this one, so we never again have questions raised about the legitimacy of the election process or results, in any State, of a Federal election.

I look forward to working with my colleagues, and the civil rights, disability, language minority, and voting rights communities, as well as State and local election officials, to continue our work to ensure that all Americans have access to the most fundamental right in a representative democracy: the right to cast a vote and have that vote counted.

I yield the floor.

The PRESIDENT pro tempore. Is there a Senator who has not spoken who wishes to speak on this matter?

The Senator from Ohio.

Mr. VOINOVICH. Mr. President, I rise today as a Member of the body who recently was sworn in for his second term. In my first 6 years as a Senator of the United States in this institution, I faced challenges unprecedented in this country's history.

While we have made tremendous progress making our Nation more secure, increasing America's competitiveness in the global marketplace, and upholding the Federal Government's promise to seniors by enacting a prescription drug benefit through Medicare, we still have serious problems confronting our Nation.

On November 2, voters across this Nation chose their Government that will face these forthcoming challenges. The voters of Ohio and our Nation chose President George W. Bush. Even

with a recount in Ohio, President Bush won my State by over 118,000 votes. As a Republican from Cleveland who has been reelected as a Republican from Cleveland, elected to Federal, State, county, and municipal offices, I am living proof Ohioans know how to count ballots and, more importantly, we count fairly.

(Disturbance in the Visitors Gallery.)

The PRESIDENT pro tempore. There will be order in the galleries, please. The Sergeant at Arms will remove people from the gallery if there is no order in the gallery.

Mr. VOINOVICH. It is clear that those who persist in beating a dead horse are attempting to create uncertainty where none exists. That is why I am so disappointed that this body is squandering its time playing Monday-morning quarterback when the result of Ohio's Presidential election is clear. President George W. Bush won my home State and its 20 electoral votes.

Frankly, I am proud of how the election went in Ohio. Hundreds of thousands of new voters took part in their democracy this past November, increasing Ohio's voter participation rate to 72 percent, up from 64 percent in 2000. Unfortunately, prior to November 2, unsubstantiated allegations were being made about the electoral process in Ohio. But, at the end, on election day, and at the end of the recount, Ohio's Secretary of State Kenneth Blackwell and the bipartisan election boards across the State did a tremendous job to ensure that the election was fair and the results were without question. I want to publicly applaud the good work of those dedicated public officials.

It is time to put this election to rest. Editorial boards from Ohio newspapers, many of which endorsed Senator KERRY, agree as well. The so-called recount effort is a circus that needs to pack up and leave town, is what one of them said.

The Akron Beacon Journal, a newspaper that endorsed Senator KERRY, stated on December 24:

The allegations being thrown around are of the flimsiest nature. . . . Not one shred of evidence has been presented to show that Ohio's strictly bipartisan system of running elections was manipulated. There isn't any.

The Cleveland Plain Dealer, on December 15:

Ohio's bipartisan elections system makes the kind of GOP conspiracy that some allege all but impossible to execute. Every county board of elections consists of two Democrats and two Republicans. So, when (Jesse) Jackson and other national Democrats question Ohio's outcome, they demean their own allies.

William Anthony Jr., the African American who chairs both the Franklin County Democratic Party and its election board, has been personally stung by Jackson's slander. "Why would I sit there," Mr. Anthony said, "and disenfranchise my own community?"

The Columbus Dispatch on December 12, 2004, states:

[John] Kerry understands that Bush legitimately won the election, which was why he conceded on November 3rd. Those who claim that Ohio's vote was rigged have produced nothing that approaches credible evidence.

An editorial that appeared on Tuesday, January 4, just this week, in my hometown newspaper, the Cleveland Plain Dealer, said:

The 176 Democrats who sit on Ohio's county election boards pondered their jurisdictions' results, accepted their subordinates' good work, and are turning their energies toward the future.

Across the country, people are moving forward after nearly 2 years of a continuous political campaign for the Presidency.

This country deserves to be able to put this undisputed election to rest. We need to stop wasting time and move on to the serious issues facing our Nation.

I yield the floor.

The PRESIDENT pro tempore. Is there any Senator who has not spoken who wishes to speak?

The Senator from Mississippi.

Mr. LOTT. Mr. President, realizing that I have the 5-minute allocation, I make a parliamentary inquiry about where we are. If there are no further speakers, is the Chair going to be prepared to put the question so that there would be a recorded vote?

The PRESIDENT pro tempore. The yeas and nays have been ordered and the question will be placed before the body.

Mr. LOTT. Mr. President, I think the case has been made. I think this was an unfortunate procedure. This process which we have been through was an inauspicious and unfortunate beginning of our session. I hope it does not have a lasting negative impact. But the Senator from California, Mrs. BOXER, made her case, others have responded, and I don't think it merits any further response. I, therefore, think we should be prepared to vote.

I yield the floor.

Mr. MCCONNELL. Mr. President, 204 years ago, Thomas Jefferson took the oath of office as President of the United States in this very Capitol. He was the first President ever to do so. As he walked from a boardinghouse on Pennsylvania Avenue toward this building on the morning of his inauguration, he must have marveled at what was about to take place.

For the first time in American history, power was changing hands from one party—the Federalists—to the other, the Democratic-Republicans. John Adams willingly left office. No shots were fired, and no monarchs were hanged. Unlike their brethren in Europe, Americans, under our glorious Constitution, had mastered the peaceful transfer of authority from one faction to another. Jefferson called his election the "revolution of 1800," brought about "by the rational and peaceful instruments of reform, the suffrage of the people."

But America's tradition of this peaceful transfer of power is now being challenged.

The obstruction of the counting of the electoral vote undermines the tradition that Jefferson and Adams established. By blocking this vote when there is no possibility whatsoever of overturning the result, the legitimacy of our republican form of government is questioned. I am sure that is not the intention of my colleagues who have forced us to debate this. Yet it is undoubtedly the result.

I understand that a minority of a minority protests the presidential vote in the State of Ohio. But President Bush has indisputably won that State by over 118,000 votes, and the votes have been counted twice.

Some of my colleagues have claimed that, even though they agree that President Bush has won Ohio, they must take this opportunity to speak about the need for electoral reform. I submit that hijacking a presidential election to use as a personal soapbox is shameful.

Electoral reform may very well be desirable—for as long as people administer elections, elections will be imperfect. There will always be some irregularities, most due to innocent mistake, some to outright fraud. We should absolutely do everything possible to combat this.

But if electoral reform is needed, Senators should introduce legislation. They should not obstruct a legitimate count of the electoral votes where there is an unequivocal victor. They should not trample on the proud republican government our Founding Fathers bequeathed us. They should not mock the beautiful concept that sovereignty lies with the people, while our troops are fighting and dying to plant that concept in the soil of Iraq.

Even the junior senator from Massachusetts has not endorsed the radical scheme that a minority of a minority has unleashed on us today. In an e-mail to supporters yesterday, Senator KERRY said that he would not participate in this petulant protest but, rather, will propose legislation to address perceived deficiencies in our electoral system. This is the only proper route to take, and history will applaud Senator KERRY for disavowing what is happening here today.

This is an ignominious beginning to the 109th Congress. Last month I spoke about the desire on this side of the aisle to work with our colleagues in the other party to get things done for the American people in a spirit of bipartisanship. I'm still holding onto that hope. I appeal to cooler heads on the other side of the aisle: Don't let a fraction of your number march you down a dead end.

The words that we say here today amount to little against the fact that in 2004, the President won an overwhelming victory in Ohio and 30 other States, and received 286 electoral votes. Years from now, that fact will still be obvious. I hope that the damage done from this assault on our traditions is not.

Mr. President, I yield the floor.

The PRESIDENT pro tempore. Is there any Senator who has not spoken who wishes to speak on this issue?

If not, the question is, Shall the objection submitted by the gentlewoman from Ohio, Ms. TUBBS JONES, and the Senator from California, Mrs. BOXER, be sustained?

The yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. MCCONNELL. The following Senators were necessarily absent. The Senator from Virginia (Mr. ALLEN), the Senator from Kentucky (Mr. BUNNING), the Senator from Montana (Mr. BURNS), the Senator from Idaho (Mr. CRAIG), the Senator from Nevada (Mr. ENSIGN), the Senator from Tennessee (Mr. FRIST), the Senator from Texas (Ms. HUTCHISON), the Senator from Arizona (Mr. MCCAIN), the Senator from Alaska (Ms. MURKOWSKI), the Senator from Alabama (Mr. SHELBY), the Senator from Rhode Island (Mr. CHAFEE), the Senator from Indiana (Mr. LUGAR), the Senator from Florida (Mr. MARTINEZ), the Senator from Wyoming (Mr. THOMAS).

Further, if present and voting, the Senator from Louisiana (Mr. VITTER), the Senator from Oklahoma (Mr. INHOFE), the Senator from Arizona (Mr. KYL), and the Senator from Arizona (Mr. MCCAIN) would have voted "nay".

Mr. DURBIN. I announce that the Senator from Hawaii (Mr. AKAKA), the Senator from Indiana (Mr. BAYH), the Senator from New Mexico (Mr. BINGAMAN), the Senator from New Jersey (Mr. CORZINE), the Senator from California (Mrs. FEINSTEIN), the Senator from Massachusetts (Mr. KERRY), the Senator from Louisiana (Ms. LANDRIEU), and the Senator from Washington (Mrs. MURRAY) are necessarily absent.

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

The result was announced—yeas 1, nays 74, as follows:

[Rollcall Vote No. 1, Joint]

YEAS—1

Boxer

NAYS—74

Alexander	Dodd	Lincoln
Allard	Dole	Lott
Baucus	Domenici	McConnell
Bennett	Dorgan	Mikulski
Biden	Durbin	Nelson (FL)
Bond	Enzi	Nelson (NE)
Brownback	Feingold	Obama
Burr	Graham	Pryor
Byrd	Grassley	Reed
Cantwell	Gregg	Reid
Carper	Hagel	Roberts
Chambliss	Harkin	Rockefeller
Clinton	Hatch	Salazar
Coburn	Inouye	Santorum
Cochran	Isakson	Sarbanes
Coleman	Jeffords	Schumer
Collins	Johnson	Sessions
Conrad	Kennedy	Smith
Cornyn	Kohl	Snowe
Crapo	Lautenberg	Specter
Dayton	Leahy	Stabenow
DeMint	Levin	Stevens
DeWine	Lieberman	

Sununu  
Talent

Thune  
Voinovich

Warner  
Wyden

NOT VOTING—25

Akaka	Ensign	Martinez
Allen	Feinstein	McCain
Bayh	Frist	Murkowski
Bingaman	Hutchison	Murray
Bunning	Inhofe	Shelby
Burns	Kerry	Thomas
Chafee	Kyl	Vitter
Corzine	Landrieu	
Craig	Lugar	

The PRESIDING OFFICER. The objection is not sustained.

Mr. MCCONNELL. Mr. President, I move to reconsider the vote and to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Secretary will notify the House of the action of the Senate, informing that body that the Senate is now ready to proceed to joint session with further counting of the electoral vote for President and Vice President.

#### INDIAN OCEAN TSUNAMI RELIEF ACT

The PRESIDING OFFICER. Under the previous order, H.R. 241 having been received from the House, the bill is considered read the third time and passed, and the motion to reconsider is laid on the table.

The bill (H.R. 241) was read the third time and passed.

Mrs. FEINSTEIN. Mr. President, I rise today to express my support for the resolution submitted this week by Senator FRIST and Senator REID expressing sympathy and support for the victims of the devastating earthquake and tsunami.

Words cannot begin to describe my emotions when I first learned of the scope of the disaster and the loss of life. More than 140,000 people from 12 nations have perished to date and the number could double or triple as a result of infectious diseases spread in the disaster's aftermath.

The victims, their families, and all the affected countries are truly in my thoughts and prayers. When I visit the Indonesian Embassy this week to sign the condolence book, I will do so with a heavy heart but also a commitment to ensure that we do everything in our power to help in the rescue, recovery, and reconstruction efforts.

I welcome the President's commitment to provide \$350 million in relief and as a member of the Senate Appropriations Committee, and I stand ready to do my part to designate a robust and comprehensive aid package. Initially, we must provide emergency supplies such as water, sanitation, food, and shelter to prevent the spread of disease and give people hope.

There is little time to lose.

Yet our work and our commitment must not end there. Together with our friends and allies in the international community, the United Nations, and vital organizations such as the Red Cross we will develop a long term relief

and reconstruction plan with substantial funding. Too often when a disaster leaves the headlines and the top of the news broadcasts, we forget that the work has only just begun and the victims and their families need to know that we are with them for the long haul.

Indeed, this is an important opportunity to show the world the best of America and the American people.

Americans have already donated more than \$100 million through non-governmental organizations to support relief efforts and thousands more stand ready to volunteer their time, energy, and skills.

And I am confident that President George H.W. Bush and President Bill Clinton will do an excellent job in leading a nationwide charitable fundraising effort to sustain awareness about the disaster and raise additional assistance.

We are a generous, giving, and caring people and through our actions we will earn the world's respect and admiration. We will show the victims and their families that America is always ready to help a neighbor and a friend in need.

I am pleased the resolution was passed by Unanimous Consent.

#### JUDICIAL NOMINATIONS

Mr. DURBIN. On Tuesday of this week, the majority leader came to the Senate floor and talked about judicial nominations. He said he was planning to have a vote next month on one of President Bush's judicial nominees. He didn't say which nominee he had in mind, but he gave a clear signal that it would be someone controversial. He warned that if Senate Democrats prevent the nominee from receiving an "up or down" vote, then he would try and change the rules and traditions of the U.S. Senate.

I am sorry to see that the majority leader chose to sound such a partisan note on a famously bipartisan day—the first day of the new Congress. On such a day, we swear in our new colleagues and strive for a fresh start.

I do not believe this is the time or the place to engage on this issue. There are too many other, more urgent problems facing this world and this Nation.

But it is important to address a few statements made by the majority leader that I believe are in error.

First, he stated that "the Senate failed to perform in an essential constitutional duty" last Congress when we blocked ten judicial nominees. He said that the Senate "failed to offer advice and consent to the President" and indicated this was an unconstitutional action on the part of Senate Democrats.

I do not believe that the Senate acted unconstitutionally. The Constitution requires advice and consent—it does not require us to be a rubberstamp. I could just as easily assert that President Bush acted unconstitutionally by

not soliciting the advice of Senate Democrats before nominating most of his nominees. After all, Article II, Section 2 of the Constitution requires the advice and consent of the Senate.

There is no constitutional right for any President to have 100 percent of his judicial nominees confirmed. During President Bush's first term, the Senate confirmed 204 judicial nominees. President Bush had more judicial nominees confirmed in his first term than the previous three presidents had in theirs.

A second error made by the majority leader was his statement that "these filibusters were unprecedented." Filibusters of judicial nominees are hardly unprecedented. The majority leader voted to filibuster some of President Clinton's nominees in the 1990s.

But the facts show that President Bush's judicial nominees have received far better treatment than President Clinton's. At least 61 of President Clinton's judicial nominees—representing 20 percent of his selections—were denied an "up or down" vote on the Senate floor. In fact, they were denied an "up or down" vote in the Judiciary Committee. The majority leader did not mention this critical statistic when he spoke on Tuesday.

I also take issue with his statement that "I seek cooperation not confrontation." If he truly meant that, he would not threaten to change the Senate rules and traditions next month. If he truly meant it, he would have urged the White House not to re-nominate those nominees who were rejected by the Senate last Congress. If he truly meant it, he would have done what Senator HARRY REID did last month and send a letter to the White House urging the President to engage in bipartisan collaboration in the selection of Federal judges.

Finally, I wish to note the majority leader's surprising rejection of the longstanding tradition of the Senate as a continuous body. In his statement, he said that "I do not acquiesce to carrying over all the rules from the last Congress" and he specifically named Rule 22 as the rule he objected to. This is the rule that permits 41 Members of the Senate to prevent a vote on any measure, motion, or other matter pending before the Senate.

All of us who have served in the House and the Senate know that one of the most basic differences between our chamber and the House is that the Senate is a continuing body and the House is not. In other words, the Senate does not have to reorganize itself each new Congress by adopting new rules and electing new leaders. The House, on the other hand, must do so.

It is my hope that the 109th Congress can operate with more bipartisanship and less acrimony than the previous Congress on the issue of judicial nominations. But if my colleagues across the aisle try and change generations of Senate rules and traditions, it will not be good for this body, and it will not be good for the American people.

#### TRIBUTE TO CONGRESSMAN BOB T. MATSUI

Mrs. FEINSTEIN. Mr. President, I offer a few words about the passing of Bob Matsui, one of California's great political leaders.

Bob was one of those people who you always thought would be there. His death has come as a great shock and surprise to many.

I extend my deep sorrow to Doris, Brian, and the rest of the Matsui family. You are in my thoughts and prayers.

Throughout his career his wonderful wife Doris has been by his side. One of the things I remember most about the two of them is the wonderful smile she always had whenever they walked into a room together. They truly were a fine couple.

I would also like to offer my sympathy to everyone in the Sacramento area—you were so well served by this wonderful man. He has done a fantastic job representing you in Washington for the last 26 years and before that on the Sacramento City Council.

I have known Bob Matsui for a long time. I will remember him as a great human being, as a trusted colleague, as a fine public servant, and someone in whom I was very proud to place friendship, respect, and collegiality.

Bob was a superb public servant. He was a thoughtful, constructive leader who brought people together to find solutions for public policy issues. He was a reasoned voice; he was a dependable voice.

When we faced a problem related to the Folsom Dam, Bob was one of the most constructive figures in getting that very divided issue settled.

Bob was also a good thinker and a strong thinker. People knew that when Bob Matsui said something that it was steeped in practicality. He was well respected and influential among his colleagues.

If Bob told me something was true, I knew it was true and not some variation of the facts. This is an important quality in someone who represents others because it gives them credibility among their colleagues. Bob Matsui had that credibility.

We have all heard the story of Bob's family and their internment at the Tule Lake Camp in 1942. I think this probably had a very sobering impact on his life.

I think he knew what could happen in situations of stress and military conflict. I think it presented a challenge to him as a young man growing up. He clearly overcame that challenge and I think it probably had an impact in his knowing what he wanted to do with his life, and that was public service.

One of Bob's most significant legacies will be the work he did to help the government make amends with the Japanese Americans who were interned during World War II.

As a member of Congress, Bob was successful in passing legislation that

offered a formal apology from the government for the internment program and provided compensation to victims. This is a great legacy and it will be well remembered.

Another of the areas in which Bob excelled is his knowledge and expertise of Social Security as well as tax and trade policy. He had an influential place on the House Ways and Means Committee. His leadership there will be missed.

Bob did what he did extraordinarily well. Throughout his career he showed that he was a skilled politician as well as a great policymaker.

In addition to his duties as a House Member, he took on heading the Democratic Congressional Campaign Committee this past election cycle—a particularly demanding and grueling position. Despite the enormous challenges he faced, he did a superb job in guiding the committee through the elections.

Throughout his long and distinguished career Bob Matsui proved to be a dedicated public servant and his constituents considered themselves lucky to have his representation. I consider myself lucky to have known him.

We will truly miss him.

Mr. BAUCUS. Mr. President, I rise today to join my colleagues in expressing sympathies to the family of Representative Bob Matsui, who passed away over the weekend. I was shocked and saddened to hear the news about our old friend.

While few Montanans may know Bob Matsui, he did embody one trait Montanans are familiar with. He was always willing to reach out to those across the aisle to get the job done. He and I shared this work philosophy on free trade especially. He was a tireless advocate in the Congress for America's trade agenda and was essential to the enactment of many historic international agreements.

We will surely miss his leadership on critical issues this next Congress, such as Social Security, one issue where the American people expect and deserve a healthy, vigorous, and open debate. And for that type of debate, you could certainly count on Bob Matsui to deliver.

Despite starting his life as a child unjustly interned by his own Government during World War II, Bob later rose to serve in that very Government at its highest echelons, as a Member of Congress. How proud his family must have been to see this dynamic man elected to public office, where he championed legislation to apologize for the internment of Japanese American families such as his. Overcoming obstacles and injustices to rise to a level of public admiration, respect, and trust may sound like a Hollywood story; to Bob, though, it was his life story.

Wanda and I send our prayers and sympathies to his family; his wife Doris, son Brian, daughter-in-law Amy, and granddaughter Anna. He will be greatly missed by us all.

Mr. SARBANES. Mr. President, it is with great sorrow that I mark the pass-

ing of Representative Robert Matsui. In his quarter-century of service representing California's Fifth District in the House of Representatives, Robert Matsui won the deep respect and affection of everyone who ever worked with him. When he first ran for Congress, in 1978, he pledged to bring to the office "a new form of statesmanship." For more than 25 years, on a daily basis, he fulfilled that promise, and his constituents honored him for it. This past November they returned him to the Congress for his fourteenth term, with 71 percent of the vote.

Bob Matsui was a third-generation Japanese American. Like so many of us, he was part of a family that had come to the United States for the great opportunities this country offers, to build a better life for their children. Because Bob Matsui's family was Japanese-American, however, he and his parents were taken from their home in Sacramento in 1942, following the Japanese attack on Pearl Harbor. They were interned for more than three years at Tule Lake, in one of the "relocation centers" specifically created for Japanese Americans. Bob Matsui himself was very young at the time—barely 6 months old at the time of internment, not yet 4 years old when the war ended but he felt deeply the confusion and anguish of the adults around him. Yet he never lost faith in his country and in himself. Inspired by the Kennedy administration to enter public service, he dedicated his professional life to serving and protecting the rights of all Americans, first as a lawyer and then as a public official. He served 8 years on the Sacramento City Council before entering the Congress. But the experience of his early childhood never left him, and in 1988 he was instrumental in ensuring enactment of the Japanese American Redress Act, which offered recognition of the terrible, unconstitutional wrongs done to Japanese Americans.

As a senior member of the House Ways and Means Committee, Bob Matsui worked unstintingly to assure the safety net for those most in need: children, seniors, the disabled, the poor and others who needed an advocate. As the ranking minority member of the Social Security Subcommittee, he was one of the Social Security system's best-informed and most eloquent advocates in the Congress. No one understood better than he the indispensable role that Social Security plays in assuring basic standards of security and dignity to Americans when their working years are over, and no one was more dedicated to keeping the system intact. Robert Matsui believed in the social insurance system that Rockefeller created to care for retirees, but we as a society expanded to care for younger citizens in need, the disabled, widowed and survivors. He made politics personal, and because he cared so deeply for others, he was able to be a real leader in this realm. His voice will be sorely missed.

Congressman MATSUI leaves a legacy of extraordinary integrity, commitment and strength. It is fitting that in his memory Bob Matsui's family and friends have established The Matsui Foundation for Public Service, which will carry forward the principles to which he dedicated his life. I express my deepest sympathies to his wife, Doris Okada, his son Brian, daughter-in-law Amy, and granddaughter Anna, and thank them for sharing him with us these many years.

#### U.S. FOREST SERVICE PLANNING REGULATIONS

Mr. COCHRAN. Mr. President, on December 22, 2004, The U.S. Department of Agriculture Forest Service published a final rule that will streamline the process used by the Forest Service in revising forest management plans.

I am pleased that the Department completed work on this important regulation. Ultimately, this rule will help local forest managers provide future generations with healthier forests, cleaner air, cleaner water and more abundant wildlife through more efficient management of our forests and grasslands. I am also pleased that this regulation builds upon one of the important lessons we learned during consideration of the Healthy Forests Restoration Act in the 108th Congress: emphasis on actual forest management rather than administrative paperwork. This will result in our forest managers being able to undertake important forest health projects rather than be overburdened with administrative processes.

Although the final planning rule is very comprehensive, I would like to point out several key components: It will for the first time incorporate implementation and outcome assessment into the forest planning process, which will ensure that the forest planning process is a dynamic one that can quickly adjust to changing conditions. As we learned with the Healthy Forest Restoration Act, a dynamic management system allows the Forest Service to address the most time-sensitive forest health issues such as wildfire, invasive species, or disease. It incorporates meaningful public participation throughout the planning process, and ensures that the best available scientific information will be used in decision making. It contains a process that will fairly and objectively allow us to see whether the Forest Service is getting the job done. This reporting process will rely on independent reviews of Forest Service land management, will measure actual results against intended outcomes, and will incorporate an audit process to produce publicly available results. Finally, and most importantly, this rule will streamline the planning process, which in turn will save the Forest Service both time and money. The current forest plan takes between 5 and 7 years; under the new regulation the anticipated timeframe is between 2 and 3 years. These

savings in both time and money will allow our land managers to more quickly complete on-the-ground projects to improve the health of our Nation's forests.

For too long our Nation's forests have been imperiled because of a planning process that is too cumbersome and takes too long, and usually results in forest plans that are out-of-date by the time they are finished. I applaud the efforts of the U.S. Forest Service to streamline our Nation's forest planning process to reduce red tape and paperwork. I am hopeful that this final rule will provide further tools for the U.S. Forest Service in appropriately managing our Nation's forests.

#### MAKING A COMMITMENT

Mr. LEVIN. Mr. President, as we begin a new Congress, I am hopeful that the Senate will consider and pass sensible gun safety legislation for the benefit of our families, communities, and police officers. The 109th Congress has the opportunity to act together on a bipartisan basis to pass legislation that will make our streets safer for all Americans.

In order to achieve a reduction in gun violence, we must commit ourselves to enacting legislation that supports this goal. The 108th Congress missed numerous opportunities to have a positive impact on safety in our communities across the nation. In the last Congress, we did not close the gun show loophole, we did not reauthorize the 1994 assault weapons ban, and we failed to make needed improvements to the National Instant Criminal Background Check System that would have made it more difficult for convicted criminals to gain access to guns.

Combating gun violence also requires a commitment to funding effective gun violence prevention and enforcement programs. Unfortunately, the Fiscal Year 2005 omnibus appropriations bill signed by the President in December eliminated much of the funding for one of these programs, known as Project Safe Neighborhoods.

The Project Safe Neighborhoods initiative focuses on increased enforcement of existing gun laws, vigorous prosecution of crimes committed with handguns, and gun violence prevention education. The project supports organizations working against gun violence and has provided over \$1 billion in funding to help prosecute gun crimes, hire personnel, provide training, and assist with community outreach activities. It is critical that we provide adequate resources to programs like the Project Safe Neighborhoods initiative in order to more effectively address the gun violence epidemic in this country.

I urge my colleagues to join me in working to adequately fund effective gun violence reduction programs and enact sensible gun safety legislation that will help to make our communities safer.

#### HONORING OUR ARMED FORCES

CORPORAL JASON SCOT CLAIRDAY

Mrs. LINCOLN. Mr. President, I rise today, to honor a young man from Arkansas who had a passion for life, a gift for bringing smiles to the faces of those around him, and a sense of duty toward the country and the people he would serve with honor. Jason Scot Clairday was a loving husband, son, brother and friend. He was also a brave soldier who died a hero, trying to bring freedom to a people he had never met in a country he had never known.

Cpl. Clairday was the type of person others were naturally drawn to. He showed a genuine interest in their well-being and his gentle nature and infectious smile could brighten the darkest of moods. It was apparent to everyone around him that he approached every day with a rare enthusiasm and love for life. The youngest of three boys was often found playing sports or fishing and hunting along a nearby creek, enjoying the outdoors and the time spent with his friends and family. After moving to the small northern Arkansas town of Salem, he did what he did best, made friends, and quickly distinguished himself by excelling in high school athletics and becoming an active member of the First Baptist Church.

Cpl. Clairday enlisted in the United States Marine Corps shortly after graduating from Salem High School in 2001. It was a decision he was proud to make and members of the First Baptist Church remember the pride with which he wore his Marine dress blues while attending service. On July 30, just weeks prior to his deployment to Iraq, Cpl. Clairday married the love of his life, Sarah. After his military service, he looked forward to returning home to be with her, attending Arkansas State University at Mountain Home, and building a family life. He felt his experience in the Marine Corps was a way to better prepare him for that future.

While in Iraq, Cpl. Clairday sometimes spoke with friends and loved ones of liberating the war-torn country and making a better life for the Iraqi people. While he never talked much about the war, he preferred instead to talk about the end of his enlistment in the spring, the future and coming home to be with his new wife and his family. Sarah last spoke with her husband on December 3rd, when he was scheduled to enter Fallujah for 10 days with his fellow marines in an attempt to bring greater stability to the city prior to the Iraqi national elections slated for January. At the conclusion of the 10 days, he was to be granted a 2-day leave. Tragically, he was killed by enemy fire on December 12th, a day before he was to leave the area.

At his memorial service in Camp, Arkansas, more than 600 people would come to pay their respects to their fallen Arkansas soldier. At the conclusion of the service, Cpl. Clairday was buried with full military honors. The flag that had draped his casket was presented to

his young widow with the Purple Heart that he had posthumously earned for his gallant service on behalf of a grateful nation.

When we think of Jason Clairday, we will remember that he gave himself completely to every aspect of his life; his family, his community, and his country. The legacy of his 21 years is a testament to who he was. The love, the humor, the selflessness, and the passion with which he taught us to live our lives, will remain with us forever. My thoughts and prayers go out to his wife, Sarah, to his family, and to all those who knew and loved him.

SERGEANT MICHAEL A. SMITH

Mr. President. Today, I humbly rise to pay tribute to the life of Michael A. Smith and to honor the sacrifice he made on behalf of a grateful nation. Sergeant Smith was a friendly, easy-going young man who had one of those rare personalities that allowed him to quickly make friends with everyone he met. He was also a brave soldier, who died a hero, fighting for the beliefs, the people and the country he cared for deeply.

Sgt. Smith was born and raised in the small, southern Arkansas town of Camden. There, he is remembered by those who knew him best as a good and gentle soul, who was always concerned about the welfare of others, and often went out of his way to help them whenever they were in need. Upon his 1999 graduation from Camden Fairview High School, Sgt. Smith set his sights on Southern Arkansas University Tech. Attending the university would allow him to stay close to his family in Camden while pursuing his interest in computers. To help pay his way through college, Sgt. Smith joined the Arkansas Army National Guard. Once he completed his military service, he had plans to return home and begin his education.

Sgt. Smith became a member of the Guard's 39th Support Battalion. He was later called up to serve in Operation Iraqi Freedom, where he was stationed at Camp Taji, about 16 miles northwest of downtown Baghdad. To his comrades in the 39th, "Smitty" quickly became one of the guys; a dedicated soldier who never complained, always did his duty, and could be entrusted with the lives of those around him.

This November, family and friends of Sgt. Smith were excited with the news that he would be taking his leave of service, and would possibly be home before Thanksgiving. Tragically, 5 days before he was set to return to Arkansas, he was shot by a sniper while conducting patrols in Baghdad. As a result of the injury, he was flown to Landstuhl Army Medical Center in Germany and then to Walter Reed Medical Center in Washington, DC. His parents, Donald Ray and Deborah and his sister, Lai, came to visit him in the hospital's intensive care unit. Although Sgt. Smith never regained consciousness in his 2 weeks at Walter Reed, his family was with him in his

final moments before he passed away on November 26.

At his memorial service in Camden, Sgt. Smith's coffin, surrounded by red, white, and blue flowers, was placed at the front of his high school gymnasium. Throughout the service and in the aftermath of his son's passing, Donald Ray Smith described the outpouring of love from the community as "remarkable." It was a testament to the gratitude of a community fully aware of the ultimate sacrifice paid by their fallen Arkansas soldier in the name of freedom.

In the 24 years Michael Smith was with us, the impressions he made and the lives he touched will never be forgotten. Although he will be deeply missed by us all, it is his selflessness, his courage, and his heart that we will remember when we think of him. My thoughts and prayers go out to Donald Ray, Deborah, Lai, and the rest of his family, friends and loved ones.

#### SERGEANT JEREMY R. WRIGHT

Mr. BAYH. Mr. President, I speak today with a heavy heart and deep sense of gratitude in honor of the life of a brave young man from Shelbyville, IN. SGT Jeremy R. Wright, 31 years old, died on January 3 during a patrol when the vehicle he was riding in was struck by a roadside bomb near Kabul. With his entire life before him, Jeremy risked everything to fight for the values Americans hold close to our hearts, in a land halfway around the world.

A 1992 graduate of Southwestern High School, Jeremy went on to attend Wabash College where he won the NCAA Division III Great Lakes regional title in 1993 for distance running and graduated with honors as a chemistry major. Jeremy joined the Army in 2002, pursuing his long-time fascination with the military. Like most things Jeremy set his mind to, he was successful in his military career, becoming a member of the elite Green Beret. Wabash spokesman Jim Amidon shared memories of the former student with the Associated Press, saying his "rare combination of intellect, courage, discipline and passion made him a naturally brilliant distance runner . . . Those are the same qualities that made him a fine soldier, too, the kind of officer our country needs in the military."

Jeremy was killed while serving his country in Operation Enduring Freedom. He was assigned to the 2nd Battalion, 1st Special Forces Group, Fort Lewis, WA. This brave young soldier leaves behind his mother, Jackie Nickel and his father, Dale Wright.

Today, I join Jeremy's family, his friends and the entire Shelbyville community in mourning his death. While we struggle to bear our sorrow over this loss, we can also take pride in the example he set, bravely fighting to make the world a safer place. It is his courage and strength of character that people will remember when they think of Jeremy, a memory that will burn

brightly during these continuing days of conflict and grief.

Jeremy was known for his dedication to family and his love of country. Today and always, Jeremy will be remembered by family members, friends and fellow Hoosiers as a true American hero and we honor the sacrifice he made while dutifully serving his country.

As I search for words to do justice in honoring Jeremy's sacrifice, I am reminded of President Lincoln's remarks as he addressed the families of the fallen soldiers in Gettysburg: "We cannot dedicate, we cannot consecrate, we cannot hallow this ground. The brave men, living and dead, who struggled here, have consecrated it, far above our poor power to add or detract. The world will little note nor long remember what we say here, but it can never forget what they did here." This statement is just as true today as it was nearly 150 years ago, as I am certain that the impact of Jeremy's actions will live on far longer than any record of these words.

It is my sad duty to enter the name of Jeremy R. Wright in the official record of the United States Senate for his service to this country and for his profound commitment to freedom, democracy and peace. When I think about this just cause in which we are engaged, and the unfortunate pain that comes with the loss of our heroes, I hope that families like Jeremy's can find comfort in the words of the prophet Isaiah who said, "He will swallow up death in victory; and the Lord God will wipe away tears from off all faces."

May God grant strength and peace to those who mourn, and may God be with all of you, as I know He is with Jeremy.

#### TRIBUTE TO JERRY EHRENFREUND

• Mrs. HUTCHISON. Mr. President, I take this opportunity to honor and pay tribute to a distinguished individual, Jerry Ehrenfreund, who served as Chief Clerk in the Office of Printing Services from 1985 to 1990.

Mr. Ehrenfreund spent a lifetime in dedicated service to his country, serving in the Army and working for the Federal Government. In 1969, he began working for the Government Printing Office and worked on the staff which compiled the Federal Register. Shortly thereafter he was detailed to the Senate where he became the staff printer on the Senate Select Committee on Nutrition and Human Needs and, later, the staff printer for the Senate Foreign Relations Committee. Mr. Ehrenfreund truly exemplified the positive work ethic and dedication to his job and was named the Chief Clerk in the Office of Printing Services in 1985. In 1990 he retired from the staff of the Secretary of the Senate and retired to Katy, TX.

Mr. Ehrenfreund passed away on July 14, 2004. His work in the Senate deserves special recognition, and I know

my colleagues will join me in honoring him. Mr. Ehrenfreund was held in high regard by all who knew him and will be deeply missed by his wife of 48 years, Sylvia, their two daughters and five grandchildren.●

#### ADDITIONAL STATEMENTS

#### IN RECOGNITION OF THE NATIONAL FUNERAL DIRECTORS ASSOCIATION

• Mr. KOHL. Mr. President, I recognize the fundraising efforts of the National Funeral Directors Association NFDA. The NFDA is the largest funeral service organization in the world and is dedicated to funeral service professionalism and quality.

The recent tsunami tragedy in South Asia has created a desperate need for monetary donations to charitable organizations participating in the relief effort. In a direct response to President Bush's nationwide appeal to assist tsunami victims, the NFDA has established the Funeral Service Asian Relief Fund. The NFDA has asked its members, funeral service suppliers, and domestic and international allied organizations to contribute to this endeavor. All contributions will be directed to an appropriate charitable organization.

The generosity and caring of the funeral service industry was demonstrated during past humanitarian crises such as the September 11th terrorist attack and the Oklahoma City bombing. This new effort further proves the commitment of the NFDA to utilizing its resources for the benefit of those experiencing great hardship. I commend the charity of the members of the National Funeral Directors Association during this time of need in South Asia.●

#### HAYES CENTER AND VILLA HAYES

• Mr. NELSON of Nebraska. Mr. President, Hayes Center is in the southwestern part of my home state of Nebraska. Villa Hayes is in the southwestern part of the Republic of Paraguay. I rise today to highlight the unusual connection between these two towns, named for the same American President, which have forged strong ties despite the distance between them. Thanks to a historian's efforts, these towns share a bond that affirms the power of international friendship and the enduring legacy of President Rutherford B. Hayes.

In 1878, President Hayes arbitrated a boundary dispute between Paraguay and Argentina, awarding new territory to Paraguay. The country named a department and a city, near the national capital of Asuncion, for him. John Fatherley of Chicopee, MA, is a historian who studies President Hayes. During college studies in Paraguay, he learned about the country's respect for our 19th President, whose decision in 1878 enlarged Paraguay by 30 percent.



Mr. Fatherley has since sought to promote ties between Hayes Center and Villa Hayes. He has traveled to Nebraska to educate Hayes Center students about the President for whom their town is named. He has also brought documents on President Hayes from the U.S. to Paraguay. In return, Villa Hayes presented Mr. Fatherley with its town seal, which he donated to the Hayes Center Historical Society in Nebraska.

Nebraskans are fortunate to share this connection with our South American friends and to have benefited over the years from Mr. Fatherley's admirable efforts. He has promoted international cooperation between Nebraskans and Paraguayans and honored the memory of a president too often forgotten. In an age when the well-being of any nation depends on so many others, it is more important than ever to strengthen the ties between Americans and our fellow human beings around the world.

I wish to express my admiration, therefore, for Mr. Fatherley and the towns of Hayes Center, NE, and Villa Hayes, Paraguay. Mr. Fatherley's work has revealed a small but important piece of common ground between the United States and Paraguay. He has also taught students in a small Nebraska community about the world beyond their walls. Both these things are essential to continued American prosperity and leadership in these challenging times.●

#### 150TH ANNIVERSARY OF WARRENSBURG, MISSOURI

● Mr. TALENT. Mr. President, I rise today to salute the citizens of Warrensburg, MO, in celebration of their 150th anniversary as an incorporated town.

The town of Warrensburg was incorporated in 1855 as a community proud of its heritage and loyal to the ideals, traditions and institutions that have contributed to the success and growth of the city.

Warrensburg prides itself as being a self-contained city with a vibrant employment base, excellent education system, active cultural scene, and many civic events and activities for residents to enjoy.

Warrensburg serves as the county seat for Johnson County, and is currently home to 17,075 residents who are served by an excellent school system which has been accredited with Distinction in Performance by the Missouri State Board of Education. The Warrensburg School System has also been named a Gold Medal School, ranking them among the Nation's top 18 percent of schools.

The community is also the proud home of Central Missouri State University, which has provided quality post-secondary education for more than 130 years. This comprehensive university annually serves nearly 14,000 students from all over the State, Nation, and

world, and offers more than 150 areas of study at the undergraduate and graduate levels.

The city's heartland work ethic and community pride make it a great place to do business, with several local companies which have grown into national and international prominence aided by the exceptional workforce and affordable business climate. Warrensburg is home of EnerSys, G.E. Transportation Systems, ThyssenKrupp Stahl Company, Swisher Mower, Bomag Paving Products, and the world headquarters of both Sigma Tau Gamma Fraternity and Carlyle Van Lines.

Warrensburg is also proud of its rich diversity, with over 35 different languages spoken within the Warrensburg School District, and over 30 faith communities gathering for worship and service each week.

Warrensburg is also the boyhood home of John William "Blind" Boone, the legendary ragtime composer and piano player; home of the first gasoline-powered, push lawn mower invented by Leonard Goodall; the original self-propelled mower and the zero-turning radius riding lawn mower both invented by Max Swisher, who remains a Warrensburg resident; and Errett Lobban Cord, inventor of Cord Automobiles.

Finally, Warrensburg is also the hometown of Old Drum, the hunting dog for which Senator George Graham Vest's "Eulogy on the Dog" was delivered, coining the idea that "man's best friend is his dog."

I am honored to share Warrensburg's proud history and its sesquicentennial anniversary as a town with my colleagues, and I wish the people of Warrensburg all the best for the future.●

#### JOHN SACKETT RETIREMENT

● Mr. CRAPO. Mr. President, after years of faithful service and dedication to his work at Argonne National Lab, a friend and respected Idahoan, John Sackett, is retiring to pursue a quieter life with his family. John served in a number of positions in the Lab over the past 34 years, the most recent being director of Argonne National Lab West located at Idaho National Environment and Engineering Lab in southeast Idaho. He has earned international recognition and respect for his work in the areas of nuclear safety and advanced reactor design.

I have had the privilege of working with John the entire time I have served in Congress. Over the past 12 years, I have witnessed his steady leadership, commitment to the goals of the Lab and DOE. John and I share a fervent belief in the role of nuclear energy and research in economic, technological, security and energy sectors.

Perhaps what is most remarkable is that despite the tremendous demands of his work at Argonne, he finds the time to give back to his community, serving on numerous medical and eco-

nomic boards and councils in eastern Idaho as well as on the advisory boards of both the University of Idaho and Idaho State University.

Argonne National Lab's loss is certainly John's family's gain, as well as the gain of any organization in which he decides to invest his retirement energy. He has my best wishes in his retirement.●

#### HONORING DAVID L. DAY ON HIS RETIREMENT

● Mr. ALEXANDER. Mr. President, I rise today to honor David L. Day on his retirement from 35 years of public service as the Deputy Engineer for Programs and Project Management with the Nashville District, U.S. Army Corps of Engineers. During his 35 years of Federal service, 33 with the Corps of Engineers, from 1969 to present, Dave held a clear vision and achieved a remarkable string of successes in furthering the mission of the Nashville District and the U.S. Army Corps of Engineers. Dave has earned a reputation of being honest, fair, and professional with his coworkers. He began his career with the Nashville District in October 1998 when he was selected as the Deputy District Engineer for Programs and Project Management and is the senior civilian for the district with more than 800 employees and a \$140 million annual operating budget. The district provides Federal engineering, planning, construction, project management, real estate, and environmental services. His responsibilities included budgeting, planning, and executing Civil Works and Interagency and International Services programs under the project management business process.

Dave Day has distinguished himself as a leader in many ways during his tenure. He continuously has encouraged a culture of professional improvement, fostering team leadership and activity to meet district goals, while at the same time, taking care of the people with whom he works. Dave had a strong, positive impact on the morale of the district's Planning, Programs, and Project Management Division employees as well as Project Delivery Team members. He always made time to recognize deserving individuals or discuss any problem that arose. His genuine concern for every member of his team was reflected in his many messages, letters, awards, and hallway greetings.

Dave oversaw the operation of the Account Executive Program, which the Nashville District uses to establish and strengthen relationships with customers and find ways to meet regional and national needs. He also led the effort to partner, both formally and informally, with the States of Tennessee and Kentucky, Tennessee Valley Authority, TVA, Southeastern Power Association, SEPA, Tennessee River Valley Authority, TRVA, Tenn-Tom Waterways, Metro Nashville, and other

governmental and industry groups to maximize program and project accomplishments. Dave has been one of the strongest, most consistent driving forces behind the plan for the new \$320,000,000 lock on the Tennessee River at Chickamauga Dam. By bringing a TVA environmental impact statement up to Corps standards, he helped advance the authorization of and funding for this new lock. He also worked hard with TVA, SEPA, and SEPA's power customers to allow SEPA customers to fund rehabilitation of hydropower facilities in the Cumberland River basin, a first in the Great Lakes and Ohio River Division.

I extend warm congratulations to Dave Day on his retirement. He will be missed, but I know the citizens of Tennessee join me in wishing him all the best as he moves forward in life.●

#### IN RECOGNITION OF REVEREND GLORIA L. CHERRY'S RETIREMENT

● Mr. CARPER. Mr. President, I rise today in recognition of the Reverend Gloria L. Cherry upon her retirement. Pastor Cherry has served the state of Delaware for countless years and her leadership over that span of time has won her the respect and gratitude of our entire state. She has been, and remains, a trusted friend.

Pastor Cherry was born in New Church, VA, on July 3, 1935, to the late Marvin and Bertha Trader. She came to Delaware at a young age and attended Phillip C. Showell Elementary in Selbyville, DE, and received her high school education from Howard High in Wilmington, DE.

Pastor Cherry is the wife of the late Christopher H. Cherry. The two met and were married in Delaware on May 1, 1976. Gloria is the proud and beloved mother of five children, Larry Robinson, Garry Robinson, Addie Merchant, Bertha Hardman and Lorri Jamison; eight grandchildren, Ryan, Rodney and David Robinson, Willie Hardman, III, Christopher and Bobbie Merchant and Winston, Shavon and Dionna Jamison and one great grandson, Ryan Robinson, Jr.

Pastor Cherry was ordained in Spain in 1978 where she received her calling from God. She studied under Pastor Eliah Holland and became a licensed minister in 1980. In 1983, she founded the First United Church of Gospel Ministries which in 2004 was renamed the Healing Wings Christian Center.

Pastor Cherry's service has extended far beyond the church and well into the community. Through the First United Church of Gospel Ministries, she, along with a group of concerned citizens met to discuss the challenges facing young people such as teenage pregnancy, substance abuse and discipline issues. As a result, the Because We Care, Inc. community-based organization was formed. Through a grant from the Delaware Department of Services for Children, Youth and Their Families, Pastor Cherry founded the Because We Care

Alternative Middle School in Dover, DE. The Because We Care Alternative Middle School is a nonprofit agency that provides continuing education to Kent County middle school children who have been expelled or are on the verge of expulsion. The Because We Care Alternative Middle School serves the five school districts located within Kent County, DE. The program focuses on learning skills, life skills, social competencies and substance abuse/resistance training. Her successes with young people are hailed by Superintendents, Principals and parents alike.

By soliciting volunteers to act as caseworkers, mentors and activity aides, the youth are exposed to one-on-one relationships that routinely develop into long-time friendships. Pastor Cherry's philosophy is that children do not have discipline problems; they have 'love' problems. Too many of them live in homes bereft of love. Pastor Cherry believes that providing a stable learning atmosphere along with the love that every child needs, children can make the turn to a more positive life with their families.

In 1999, Pastor Cherry envisioned a homeless shelter for youths as a means of respite for parents and guardians who are struggling with employment and housing for their families. Through additional grants, donations, and blood, sweat and tears, her vision came to fruition through the building and leasing of 'Glory Hall.' Glory Hall is a dormitory style living facility that houses 18 youths. The Hall is equipped with a classroom, full-service kitchen and cafeteria, activity area and bedrooms—all built through Pastor Cherry's devotion and love for young people. This year, Glory Hall has been leased to an organization called South West Keys, a Texas based organization with agencies throughout the United States. This organization provides shelter for immigrant children until they are reunited with family members here in the United States.

Through Reverend Cherry's tireless efforts, she has made a profound difference in the lives of thousands of Delawareans. Upon her retirement, she will leave behind a legacy of commitment to public service for both her children and grandchildren and for the rest of us to follow. I thank her for the friendship that we share and for the inspiration that she provides through a lifetime of caring. Although Pastor Cherry is ending this particular chapter of her life, she will open the next chapter by continuing to crusade for those of us less fortunate. On behalf of all Delawareans, I congratulate her on a truly remarkable and distinguished career and extend to her my very best wishes for every success in the future. I wish her and her family only the very best in all that lies ahead for each of them.●

#### 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.)

#### AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE RUSSIAN FEDERATION EXTENDING THE AGREEMENT ON MUTUAL FISHERIES RELATIONS OF MAY 31, 1999—PM 1

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 jointly, pursuant to the order of January 30, 1975, as modified by the order of April 11, 1986; to the Committees on Foreign Relations; and Commerce, Science, and Transportation:

*To the Congress of the United States:*

Consistent with the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 *et seq.*), I transmit herewith an Agreement between the Government of the United States of America and the Government of the Russian Federation extending the Agreement Between the Government of the United States and the Government of the Russian Federation on Mutual Fisheries Relations of May 31, 1999, with annex, as extended (the "Mutual Fisheries Agreement"). The present Agreement, which was affected by an exchange of notes in Moscow on March 3, 2003, and January 30, 2004, extends the Mutual Fisheries Agreement to December 31, 2008.

In light of the importance of our fisheries relationship with the Russian Federation, I urge the Congress to give favorable consideration to this Agreement at an early date.

GEORGE W. BUSH.  
THE WHITE HOUSE, January 6, 2005.

#### MESSAGES FROM THE HOUSE

At 9:36 a.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has agreed to the following concurrent resolutions, without amendment:

S. Con. Res. 1. Concurrent resolution to provide for the counting on January 6, 2005, of the electoral votes for President and Vice President of the United States.

S. Con. Res. 2. Concurrent resolution to extend the life of the Joint Congressional Committee on Inaugural Ceremonies and the provisions of S. Con. Res. 93 and S. Con. Res. 94 of the One Hundred Eighth Congress.

The message further announced that the House has agreed to the following concurrent resolutions, in which it requests the concurrence of the Senate:

H. Con. Res. 1. Concurrent resolution regarding consent to assemble outside the seat of government.

H. Con. Res. 2. Concurrent resolution providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate.

The message also announced that the House has agreed to H. Res. 2, resolving that the Senate be informed that a quorum of the House of Representatives has assembled; that J. DENNIS HASTERT, a Representative from the State of Illinois, has been elected Speaker; and Jeffrey J. Trandahl, a citizen of the State of South Dakota, has been elected Clerk of the House of Representatives of the One Hundred Ninth Congress.

The message further announced that pursuant to section 1238(b)(3) of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (Public Law 106-398), the Minority Leader appoints Mr. Michael Wessel of Virginia, for a term of 2 years, to the United States-China Security Review Commission.

The message also announced that pursuant to section 1238(b)(3) of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (22 U.S.C. 7002), amended by division P of the Consolidated Appropriations Resolution, 2003 (Public Law 108-7), and the order of the House of December 8, 2003, the Speaker reappoints the following member on the part of the House of Representatives to the United States-China Economic and Security Review Commission: Larry Wortzel of Alexandria, Virginia, for a term to expire December 31, 2006.

The message further announced that pursuant to Senate concurrent resolution 2, One Hundred Ninth Congress, the Speaker reappoints as members of the Joint Committee to make the necessary arrangements for the Inauguration of the President-elect and the Vice President-elect of the United States on the 20th day of January 2005, the following Members of the House of Representatives: Mr. HASTERT of Illinois, Mr. DELAY of Texas, and Ms. PELOSI of California.

The message also announced that the House has agreed to H. Res. 11, resolving that the House has heard with profound sorrow of the death of the Honorable Robert T. Matsui, a Representative from the State of California.

Resolving, That a committee of such Members of the House as the Speaker may designate, together with such Members of the Senate as may be joined, be appointed to attend the funeral.

Resolving, That the Sergeant-at-Arms of the House be authorized and

directed to take such steps as may be necessary for carrying out the provisions of these resolutions and that the necessary expenses in connection therewith be paid out of applicable accounts of the House.

Resolving, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

At 12:56 p.m., a message from the House of Representatives, delivered by Ms. Niland, 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. 241. An act to accelerate the income tax benefits for charitable cash contributions for the relief of victims of the Indian Ocean tsunami.

The message further announced that pursuant to Senate concurrent resolution 1, One Hundred Ninth Congress, and the order of the House of January 4, 2005, the Speaker appoints as tellers on the part of the House to count the electoral votes: Mr. NEY of Ohio, and Mr. LARSON of Connecticut.

At 5:04 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House has rejected the objection submitted by the Representative from Ohio, Mrs. JONES, and the Senator from California, Mrs. BOXER, and is now ready to further proceed with the counting of the electoral votes for President and Vice President of the United States.

#### 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-4. A communication from the President of the United States, transmitting, pursuant to law, the Report to the Congress on Implementation of Public Law 107-228 Authority for Russian Federation Debt Reduction for Nonproliferation; to the Committee on Foreign Relations.

EC-5. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Spinosad; Pesticide Tolerance" (FRL7691-4) received on December 31, 2004; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Thiamethoxam; Pesticide Tolerance" (FRL7689-7) received on December 31, 2004; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Chlorothalonil; Re-establishment of Tolerance for Emergency Exemptions" (FRL 7691-1) received on December 31, 2004; to the Committee on Agriculture, Nutrition, and Forestry.

EC-8. A communication from the Administrator, Rural Utilities Service, Department

of Agriculture, transmitting, pursuant to law, the report of a rule entitled "7 CFR 1775, 1777, 1778, 1780, 1942, 3570, and 4274, 'Definition Clarification of State Nonmetropolitan Median Household Income'" (RIN0572-AB96) received on December 17, 2004; to the Committee on Agriculture, Nutrition, and Forestry.

EC-9. A communication from the Administrator, Rural Utilities Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "7 CFT 1775, Technical Assistance Grants" (RIN0572-AB75) received on December 17, 2004; to the Committee on Agriculture, Nutrition, and Forestry.

EC-10. A communication from the Administrator, Rural Housing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Servicing of Delinquent Community and Business Program Loans—Workout Agreements" (RIN0575-AC57) received on December 17, 2004; to the Committee on Agriculture, Nutrition, and Forestry.

EC-11. A communication from the Administrator, Poultry Programs, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Voluntary Shell Egg Grading Regulations—Facilities and Equipment" (RIN0581-AC33) received on December 31, 2004; to the Committee on Agriculture, Nutrition, and Forestry.

EC-12. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Hazelnuts Grown in Oregon and Washington; Establishment of Final Free and Restricted Percentages for the 2004-2005 Marketing Year" (Doc. No. FV05-982-1 IFR) received on December 31, 2004; to the Committee on Agriculture, Nutrition, and Forestry.

EC-13. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Oranges, Grapefruits, Tangerines, and Tangelos Grown in Florida; Change in the Minimum Maturity Requirements for Fresh Grapefruit." (Doc. No. FV05-905-1 IFR) received on December 31, 2004; to the Committee on Agriculture, Nutrition, and Forestry.

EC-14. A communication from the Congressional Review Coordinator, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Swine Health Protection" (Doc. No. 04-109-1) received on December 8, 2004; to the Committee on Agriculture, Nutrition, and Forestry.

EC-15. A communication from the Congressional Review Coordinator, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Importation of Clementines, Mandarins, and Tangerines from Chile" (Doc. No. 02-081-3) received on December 17, 2004; to the Committee on Agriculture, Nutrition, and Forestry.

EC-16. A communication from the Congressional Review Coordinator, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "User Fees for Agricultural Quarantine and Inspection Services" (Doc. No. 04-042-1) received on December 17, 2004; to the Committee on Agriculture, Nutrition, and Forestry.

EC-17. A communication from the Congressional Review Coordinator, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Emerald Ash Borer; Quarantined Areas" (Doc. No. 02-125-2) received on January 5, 2005; to the Committee on Agriculture, Nutrition, and Forestry.

EC-18. A communication from the Acting Inspector General, transmitting, pursuant to

law, the report of the Office of the Inspector General concerning alternative Medicare payment methodologies for the costs of training medical residents in nonhospital settings; to the Committee on Finance.

EC-19. A communication from the Acting Inspector General, Department of Health and Human Services, transmitting, pursuant to law, the report of the Office of the Inspector General concerning alternative Medicare payment methodologies for the costs of training medical residents in nonhospital settings; to the Committee on Finance.

EC-20. A communication from the Commissioner, Social Security Administration, transmitting, pursuant to law, the Report on Fiscal Year 2004 Competitive Sourcing Efforts as required by the Consolidated Appropriations Act of Fiscal Year 2004; to the Committee on Finance.

EC-21. A communication from the Chairman, Medicare Payment Advisory Board, transmitting, pursuant to law, the Report on the Impact of Resource-Based Practice Expense Payment for Physician Services; to the Committee on Finance.

EC-22. A communication from the Chairman, Medicare Payment Advisory Commission, transmitting, pursuant to law, the Report on the Growth in the Volume of Physician Services; to the Committee on Finance.

EC-23. A communication from the Assistant Secretary, Employees Benefits Security Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Final Regulations for Health Coverage Portability for Group Health Plans and Group Health Insurance Issuers under HIPAA Titles I and IV" (RIN1210-AA54) received on December 31, 2004; to the Committee on Finance.

EC-24. A communication from the Regulations Coordinator, Office of Inspector General, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare and State Health Care Programs: Fraud and Abuse: OIG Civil Money Penalties Under the Medicare Prescription Drug Discount Card Program" (RIN0991-AB30) received on January 3, 2005; to the Committee on Finance.

EC-25. A communication from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare Program: Modifications to Managed Care Rules" (RIN0938-AK71) received on January 3, 2005; to the Committee on Finance.

EC-26. A communication from the Regulations Coordinator, Administration for Children and Families, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Child Support Enforcement Program: Reasonable Quantitative Standard for Review and Adjustment of Child Support Orders" (45 CFR 303) received on January 3, 2005; to the Committee on Finance.

EC-27. A communication from the Regulations Coordinator, Office of Inspector General, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Health Coverage Portability for Group Health Plans and Group Health Insurance Issuers Under HIPAA Title I and IV" (RIN0938-AL43) received on January 3, 2005; to the Committee on Finance.

EC-28. A communication from the Acting Chief, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Areas in which Rulings in the International Area will not be issued" (Rev. Proc. 2005-7) received on January 5, 2005; to the Committee on Finance.

EC-29. A communication from the Acting Chief, Internal Revenue Service, Department

of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Republication of Rev. Proc. 2004-6" (Rev. Proc. 2005-6) received on January 5, 2005; to the Committee on Finance.

EC-30. A communication from the Chief, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Letter Rulings and Determination Letters" (Rev. Proc. 2005-1) received on January 5, 2005; to the Committee on Finance.

EC-31. A communication from the Acting Chief, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Fees for Copies of Exempt Organization Material" (RIN1545-BB22) received on January 5, 2005; to the Committee on Finance.

EC-32. A communication from the Acting Chief, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Election to Determine Corporate Tax on Certain International Shipping Activities under Tonnage Tax Regime" (Notice 2005-2) received on January 5, 2005; to the Committee on Finance.

EC-33. A communication from the Acting Chief, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Republication of Rev. Proc. 2004-8" (Rev. Proc. 2005-8) received on January 5, 2005; to the Committee on Finance.

EC-34. A communication from the Acting Chief, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Gross Estate; Election to Value on Alternate Valuation Date." (TD 9172) received on January 5, 2005; to the Committee on Finance.

EC-35. A communication from the Acting Chief, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Republication of Rev. Proc. 2004-4" (Rev. Proc. 2004-4) received on January 5, 2005; to the Committee on Finance.

EC-36. A communication from the Acting Chief, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Republication of Rev. Proc. 2004-5" (Rev. Proc. 2005-5) received on January 5, 2005; to the Committee on Finance.

EC-37. A communication from the Acting Chief, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Areas in which Rulings will not be Issued (domestic areas)—Revised to Remove Restrictions on Sections 107, 1402(a)(8), (c)(4) and (e), 3121(b)(8)(A), and 3401 of the Internal Revenue Code." (Rev. Proc. 2005-3) received on January 5, 2005; to the Committee on Finance.

EC-38. A communication from the Acting Chief, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Procedures for issuing TAMs and TEAMs." (Rev. Proc. 2005-2) received on January 5, 2005; to the Committee on Finance.

EC-39. A communication from the Acting Chief, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Automatic Rollover and Section 401(a)(31)(B) of the Code" (Notice 2005-5) received on January 5, 2005; to the Committee on Finance.

EC-40. A communication from the Acting Chief, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Automatic Extension of Time to File Certain Information Returns and Exempt Organization Returns" (RIN1545-BB29) received on December 17, 2004; to the Committee on Finance.

EC-41. A communication from the Acting Chief, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Tier 2 Tax Rates for 2005" (Notice 2005-1) received on December 17, 2004; to the Committee on Finance.

EC-42. A communication from the Acting Chief, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Revenue Procedure: Reduction of Penalty for Understanding Tax by Adequate Disclosure of an Item on Return" (Rev. Proc. 2004-73) received on December 17, 2004; to the Committee on Finance.

EC-43. A communication from the Acting Chief, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Weighted Average Interest Rate Update Notice—Pension Funding Equity Act of 2004" (Notice 2004-82) received on December 17, 2004; to the Committee on Finance.

EC-44. A communication from the Acting Chief, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Public Hearings on the Advance Pricing Agreement Programs" (Ann. 2004-98) received on December 17, 2004; to the Committee on Finance.

EC-45. A communication from the Acting Chief, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Section 1397E—Allocation of National Limitation for Qualified Zone Academy Bonds for year 2005" (Rev. Proc. 2004-72) received on December 17, 2004; to the Committee on Finance.

EC-46. A communication from the Acting Chief, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Annual Cumulative List of Changes in Plan Qualification Requirements" (Notice 2004-84) received on December 17, 2004; to the Committee on Finance.

EC-47. A communication from the Acting Chief, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Bureau of Labor Statistics Price Indexes for Department Stores—October 2004" (Rev. Rul. 2004-113) received on December 17, 2004; to the Committee on Finance.

EC-48. A communication from the Acting Chief, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Prohibited Allocations of Securities in an S Corporation" (RIN1545-BC33) received on December 17, 2004; to the Committee on Finance.

EC-49. A communication from the Acting Chief, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Appeals Settlement Guidelines: IRC sec. 44 Disabled Access Credit" (UICL:0044.60-00) received on December 17, 2004; to the Committee on Finance.

EC-50. A communication from the Acting Chief, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Inflation Indexing Revenue Procedure" (Rev. Proc. 2004-71) received on December 8, 2004; to the Committee on Finance.

EC-51. A communication from the Acting Chief, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Internet Activities of Trade Associations Revenue Ruling" (Rev. Rul. 2004-112) received on December 8, 2004; to the Committee on Finance.

EC-52. A communication from the Acting Chief, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Federal

Unemployment Tax Deposits—Special Rule” (RIN1545-BB66) received on December 8, 2004; to the Committee on Finance.

EC-53. A communication from the Acting Chief, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Optional 10-Year Writeoff of Certain Tax Preferences” (RIN 1545-BC13) received on January 3, 2005; to the Committee on Finance.

EC-54. A communication from the Acting Chief, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Revision of Rev. Proc. 2001-22” (Rev. Proc. 2005-12) received on January 3, 2005; to the Committee on Finance.

EC-55. A communication from the Acting Chief, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “2005 Per Diem Rates Update” (Rev. Proc. 2005-10) received on January 3, 2005; to the Committee on Finance.

EC-56. A communication from the Acting Chief, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “New Markets Tax Credit” (RINS1545-AY87, 1545-BC03) received on January 3, 2005; to the Committee on Finance.

EC-57. A communication from the Acting Chief, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Section 1374 Effective Dates” (TD9170) received on January 3, 2005; to the Committee on Finance.

EC-58. A communication from the Acting Chief, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Guidance Under 409A of the Internal Revenue Code” (Notice 2005-1) received on January 3, 2005; to the Committee on Finance.

EC-59. A communication from the Acting Chief, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Regulations Governing Practice Before the Internal Revenue Service (Circular 230—Shelter)” (RIN1545-BA70) received on December 31, 2004; to the Committee on Finance.

EC-60. A communication from the Acting Chief, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Automatic Consent to Change an Accounting Method Provided in 1.263(a)-4 or -5” (Rev. Proc. 2005-9) received on December 31, 2004; to the Committee on Finance.

EC-61. A communication from the Acting Chief, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Services by a Student that Qualify for the Exception from Federal Insurance Contributions Act Tax” (Rev. Proc. 2005-11; 2005-2) received on January 3, 2005; to the Committee on Finance.

EC-62. A communication from the Acting Chief, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Applicable Federal Rates—January 2005” (Rev. Rul. 2005-102) received on January 3, 2005; to the Committee on Finance.

EC-63. A communication from the Acting Chief, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Notice: Fuel Tax Guidance; Request for Public Comments” (Notice 2005-04) received on January 3, 2005; to the Committee on Finance.

EC-64. A communication from the Acting Chief, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Final Reg-

ulation Providing Guidance on the Student FICA Exception” (RIN1545-BC81) received on January 3, 2005; to the Committee on Finance.

EC-65. A communication from the Acting Chief, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Cash or Deferred Arrangements Under Section 401(k) and Matching Contributions Section 401(m)” (TD9169) received on January 3, 2005; to the Committee on Finance.

EC-66. A communication from the Acting Chief, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “901(j)(5) Presidential Waiver with Respect to Libya” (Rev. Rul. 2005-3) received on January 3, 2005; to the Committee on Finance.

EC-67. A communication from the Acting Chief, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Final Regulations for Health Coverage Portability for Group Health Plans and Group Health Insurance Issuers under HIPAA Titles I and IV” (TD9166) received on January 3, 2005; to the Committee on Finance.

EC-68. A communication from the Acting Chief, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Tier 2 Tax Rates for 2005” received on January 3, 2005; to the Committee on Finance.

EC-69. A communication from the Assistant Attorney General, Department of Justice, transmitting, pursuant to law, a report on the activities of the Department of Justice in Relation to the Prison Rape Elimination Act (PL 108-79); to the Committee on the Judiciary.

EC-70. A communication from the Clerk of Court, Court of Federal Claims, transmitting, pursuant to law, the report of Judgments of the United States Court of Federal Claims during the year ended September 30, 2004; to the Committee on the Judiciary.

EC-71. A communication from the Assistant Attorney General, Department of Justice, transmitting, pursuant to law, the Second Year Report of the Corporate Fraud Task Force; to the Committee on the Judiciary.

EC-72. A communication from the Secretary, Judicial Conference of the United States, transmitting, pursuant to law, a report on the Continuing Need for Existing Bankruptcy Judgeships; to the Committee on the Judiciary.

EC-73. A communication from the Deputy Assistant Administrator, Drug Enforcement Administration, Department of Justice, transmitting, pursuant to law, the report of a rule entitled “Exemption from Control of Certain Industrial Products and Materials derived from the Cannabis Plant” (RIN1117-AA55) received on December 7, 2004; to the Committee on the Judiciary.

EC-74. A communication from the Acting Assistant Secretary, Department of State, transmitting, pursuant to law, the report of a rule entitled “Documentation of Non-immigrants Under the Immigration and Nationality Act, as Amended—Student and Exchange Visitor Information System (SEVIS)” received on December 8, 2004; to the Committee on the Judiciary.

EC-75. A communication from the Assistant Chief, Regulations and Procedures Division, Alcohol and Tobacco Tax and Trade Bureau, transmitting, pursuant to law, the report of a rule entitled “Materials and Processes Authorized for the Treatment of Wine and Juice (2004R-517P)” (TD17) received on December 8, 2004; to the Committee on Finance.

EC-76. A communication from the Assistant Attorney General for Administration,

Criminal Division, Department of Justice, transmitting, pursuant to law, the report of a rule entitled “Final Rule Exempting a Privacy Act System of Records of the Criminal Division (CRM) from Certain Subsections of the Privacy Act (5 U.S.C. 552a); Organized Crime Drug Enforcement Task Force” received on December 17, 2004; to the Committee on the Judiciary.

EC-77. A communication from the Assistant Secretary, Department of State, transmitting, pursuant to law, the report of a rule entitled “Visas: Documentation of Non-immigrants Under the Immigration and Nationality Act, as Amended: Electronic Petition for Diversity Immigrant Status” (RIN1400-AB84) received on January 3, 2005; to the Committee on the Judiciary.

EC-78. A communication from the Chairman, National Endowment for the Humanities, transmitting, pursuant to law, a report on FAIR Act inventories for Fiscal Year 2004; to the Committee on Health, Education, Labor, and Pensions.

EC-79. A communication from the Secretary to the Board, Railroad Retirement Board, transmitting, pursuant to law, a report on competitive sourcing activities in Fiscal Year 2004 and 2004 Commercial Activities Inventory Under the Federal Activities Inventory Reform (FAIR) Act of 1998; to the Committee on Health, Education, Labor, and Pensions.

EC-80. A communication from the Assistant Secretary for Administration and Management, Department of Labor, transmitting, pursuant to law, the report of a nomination confirmed for the position of Assistant Secretary for Public Affairs, received on January 3, 2005; to the Committee on Health, Education, Labor, and Pensions.

EC-81. A communication from the Acting Director, Occupational Safety and Health Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled “Standards Improvement Project—Phase II” (RIN1218-AB81) received on January 5, 2005; to the Committee on Health, Education, Labor, and Pensions.

EC-82. A communication from the Senior Regulatory Officer, Employment Standards Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled “Child Labor Regulations, Orders and Statements of Interpretation (29 CFR Part 570); Child Labor Violations—Civil Money Penalties (29 CFR Part 579); Civil Money Penalties—Procedures for Assessing and Contesting Penalties (29 CFR Part 580)” (RIN1215-AA09) received on December 17, 2004; to the Committee on Health, Education, Labor, and Pensions.

EC-83. A communication from the Assistant Secretary, Employment and Training Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled “Labor Certification for the Permanent Employment of Aliens in the United States; Implementation of New System” (RIN1205-AA66) received on January 3, 2005; to the Committee on Health, Education, Labor, and Pensions.

EC-84. A communication from the Regulations Coordinator, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled “Current Good Tissue Practice for Human Cell, Tissue, and Cellular and Tissue-Based Product Establishments; Inspection and Enforcement” (Doc. No. 1997N-484P) received on December 17, 2004; to the Committee on Health, Education, Labor, and Pensions.

EC-85. A communication from the Regulations Coordinator, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled “Establishment and

Maintenance of Records Under the Public Health Security and Bioterrorism Preparedness and Response Act of 2002" (RIN0910-AC30) received on December 17, 2004; to the Committee on Health, Education, Labor, and Pensions.

EC-86. A communication from the Director, Regulations Policy Management Staff, Food and Drug Administration, transmitting, pursuant to law, the report of a rule entitled "Advisory Committee: Change of Name and Function; Technical Amendment" received on November 22, 2004; to the Committee on Health, Education, Labor, and Pensions.

EC-87. A communication from the Director, Regulations Policy Management Staff, Food and Drug Administration, transmitting, pursuant to law, the report of a rule entitled "Food Additives Permitted in Food on an Interim Basis or in Contact with Food Pending Additional Study; Mannitol" (Doc. No. 2004F-0066) received on December 8, 2004; to the Committee on Health, Education, Labor, and Pensions.

EC-88. A communication from the Director, Regulations Policy Management Staff, Food and Drug Administration, transmitting, pursuant to law, the report of a rule entitled "Medical Devices; Clinical Chemistry and Clinical Toxicology devices; Classification of Newborn Screening Test Systems for Amino Acids, Free Carnitine, and Acylcarnitines Using Mass Spectrometry" (Doc. No. 2004N-0482) received on December 31, 2004; to the Committee on Health, Education, Labor, and Pensions.

EC-89. A communication from the Director, Regulations Policy Management Staff, Food and Drug Administration, transmitting, pursuant to law, the report of a rule entitled "Drug Labeling; Sodium Labeling for Over-the-Counter Drugs" (RIN0910-AF50) received on January 3, 2005; to the Committee on Health, Education, Labor, and Pensions.

EC-90. A communication from the Administrator, Employment and Training Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Unemployment Insurance Program Letter: SUTA Dumping—Amendments to Federal Law Affecting the Federal-State Unemployment Compensation Program—Additional Guidance" received on January 3, 2005; to the Committee on Health, Education, Labor, and Pensions.

EC-91. A communication from the Assistant Secretary, Employee Benefits Security Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Mental Health Parity; Interim Final amendment to Regulation" (RIN1210-AA62) received on January 3, 2005; to the Committee on Health, Education, Labor, and Pensions.

EC-92. A communication from the Chief, Regulations and Administrative Law, Coast Guard, transmitting, pursuant to law, the report of a rule entitled "Safety zone Regulations (Including 4 regulations): [CGD05-04-224], [COTP Western Alaska 04-001], [CGD13-04-043], [COTP Western Alaska 04-002]" (RIN1625-AA00) received on January 3, 2005; to the Committee on Commerce, Science, and Transportation.

EC-93. A communication from the Chief, Regulations and Administrative Law, Coast Guard, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Operation Regulation (Including 2 regulations): [CGD05-04-223], [CGD08-04-040]" (RIN1625-AA09) received on January 3, 2005; to the Committee on Commerce, Science, and Transportation.

EC-94. A communication from the Chief, Regulations and Administrative Law, Coast Guard, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Oper-

ation Regulations (Including 2 Regulations): [CGD01-04-148], [CGD01-04-151]" (RIN1625-AA09) received on January 3, 2005; to the Committee on Commerce, Science, and Transportation.

EC-95. A communication from the Chief, Regulations and Administrative Law, Coast Guard, transmitting, pursuant to law, the report of a rule entitled "Safety Zone (Including 2 Regulations): [CGD13-04-044], [CGD09-04-149]" (RIN1625-AA00) received on January 3, 2005; to the Committee on Commerce, Science, and Transportation.

EC-96. A communication from the Chief, Regulations and Administrative Law, Coast Guard, transmitting, pursuant to law, the report of a rule entitled "Regulated Navigation Area: East Rockaway Inlet to Atlantic Beach Bridge, Nassau County, Long Island, New York [CGD01-04-152]" (RIN1625-AA11) received on January 3, 2005; to the Committee on Commerce, Science, and Transportation.

EC-97. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Modification of Class E Airspace; Warrensburg, MO" (RIN2120-AA66) received on December 31, 2004; to the Committee on Commerce, Science, and Transportation.

EC-98. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Modification of Class E Airspace; Lexington, MO" (RIN2120-AA66) received on December 31, 2004; to the Committee on Commerce, Science, and Transportation.

EC-99. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Modification of Class E Airspace; Fremont, NE" (RIN2120-AA66) received on December 31, 2004; to the Committee on Commerce, Science, and Transportation.

EC-100. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Modification of Class E Airspace; Burwell, NE" (RIN2120-AA66) received on December 31, 2004; to the Committee on Commerce, Science, and Transportation.

#### EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. CHAMBLISS for the Committee on Agriculture, Nutrition, and Forestry.

\*Mike Johanns, of Nebraska, to be Secretary of Agriculture.

By Mr. STEVENS for the Committee on Commerce, Science, and Transportation.

Carlos M. Gutierrez, of Michigan, to be Secretary of Commerce.

By Mr. ENZI for the Committee on Health, Education, Labor, and Pensions.

\*Margaret Spellings, of Texas, to be Secretary of Education, Labor, and Pensions.

\*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. FRIST:

S. Res. 5. A resolution making majority party appointments to certain Senate committees for the 109th Congress; considered and agreed to.

By Mr. REID:

S. Res. 6. A resolution making minority party appointments to certain Senate committees for the 109th Congress; considered and agreed to.

#### SUBMITTED RESOLUTIONS

#### SENATE RESOLUTION 5—MAKING MAJORITY PARTY APPOINTMENTS TO CERTAIN SENATE COMMITTEES FOR THE 109TH CONGRESS

Mr. FRIST submitted the following resolution; which was considered and agreed to:

*Resolved*, That notwithstanding the provisions of Rule XXV, the following shall constitute the majority party's membership on the following standing committees for the One Hundred Ninth Congress, or until their successors are chosen:

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY: Mr. Chambliss (Chairman), Mr. Lugar, Mr. Cochran, Mr. McConnell, Mr. Roberts, Mr. Talent, Mr. Thomas, Mr. Santorum, Mr. Coleman, Mr. Crapo, Mr. Grassley.

COMMITTEE ON APPROPRIATIONS: Mr. Cochran (Chairman), Mr. Stevens, Mr. Specter, Mr. Domenici, Mr. Bond, Mr. McConnell, Mr. Burns, Mr. Shelby, Mr. Gregg, Mr. Bennett, Mr. Craig, Mrs. Hutchison, Mr. DeWine, Mr. Brownback, Mr. Allard.

COMMITTEE ON ARMED SERVICES: Mr. Warner (Chairman), Mr. McCain, Mr. Inhofe, Mr. Roberts, Mr. Sessions, Ms. Collins, Mr. Ensign, Mr. Talent, Mr. Chambliss, Mr. Graham, Mrs. Dole, Mr. Cornyn, Mr. Thune.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS: Mr. Shelby (Chairman), Mr. Bennett, Mr. Allard, Mr. Enzi, Mr. Hagel, Mr. Santorum, Mr. Bunning, Mr. Crapo, Mr. Sununu, Mrs. Dole, Mr. Martinez.

COMMITTEE ON COMMERCE, SCIENCE, AND TECHNOLOGY: Mr. Stevens (Chairman), Mr. McCain, Mr. Burns, Mr. Lott, Mrs. Hutchison, Ms. Snowe, Mr. Smith, Mr. Ensign, Mr. Allen, Mr. Sununu, Mr. DeMint, Mr. Vitter.

COMMITTEE ON ENERGY AND NATURAL RESOURCES: Mr. Domenici (Chairman), Mr. Craig, Mr. Thomas, Mr. Alexander, Ms. Murkowski, Mr. Burr, Mr. Martinez, Mr. Talent, Mr. Burns, Mr. Allen, Mr. Smith, Mr. Bunning.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS: Mr. Inhofe (Chairman), Mr. Warner, Mr. Bond, Mr. Voinovich, Mr. Chafee, Ms. Murkowski, Mr. Thune, Mr. DeMint, Mr. Isakson, Mr. Vitter.

COMMITTEE ON FINANCE: Mr. Grassley (Chairman), Mr. Hatch, Mr. Lott, Ms. Snowe, Mr. Kyl, Mr. Thomas, Mr. Santorum, Mr. Frist, Mr. Smith, Mr. Bunning, Mr. Crapo.

COMMITTEE ON FOREIGN RELATIONS: Mr. Lugar (Chairman), Mr. Hagel, Mr. Chafee, Mr. Allen, Mr. Coleman, Mr. Voinovich, Mr. Alexander, Mr. Sununu, Ms. Murkowski, Mr. Martinez.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS: Mr. Enzi (Chairman), Mr. Gregg, Mr. Frist, Mr. Alexander,



Mr. Burr, Mr. Isakson, Mr. DeWine, Mr. Ensign, Mr. Hatch, Mr. Sessions, Mr. Roberts.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS: Ms. Collins (Chairman), Mr. Stevens, Mr. Voinovich, Mr. Coleman, Mr. Coburn, Mr. Chafee, Mr. Bennett, Mr. Domenici, Mr. Warner.

SELECT COMMITTEE ON INTELLIGENCE: Mr. Roberts (Chairman), Mr. Hatch, Mr. DeWine, Mr. Bond, Mr. Lott, Ms. Snowe, Mr. Hagel, Mr. Chambliss, Mr. Warner (ex officio).

COMMITTEE ON THE JUDICIARY: Mr. Specter (Chairman), Mr. Hatch, Mr. Grassley, Mr. Kyl, Mr. DeWine, Mr. Sessions, Mr. Graham, Mr. Cornyn, Mr. Brownback, Mr. Coburn.

SPECIAL COMMITTEE ON AGING: Mr. Smith (Chairman), Mr. Shelby, Ms. Collins, Mr. Talent, Mrs. Dole, Mr. Martinez, Mr. Craig, Mr. Santorum, Mr. Burns, Mr. Alexander, Mr. DeMint.

COMMITTEE ON THE BUDGET: Mr. Gregg (Chairman), Mr. Domenici, Mr. Grassley, Mr. Allard, Mr. Enzi, Mr. Sessions, Mr. Bunning, Mr. Crapo, Mr. Ensign, Mr. Cornyn, Mr. Alexander, Mr. Graham.

SELECT COMMITTEE ON ETHICS: Mr. Voinovich (Chairman), Mr. Roberts, Mr. Thomas.

COMMITTEE ON INDIAN AFFAIRS: Mr. McCain (Chairman), Mr. Thomas, Ms. Murkowski, Mr. Coburn, Mr. Domenici, Mr. Smith, Mr. Crapo, Mr. Burr.

JOINT ECONOMIC COMMITTEE: Mr. Bennett (Vice-Chairman), Mr. Brownback, Mr. Sununu, Mr. DeMint, Mr. Sessions, Mr. Cornyn.

COMMITTEE ON RULES AND ADMINISTRATION: Mr. Lott (Chairman), Mr. Stevens, Mr. McConnell, Mr. Cochran, Mr. Santorum, Mr. Frist, Mr. Chambliss, Mrs. Hutchison, Mr. Bennett, Mr. Hagel.

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP: Ms. Snowe (Chairman), Mr. Bond, Mr. Burns, Mr. Allen, Mr. Coleman, Mr. Thune, Mr. Isakson, Mr. Vitter, Mr. Enzi, Mr. Cornyn.

COMMITTEE ON VETERANS' AFFAIRS: Mr. Craig (Chairman), Mr. Specter, Mrs. Hutchison, Mr. Graham, Mr. Burr, Mr. Ensign, Mr. Thune, Mr. Isakson.

## SENATE RESOLUTION 6—MAKING MINORITY PARTY APPOINTMENTS TO CERTAIN SENATE COMMITTEES FOR THE 109TH CONGRESS

Mr. REID submitted the following resolution; which was considered and agreed to:

*Resolved*, That notwithstanding the provisions of rule XXV, the following shall constitute the minority party's membership on the following standing committees for the 109th Congress, or until their successors are chosen:

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY: Mr. Harkin (Ranking Member); Mr. Leahy, Mr. Conrad, Mr. Baucus, Mrs. Lincoln, Ms. Stabenow, Mr. Nelson of Nebraska, Mr. Dayton, and Mr. Salazar.

COMMITTEE ON APPROPRIATIONS: Mr. Byrd (Ranking Member), Mr. Inouye, Mr. Leahy, Mr. Harkin, Ms. Mikulski, Mr. Reid, Mr. Kohl, Mrs. Murray, Mr. Dorgan, Mrs. Feinstein, Mr. Durbin, Mr. Johnson, and Ms. Landrieu.

COMMITTEE ON ARMED SERVICES: Mr. Levin (Ranking Member), Mr. Kennedy, Mr. Byrd, Mr. Lieberman, Mr. Reed, Mr. Akaka, Mr. Nelson of Florida, Mr. Nelson of Nebraska, Mr. Dayton, Mr. Bayh, and Mrs. Clinton.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS: Mr. Sarbanes

(Ranking Member), Mr. Dodd, Mr. Johnson, Mr. Reed, Mr. Schumer, Mr. Bayh, Mr. Carper, Ms. Stabenow, and Mr. Corzine.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION: Mr. Inouye (Ranking Member), Mr. Rockefeller, Mr. Kerry, Mr. Dorgan, Mrs. Boxer, Mr. Nelson of Florida, Ms. Cantwell, Mr. Lautenberg, Mr. Nelson of Nebraska, and Mr. Pryor.

COMMITTEE ON ENERGY AND NATURAL RESOURCES: Mr. Bingaman (Ranking Member), Mr. Akaka, Mr. Dorgan, Mr. Wyden, Mr. Johnson, Ms. Landrieu, Mrs. Feinstein, Ms. Cantwell, Mr. Corzine, and Mr. Salazar.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS: Mr. Jeffords (Ranking Member), Mr. Baucus, Mr. Lieberman, Mrs. Boxer, Mr. Carper, Mrs. Clinton, Mr. Lautenberg, and Mr. Obama.

COMMITTEE ON FINANCE: Mr. Baucus (Ranking Member), Mr. Rockefeller, Mr. Conrad, Mr. Jeffords, Mr. Bingaman, Mr. Kerry, Mrs. Lincoln, Mr. Wyden and Mr. Schumer.

COMMITTEE ON FOREIGN RELATIONS: Mr. Biden (Ranking Member), Mr. Sarbanes, Mr. Dodd, Mr. Kerry, Mr. Feingold, Mrs. Boxer, Mr. Nelson of Florida, and Mr. Obama.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS: Mr. Kennedy (Ranking Member), Mr. Dodd, Mr. Harkin, Ms. Mikulski, Mr. Jeffords, Mr. Bingaman, Mrs. Murray, Mr. Reed, and Mrs. Clinton.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS: Mr. Lieberman (Ranking Member), Mr. Levin, Mr. Akaka, Mr. Carper, Mr. Dayton, Mr. Lautenberg, and Mr. Pryor.

COMMITTEE ON THE JUDICIARY: Mr. Leahy (Ranking Member), Mr. Kennedy, Mr. Biden, Mr. Kohl, Mrs. Feinstein, Mr. Feingold, Mr. Schumer, and Mr. Durbin.

COMMITTEE ON RULES AND ADMINISTRATION: Mr. Dodd (Ranking Member), Mr. Byrd, Mr. Inouye, Mrs. Feinstein, Mr. Schumer, Mr. Dayton, Mr. Durbin and Mr. Nelson of Nebraska.

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP: Mr. Kerry (Ranking Member), Mr. Levin, Mr. Harkin, Mr. Lieberman, Ms. Landrieu, Ms. Cantwell, Mr. Bayh, and Mr. Pryor.

COMMITTEE ON VETERANS' AFFAIRS: Mr. Akaka (Ranking Member), Mr. Rockefeller, Mr. Jeffords, Mrs. Murray, Mr. Obama and Mr. Salazar.

SPECIAL COMMITTEE ON AGING: Mr. Kohl (Ranking Member), Mr. Jeffords, Mr. Feingold, Mr. Wyden, Mrs. Lincoln, Mr. Bayh, Mr. Carper, Mr. Nelson of Florida, and Mrs. Clinton.

COMMITTEE ON THE BUDGET: Mr. Conrad (Ranking Member), Mr. Sarbanes, Mrs. Murray, Mr. Wyden, Mr. Feingold, Mr. Johnson, Mr. Byrd, Mr. Nelson of Florida, Ms. Stabenow, and Mr. Corzine.

SELECT COMMITTEE ON ETHICS: Mr. Johnson (Vice Chairman), Mr. Akaka, and Mr. Pryor.

COMMITTEE ON INDIAN AFFAIRS: Mr. Dorgan (Vice Chairman), Mr. Inouye, Mr. Conrad, Mr. Akaka, Mr. Johnson, and Ms. Cantwell.

SELECT COMMITTEE ON INTELLIGENCE: Mr. Rockefeller (Vice Chairman), Mr. Levin, Mrs. Feinstein, Mr. Wyden, Mr. Bayh, Ms. Mikulski, and Mr. Corzine.

JOINT ECONOMIC COMMITTEE: Mr. Reed, Mr. Kennedy, Mr. Sarbanes, and Mr. Bingaman.

## AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be authorized to conduct a hearing during the session of the Senate on Thursday, January 6, 2005. The purpose of this meeting will be to review the nomination of Mr. Michael Owen Johanns to be Secretary of Agriculture for the United States Department of Agriculture.

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

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet on Thursday, January 6, 2005, immediately following the first vote. The Senators will assemble in front of the President's Room on the nomination of Carlos Gutierrez to be Secretary of the Department of Commerce.

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet for the hearing on the Presidential nomination of Margaret Spellings to be Secretary of Education during the session of the Senate on Thursday, January 6, at 10 a.m., in SD-430.

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

COMMITTEE ON THE JUDICIARY

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a hearing on Thursday, January 6, 2005, at 9:30 a.m., on the nomination of The Honorable Alberto R. Gonzales, Counsel to President George W. Bush, to be the Attorney General of the United States. The hearing will take place in the Hart Senate Office Building Room 216.

## Witness List

Panel I: The Honorable John Cornyn and the Honorable Ken Salazar.

Panel II: The Honorable Alberto R. Gonzales, Counsel to President George W. Bush, Washington, DC.

Panel III: Admiral John D. Hutson, Ret. USN, President and Dean, Franklin Pierce Law Center, Concord, NH; Mr. Harold Hongju Koh, Dean, Yale Law School, New Haven, CT; and Mr. Douglas A. Johnson, Executive Director, Center of Victims of Torture, Minneapolis, MN.

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

## NOTICE: REGISTRATION OF MASS MAILINGS

The filing date for 2004 fourth quarter mass mailings is Tuesday, January 25,

2005. If your office did no mass mailings during this period, please submit a form that states "none."

Mass mailing registrations, or negative reports, should be submitted to the Senate Office of Public Records, 232 Hart Building, Washington, DC 20510-7116.

The Public Records office will be open from 9 a.m. to 5:30 p.m. on the filing date to accept these filings. For further information, please contact the Public Records office at (202) 224-0322.

The PRESIDING OFFICER. The Senator from Kentucky is recognized.

#### CONDITIONAL ADJOURNMENT OF THE HOUSE AND CONDITIONAL RECESS OR ADJOURNMENT OF THE SENATE

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of H. Con. Res. 2, the adjournment resolution, provided that the concurrent resolution be agreed to, and the motion to reconsider be laid upon the table.

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

The concurrent resolution (H. Con. Res. 2) was agreed to, as follows:

#### H. CON. RES. 2

*Resolved by the House of Representatives (the Senate concurring).* That when the House adjourns on the legislative day of Thursday, January 6, 2005, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 10 a.m. on Thursday, January 20, 2005, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; that when the House adjourns on the legislative day of Thursday, January 20, 2005, it stand adjourned until 2 p.m. on Tuesday, January 25, 2005, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the Senate recesses or adjourns on Thursday, January 6, 2005, or Friday, January 7, 2005, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until noon on Thursday, January 20, 2005, or at such other time on that day as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first.

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

#### ORDERS FOR THURSDAY, JANUARY 20, 2005

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the joint session is dissolved, the Senate stand adjourned under the provisions of H. Con. Res. 2 until 3 p.m., Thursday, January 20, 2005.

I further ask that following the prayer and the pledge, the morning hour be deemed to have expired, the Journal of the proceedings be approved to date, the Senate then proceed to a period of morning business with Senators permitted to speak therein for up to 10 minutes each.

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

Mr. MCCONNELL. Mr. President, this order allows that once the electoral vote counting is complete and the joint session is dissolved, we will adjourn until 3 p.m. on January 20.

As a reminder, January 20 is the date of the inauguration. We will convene later that day following the swearing in of the President and the Vice President. We expect to consider one or more of the President's nominations on that day and, therefore, rollcall votes are expected.

With that said, we will now wait for the message for us to return to the House Chamber.

#### RECESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate stand in recess, awaiting word from the House of Representatives that it is ready to receive the Senate.

There being no objection, the Senate, at 3:12 p.m. recessed until 5:05 p.m., to reassemble in the House of Representatives to continue the joint session.

Whereupon, at 5:20 p.m. the Senate adjourned, according to the provisions of H. Con. Res. 2, until Thursday, January 20, 2005, at 3 p.m.

#### NOMINATIONS

Executive nominations received by the Senate January 6, 2005:

##### IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED 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. TERRANCE T. ETNYRE, 0000

##### IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

##### To be colonel

ROBERT A. LOVETT, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

##### To be lieutenant colonel

MARTIN POFFENBERGER, JR., 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

##### To be lieutenant colonel

TIMOTHY D. MITCHELL, JR., 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

##### To be lieutenant colonel

WILLIAM F. BITHER, 0000  
JAMES R. OLIVER, 0000  
PAUL J. RAMSEY, JR., 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS AND FOR REGULAR APPOINTMENT UNDER TITLE 10, U.S.C., SECTIONS 624, 531, AND 3064:

##### To be colonel

WILLIAM R. LAURENCE, JR., 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SPECIALIST CORPS UNDER TITLE 10, U.S.C., SECTIONS 624, AND 3064:

##### To be colonel

MEGAN K. MILLS, 0000  
LINDA L. ROWBOTHAM, 0000  
THERESA M. SCHNEIDER, 0000  
LOUIS H. SMITH III, 0000  
MARIA A. WORLEY, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY VETERINARY CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

##### To be colonel

TIMOTHY K. ADAMS, 0000  
MARGARET N. CARTER, 0000  
MARK B. GOLD, 0000  
JOHN L. POPPE, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

##### To be colonel

JOSEPH W. BURCKEL, 0000  
FRANK J. MISKENA, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

##### To be colonel

FRANK J. MISKENA, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

##### To be colonel

ROSA L. HOLLISBIRD, 0000  
KINLEY W. HOWARD, 0000  
BRENT P. NIXON, 0000  
DEBORAH A. ROMAN, 0000  
BRIAN L. SOMBERG, 0000  
MARK STILING, 0000  
MICHAEL T. TRAVIS, 0000  
BETH A. ZIMMER, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

##### To be colonel

BRUCE A. MULKEY, 0000  
JEROME F. STOLINSKI, JR., 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

##### To be colonel

MATTHEW R. SEGAL, 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

CASANOVA C. OCHOA, 0000  
CHARLES R. PLATT, 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

KENNETH R. GREENE, 0000  
WILLIAM F. ROY, 0000

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER 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

JAMES E. FERRANDO, 0000  
MARY J. FORBES, 0000  
WILTON S. GORSKE, 0000  
ELIZABETH H. HINES, 0000  
ROBERT P. NELSON, JR., 0000  
TERRY R. SOPHER, JR., 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

BILLY J. BLANKENSHIP, 0000  
MARK F. BURKE, 0000  
DARRELL L. BUTTERS, 0000  
EDWARD K. CHUN FAT, JR., 0000  
JOHN L. CRAFT, 0000  
KEITH R. DANIEL, 0000  
PATRICK M. HAMILTON, 0000  
RANDAL G. MARTIN, 0000  
WILLIAM J. ONEILL, 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 E. COERS, 0000  
ROBERT J. COY, 0000  
JAMES C. ERNST, 0000  
JAMES M. KENNEDY, 0000  
STEVEN J. LOKENSCAARD, 0000  
BRYAN D. MEYERS, 0000  
JACKIE L. REAVES, 0000  
SIMSUNDARETH S. TAN, 0000  
RICHARD A. WEAVER, 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*

JEFFREY T. ALTDORFER, 0000  
MICHAEL R. BRESNAHAN, 0000  
MICHAEL J. CARLSON, 0000  
KIMBERLY A. DILLON, 0000  
JAMES E. KEIGHLEY, 0000  
KEITH A. MABRY, 0000  
GREGG L. RILEY, 0000  
JOSEPH E. ROONEY, 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*

DAVID C. BARNHILL, 0000  
PETER Y. LEE, 0000  
TIMOTHY M. MCKEITHEN, 0000  
KENNETH B. SMITH, 0000

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER 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*

DAVID B. ENYEART, 0000

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER 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*

DAVID A. GREENWOOD, 0000

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER 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*

SANDRA W. DITTIG, 0000

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER 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*

JOHN M. OWINGS, JR., 0000

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER 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*

DANIEL J. BUTLER, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

*To be colonel*

PETER W. AUBREY, 0000  
JACQUES A. AZEMAR, 0000  
JAMES D. BASS, 0000  
JOSEPH L. BASS, 0000  
CYNTHIA M. BEDELL, 0000  
ALLEN L. BORGARDT, 0000  
THOMAS H. BRYANT, 0000  
JOHNNY R. BULLINGTON, 0000  
KYLE T. BURKE, 0000  
BRIAN J. BUTCHER, 0000  
CALVIN T. CARLSEN, 0000  
ROBERT C. CARPENTER, 0000  
JON E. CHICKY, 0000  
KEVIN D. CLARK, 0000  
DANIEL T. COTTRELL, 0000  
JOHN L. CUNNANE, 0000  
DANIEL J. FAGUNDES, 0000  
JAMES P. FLETCHERS, 0000  
MARK R. FRANKLIN, 0000  
DONALD V. GIBSON, 0000  
MARK W. GILLETTE, 0000  
PATRICK F. GILLIS, 0000  
RICHARD S. GIRVEN, 0000  
LINDA L. GOULD, 0000  
WARREN P. GUNDERMAN, 0000  
WILLIAM D. HUGGINS, JR., 0000  
THEODORE L. JENNINGS, 0000  
LAWRENCE J. KINDE, 0000  
WILLIAM L. LAMB, 0000

CHARLES S. LAMBERT, 0000  
NORMAN R. LARSON, 0000  
JOY A. LEAPHEART, 0000  
STEPHEN B. LEISENRING, 0000  
BRUCE D. LEWIS, 0000  
DAVID E. LOCKHART, 0000  
ROBERT A. LOVETT, 0000  
MARK MALATESTA, 0000  
TUCKER B. MANSAGER, 0000  
GENE W. MCCONVILLE, 0000  
JOHN J. MCGUINNESS, 0000  
FRANK R. MOLINARI, 0000  
RAYMOND H. NULK, 0000  
DAVID W. PHARES, 0000  
CHRISTOPHER M. RASMUSSEN, 0000  
KEVIN E. RICHARDS, 0000  
EHRICH D. ROSE, 0000  
RICHARD T. SHIPE, 0000  
NEWMAN D. SHUFFLEBARGER, 0000  
EUGENE W. SKINNER, JR., 0000  
STEVEN M. SOUCEK, 0000  
CHRISTOPHER J. TONE, 0000  
LEE J. WHITESIDE, 0000  
MICHAEL E. WILLIAMSON, 0000  
JEFFREY K. WILSON, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

*To be colonel*

MICHAEL J. ARINELLO, 0000  
DANIEL L. BAGGIO, 0000  
JAMES E. BARRINEAU, 0000  
STEVEN A. BECKMAN, 0000  
WILLIAM D. BLACKLEDGE, 0000  
WILLIAM M. COSTELLO, 0000  
TODD E. DAY, 0000  
RALPH W. HARRIS, 0000  
HENRY L. HUNTLEY, 0000  
JOHN P. JENKS, 0000  
GARY E. LANGSTON, JR., 0000  
JOHN G. LEVINE, 0000  
PATRICK H. MACKIN, 0000  
GARY M. MCANDREWS, 0000  
CLARENCE A. MEADE, 0000  
WAYNE A. PARKS, 0000  
CHARLES E. PHILLIPS, JR., 0000  
RORY R. RADOVICH, 0000  
JOSEPH D. RICHARD, 0000  
ANDREW G. RILEY, 0000  
ROSS V. ROME, 0000  
RICHARD A. SCHANTZ, 0000  
RICKY R. SIMS, 0000  
BRUCE G. SMITH, 0000  
ROBERT P. SMITH, JR., 0000  
LAURI J. SNIDER, 0000  
DAVID B. TAYLOR, 0000  
JAMES E. WHALEY III, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

*To be colonel*

DONNA A. ALBERTO, 0000  
MANUEL APONTE, JR., 0000  
PHILIP P. BEAVER, 0000  
DONNA M. BRAZIL, 0000  
BRENT B. BREDEHOFT, 0000  
TYRONE K. BROWN, 0000  
CARLTON A. BUCHANAN, 0000  
CURTIS A. CARVER, JR., 0000  
GREGORY L. DANIELS, 0000  
KIRK A. DAVIS, 0000  
DAVID P. DOLPH, 0000  
JOHN F. EICHLER, 0000  
JAMES J. GALVIN, JR., 0000  
TROY P. KRAUSE, 0000  
BOBBY L. LIPSCOMB, JR., 0000  
SAVERIO M. MANAGO, 0000  
JAMES C. MARKLEY, 0000  
G. S. MCCONNELL, 0000  
JEANETTE M. MCMAHON, 0000  
RAYMOND C. NELSON, 0000  
JOHN E. PHELAN, 0000  
ROBERT G. PHELAN, JR., 0000  
MICHAEL D. PHILLIPS, 0000  
THOMAS P. REILLY, 0000  
MARK A. RICCIO, 0000  
EDGAR K. RUGENSTEIN, 0000  
KEVIN L. SMITH, 0000  
LEON I. SMITH IV, 0000  
DAVID M. THIEDE, 0000  
TIMOTHY E. TRAINOR, 0000  
DWIGHT D. WATKINS, 0000  
THEODORE S. WESTHUSING, 0000  
DOUGLAS A. WILD, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY JUDGE ADVOCATE GENERAL'S CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

*To be colonel*

SCOTT W. ARNOLD, 0000  
GREGORY B. COE, 0000  
DAVID L. CONN, 0000  
FLORA D. DARPINO, 0000  
JAMES J. DILIBERTI, 0000  
CHARLES L. GREEN, 0000  
RANDALL L. KEYS, 0000  
JERRY J. LINN, 0000  
MARK S. MARTINS, 0000  
JEFFREY C. MCKITTRICK, 0000  
MICHAEL W. MEIER, 0000  
JOHN W. MILLER II, 0000

CHRISTOPHER J. OBRIEN, 0000  
CHARLES N. PEDE, 0000  
SHARON E. RILEY, 0000  
LISA M. SCHENCK, 0000  
DAVID S. SHUMAKE, 0000  
FRED P. TAYLOR, 0000  
SUSAN D. TIGNER, 0000  
MARK W. TOOLE, 0000  
KEITH C. WELL, 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 colonel*

RONALD P. ALBERTO, 0000  
THOMAS R. ANDERSON, 0000  
PERI A. ANEST, 0000  
JOHN E. ANGEVINE, 0000  
DIONYSIOS ANNINOS, 0000  
JOEL R. ARMSTRONG, 0000  
KNOWLES Y. ATCHISON, 0000  
CARL G. AYERS, 0000  
HUBERT E. BAGLEY, JR., 0000  
DAVID P. BAGNATI, 0000  
SHARON H. BAKER, 0000  
ROBERT S. BALLEW, 0000  
JEFFREY L. BANNISTER, 0000  
THOMAS H. BARTH, 0000  
JOSEPH A. BASSANI, JR., 0000  
PHILIP F. BATTAGLIA, 0000  
KEVIN M. BATULE, 0000  
MARLON K. BECK, 0000  
ERIC R. BELCHER, 0000  
MICHAEL S. BELL, 0000  
HENRY W. BENNETT, 0000  
SCOTT D. BERRIER, 0000  
LUIGI E. BIEVER, 0000  
RAYMOND L. BINGHAM, 0000  
JOHN J. BIRD, 0000  
DAVID M. BLACKBURN, 0000  
DAN BLAND, 0000  
JERRY L. BLIXT, 0000  
JAMES C. BOISSSELLE, 0000  
ROBERT J. BOTTERS, JR., 0000  
ANDREW W. BOWES, 0000  
WILLIAM W. BRALEY, SR., 0000  
CURT R. BRANDT, 0000  
PAUL W. BRICKER, 0000  
ROBERT S. BRIDGFORD, 0000  
TODD A. BUCHS, 0000  
DOROTHEA M. BURKE, 0000  
RODERICK BURKE, SR., 0000  
DAVID R. BYRN, SR., 0000  
PAUL P. CALE, 0000  
MARK E. CALVERT, 0000  
FRANCIS J. CAPONIO, 0000  
DOMINIC J. CARACCIOLO, 0000  
STEVEN P. CARNEY, 0000  
JAMES E. CASHWELL, 0000  
JOHN W. CHARLTON, 0000  
JERRY S. CHASTAIN, 0000  
MICHAEL W. CHILDERS, 0000  
ROBERT E. CHOPPA, 0000  
MICHAEL J. CHRISTIAN, 0000  
ARMON A. CIOPPA, 0000  
DAVID J. CLARK, 0000  
RICHARD D. CLARKE, JR., 0000  
MICHAEL N. CLAWSON, 0000  
ERIC G. CLAYBURN, 0000  
TRACY A. CLEAVER, 0000  
HARRY L. COHEN, 0000  
THERESA D. COLES, 0000  
KATHERINE M. COOK, 0000  
ALFRED CORBIN, 0000  
BRUCE A. CORDELLI, SR., 0000  
MARIO CORONEL, 0000  
CHRISTOPHER P. COSTA, 0000  
CRAIG S. COTTER, 0000  
DAVID G. COTTER, 0000  
WILLIAM J. \* COULTRUP, 0000  
THOMAS H. COWAN, JR., 0000  
HARVEY L. CROCKETT, 0000  
CLIFFORD D. CROFFORD, JR., 0000  
MICHAEL E. CULPEPPER, 0000  
DANIEL J. CUMMINGS, 0000  
LAUREL D. CUNNANE, 0000  
GREG W. CUSIMANO, 0000  
ANTHONY F. DASKEVICH II, 0000  
JOHN J. DAUGHERDA, 0000  
WILLIAM E. DAVID, 0000  
JIMMY D. DAVIS, 0000  
MARK A. DAVIS, 0000  
PHILIP D. DECAMP, 0000  
PETER A. DELUCA, 0000  
WADE P. DENNIS, 0000  
YOLANDA C. DENNISLOWMAN, 0000  
WAYNE L. DETWILER, JR., 0000  
KENNETH W. DEVAN, 0000  
JOSEPH J. DICHAIRO, 0000  
WILLIAM T. DOLAN, 0000  
MICHAEL J. DONOVAN, 0000  
JAMES P. DRAGO, JR., 0000  
MARK E. DRAKE, 0000  
JOHN D. DROLET, 0000  
JOHN E. DUMOULIN, JR., 0000  
JOE D. DUNAWAY, 0000  
JERRY L. EGBERT, 0000  
MICHAEL E. ERDLEY, 0000  
MARK W. ERWIN, 0000  
JOE E. ETRIDGE, JR., 0000  
SCOTT D. FABOZZI, 0000  
JESSIE O. FARRINGTON, 0000  
THOMAS H. FELTS, 0000

HOWARD R FERGUSON, 0000  
 PATRICK L FETTERMAN, 0000  
 JOHN R FISHER, 0000  
 CHARLES A FLYNN, 0000  
 ROY W FOX, 0000  
 GEORGE J FRANZ III, 0000  
 JOSEPH J FRAZIER, 0000  
 KRISTIN K FRENCH, 0000  
 LEONARD T GADDIS, JR, 0000  
 JOE E GALLAGHER, 0000  
 GERALD E GALLOWAY III, 0000  
 DUANE A GAMBLE, 0000  
 KENNETH D GANTT, 0000  
 GREGORY L GARDNER, 0000  
 GEORGE GECZY III, 0000  
 CHRISTOPHER P GEHLER, 0000  
 DEBORAH L GEIGER, 0000  
 DANIEL M GEORGI, 0000  
 EARL S GLASCOCK, 0000  
 RYAN F GONSALVES, 0000  
 TIMOTHY C GORRELL, 0000  
 HEIDI H GRAHAM, 0000  
 RAY A GRAHAM, JR, 0000  
 TOBIN L GREEN, 0000  
 ROGER K GRIFFIN, 0000  
 DAVID M GRIFFITH, 0000  
 JAMES E GRIFFITH, 0000  
 GREGG E GROSS, 0000  
 PAUL L GROSSKRUGER, 0000  
 STEVEN R GROVE, 0000  
 THOMAS P GUTHRIE, 0000  
 CHRISTOPHER K HAAS, 0000  
 RALPH W HADDOCK, 0000  
 GREGORY L HAGER, 0000  
 BRIAN P HAMILTON, 0000  
 JOHN T HANSEN, 0000  
 DENNIS P HARBER, 0000  
 JOHN D HARDING, JR, 0000  
 CHARLES K HARDY, 0000  
 ROBERT H HARMS, 0000  
 JOHN C HARRISON, 0000  
 DAMIAN J HEANEY, 0000  
 PERRY HELTON, 0000  
 TERENCE J HERMANS, 0000  
 WILLIAM B HICKMAN, 0000  
 JOHN B HILDEBRAND, 0000  
 TIMOTHY P HILL, 0000  
 JAY T HIRATA, 0000  
 CHRISTOPHER M HOLDEN, 0000  
 JOHN S HOLWICK, 0000  
 CHARLES E HONORE, JR, 0000  
 JOHN H HORT, 0000  
 JOHN M HUEY, 0000  
 CHRISTOPHER P HUGHES, 0000  
 ALLEN HULL III, 0000  
 DANA R HURST, 0000  
 RONALD W HUTHER, 0000  
 JEFFREY D INGRAM, 0000  
 BJARNE M IVERSON, 0000  
 NORMAN K JACOBS, 0000  
 VICTOR A JOHN, 0000  
 FREDERICK J JOHNS, JR, 0000  
 ROBERT P JOHNSON, JR, 0000  
 THOMAS W JOHNSON, JR, 0000  
 ALLEN S JONES, 0000  
 MARK T JONES, 0000  
 REBECCA W JONES, 0000  
 SANDRA L KEEFER, 0000  
 YVETTE J KELLEY, 0000  
 PATRICK J KELLY, 0000  
 DANIEL A KESSLER, 0000  
 TIMOTHY P KIELY, 0000  
 HENRY A KIEVENAAR III, 0000  
 KEITH C KODALEN, 0000  
 JOHN M KOIVISTO, JR, 0000  
 STREP R KUEHL, 0000  
 JAMES E LACKEY, 0000  
 CHRISTOPHER J LARSEN, 0000  
 JACK E LECHNER, JR, 0000  
 BRIAN D LESIEUR, 0000  
 MARK P LESSIG, 0000  
 SCOTT W LEVIN, 0000  
 CECIL T LEWIS III, 0000  
 CHIPPER M LEWIS, 0000  
 DENNIS R LINTON, 0000  
 DONALD G LISENREE, JR, 0000  
 CHRISTOPHER E LOCKHART, 0000  
 JOSEPH B LOFGREN, 0000  
 JERYL C LUDOWESE, 0000  
 WILLIAM E LUKENS, 0000  
 KENNETH S LUNDGREN, 0000  
 KEVIN D LUTZ, 0000  
 ROBIN D LYNCH, 0000  
 ANTHONY J MACDONALD, 0000  
 JOSEPH E MAHER, JR, 0000  
 ROBERT W MARRS, 0000  
 TERENCE MARSH, 0000  
 CHRISTOPHER W MARTIN, 0000  
 THEODORE D MARTIN, 0000  
 PAMELA L MARTIS, 0000  
 HAROLD P MARTY, 0000  
 JAMES M MAYE, 0000  
 CHARLES F MASKELL, 0000  
 REGINALD P MASON, 0000  
 JAMES P MATTIES, JR, 0000  
 MICHAEL S MCBRIDE, 0000  
 RODNEY X MCCANTS, 0000  
 DAVID J MCCAULEY, 0000  
 MICHAEL MCCORMICK, 0000  
 JOHN G MCCracken, 0000  
 ROGER L MCDONALD III, 0000  
 ROSA M MCNEELY, 0000  
 LEONARD S MCWHERTER, 0000  
 ROBERT W MEEKS, 0000  
 TODD A MEGILL, 0000  
 JEFFREY A MELLO, 0000  
 MICHAEL T MIKLOS, 0000

MICHAEL M MILLS, 0000  
 MICHAEL T MINYARD, 0000  
 STEVEN T MITCHELL, 0000  
 ARNOLD P MONTGOMERY, 0000  
 MICHAEL T MOON, 0000  
 BRIAN P MOORE, 0000  
 ROBBIE L MOSLEY, 0000  
 LAWRENCE G MROZINSKI, 0000  
 PETER W MUELLER, 0000  
 DARRYL G MURCH, 0000  
 MICHAEL W MURFEE, 0000  
 THOMAS J MURPHY, 0000  
 PAUL M NAKASONE, 0000  
 YVETTE D NONTÉ, 0000  
 ROBERT K NYE, 0000  
 JOHN R OCONNOR, 0000  
 MARK A OLINGER, 0000  
 REYNOLD F PALAGANAS, 0000  
 EDMUND J PALEKAS, 0000  
 TIMOTHY D PARKS, 0000  
 DAVID G PASCHAL, 0000  
 RICHARD M PASTORE, JR, 0000  
 FREDERICK D PELLISSIER, 0000  
 FRANK G PENHA, 0000  
 DENNIS A PERKINS, 0000  
 LAWRENCE P PHELPS, 0000  
 BOBBY R PINKSTON, 0000  
 RICHARD G PISCAL, 0000  
 MICHAEL E PLAYER, 0000  
 DOMINIC E POMPELIA, JR, 0000  
 BARRY L PRICE, 0000  
 MICHELE M PUTKO, 0000  
 VALERIE W RATLIFF, 0000  
 CURT A RAUHUT, 0000  
 DIANA A RAYNOR, 0000  
 ROBERT F RHODES, 0000  
 KENNETH H RIDDLE, 0000  
 JAMES G RILEY, 0000  
 JOHN S RISCASSI, 0000  
 JAMES E RISELEY, 0000  
 STEVEN W RISLEY, 0000  
 CHRISTOPHER L ROBERTSON, 0000  
 JOSE ROBLES MALDONADO, 0000  
 JOSE RODRIGUEZ, 0000  
 MATTHEW H RUSSELL, 0000  
 ANTHONY SABB, 0000  
 DAVID G SAGE, 0000  
 JEFFREY R SANDERSON, 0000  
 STEPHEN M SCHILLER, 0000  
 JOHN M SCHLEIFER, 0000  
 MARTIN P SCHWEITZER, 0000  
 KENT R SELBY, 0000  
 FRANCIS V SHERMAN, JR, 0000  
 RICKY W SHERMAN, 0000  
 FRANK W SHEROD II, 0000  
 DAVID L SHUTT, 0000  
 FRANK J SILTMAN, 0000  
 ROBERT A SINKLER, 0000  
 DENNIS E SLAGTER, 0000  
 DENNIS W SMITH, 0000  
 FORREST E SMITH, 0000  
 HUGH T SMITH, 0000  
 STEVEN J SMITH, 0000  
 MARK E SOLSETH, 0000  
 MARK S SPINDLER, 0000  
 BILLY J SPRAYBERRY II, 0000  
 ROBIN J STAUFFER, 0000  
 JOHN S STCYR, 0000  
 WAYNE STEVENS, 0000  
 STEPHEN G STEWART, 0000  
 JERRY R STIDHAM, 0000  
 ALBERT C STJEAN, 0000  
 JOHNNY C STRAIN, 0000  
 LAWRENCE E STROBEL, 0000  
 ALAN M STULL, 0000  
 FREDERICK W SWOPE, 0000  
 DARIN TALKINGTON, 0000  
 THOMAS L TATE, 0000  
 EARL J TEETER, 0000  
 BURDETT K THOMPSON, 0000  
 SCOTT B THOMPSON, 0000  
 LEO J THRUSH, 0000  
 CURTIS L TORRENCE, 0000  
 ANIELLO L TORTORA, 0000  
 BOBBY A TOWERY, JR, 0000  
 MARK D TROUTMAN, 0000  
 CHRISTOPHER TROUVE, 0000  
 DREW A TURINSKI, 0000  
 JEFFERY L UNDERHILL, 0000  
 ROBERT VALDIVIA, 0000  
 RICHARD S VANDERLINDEN, 0000  
 ROBERT R VARELA, 0000  
 CRAIG VEST, 0000  
 RICHARD E VOLZ, JR, 0000  
 MICHELLE L WALLA, 0000  
 MARK R WALLACE, 0000  
 ROBERT M WALTEMAYER, 0000  
 MARK L WATERS, 0000  
 GREGORY A WATT, 0000  
 TIMOTHY A WEATHERSBEE, 0000  
 JEFFREY S WEISSMAN, 0000  
 ERIC P WENDT, 0000  
 MARK A WESTBROOK, 0000  
 ROBERT C WHALEY, 0000  
 ROBERT P WHITE, 0000  
 MARY K WHITWORTH, 0000  
 ERIC A WIEDEMANN, 0000  
 HARRY B WILLIAMS, 0000  
 WILLIE WILLIAMS, JR, 0000  
 KEVIN J WILSON, 0000  
 MARTIN J WILSON, 0000  
 CHRISTOPHER L WINNE, 0000  
 MICHAEL D WINSTEAD, 0000  
 WILLIAM T WISEMAN, 0000  
 STANLEY H WOLOSZ II, 0000  
 PAUL J WOOD, 0000  
 KEVIN S WOODS, 0000

STEVEN G WOODS, 0000  
 STEPHEN G YACKLEY, 0000  
 ANDREW C YEE, 0000  
 DENNIS O YOUNG, 0000  
 SCOTT D ZEGLER, 0000  
 WILLIAM E ZELLER, 0000  
 X0000  
 X0000  
 X0000  
 X0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SERVICE CORPS AND FOR REGULAR APPOINTMENT (IDENTIFIED BY AN ASTERISK(\*)) UNDER TITLE 10, U.S.C., SECTIONS 624, 531, AND 3064:

*To be colonel*

PAUL T BARTONE, 0000  
 KENNETH G CANESTRINI, 0000  
 LARRY L \* CONWAY, 0000  
 JOHN P COOK, 0000  
 LAURIE A CUMMINGS, 0000  
 RAFAEL E DEJESUS, 0000  
 KENNETH J FOPPIANO, 0000  
 RICHARD A GULLICKSON, 0000  
 DONALD E HALL, 0000  
 CURTIS S HANSEN, 0000  
 DAN E HARMS, 0000  
 DUANE N HILL, 0000  
 REGINALD W HOWARD, 0000  
 CAROL W LABADIE, 0000  
 THOMAS J LITTLE, JR, 0000  
 JOSE L LOPEZ, 0000  
 DAVID L MACDONALD, 0000  
 MICHAEL S MCDONALD, 0000  
 RICHARD S MITCHELL, 0000  
 TIMOTHY J MOORE, 0000  
 KELVIN B OWENS, 0000  
 ELAINE S PERRY, 0000  
 LEON L ROBERT, 0000  
 FRANKLIN D ROWLAND, JR, 0000  
 PATRICK D SARGENT, 0000  
 JAMES A SIGNAIGO, 0000  
 DAWN M SMITH, 0000  
 BARBARA J STANSFIELD, 0000  
 ROBERT L STEWART, 0000  
 JEFFREY M UNGER, 0000  
 DONALD R WEST, 0000  
 DERICK B ZIEGLER, 0000  
 JEFFREY P ZIMMERMAN, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

*To be colonel*

CYNTHIA A CHAVEZ, 0000  
 JOHN E COLLINS, 0000  
 SANDRA K JORDAN, 0000  
 THOMAS J MCCANN, 0000  
 MARSHA MCCLESKEY, 0000  
 DAVID C PALADINO, 0000  
 RICHARD T PETERS, 0000  
 JAMES J SHEAR, 0000  
 RUTH A WELCH, 0000  
 JACLYNN A WILLIAMS, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

*To be colonel*

FRANCIS B AUSBAND, 0000  
 GRIFFIN L DEEN, JR, 0000  
 ROBERT W ERLACH, 0000  
 ALFREDO J FERNANDEZ, 0000  
 RICHARD H FIXOTT, 0000  
 ENRIQUE GARCIA, 0000  
 MARK M KUBA, 0000  
 JASON M MAILHOT, 0000  
 STEVEN D MCCLINTOCK, 0000  
 ANTHONY L MOLINA, 0000  
 RICK G MUMFORD, 0000  
 CHANTAL NEWSOME, 0000  
 ALLEN RASHEED, 0000  
 NORMAN M ROGERS, 0000  
 JOE W SNAVELY, 0000  
 GREGORY A STOUTE, 0000  
 SCOTT A WRIGHT, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

*To be colonel*

LORETTA A ADAMS, 0000  
 THOMAS L ANDERSON, 0000  
 JAMES B BOEN, 0000  
 PEGGY L BRADLEY, 0000  
 JOSEPH W BURCKEL, 0000  
 LISA P CHISHOLM, 0000  
 JERRELL J COCKRELL, 0000  
 MARK D ELLIOTT, 0000  
 WILLIAM W FARTHING, JR, 0000  
 JOHN E FORRETTE, 0000  
 FRANK FUENTES, 0000  
 PAUL D GANCHER, 0000  
 ROBERT GULL, 0000  
 MARY E HALLMARK, 0000  
 EDWIN N HERNANDEZ, 0000  
 EUGENE V HOLAHAN, JR, 0000  
 BRIAN D JONES, 0000  
 HENRY F KENT, 0000  
 BRADLEY M KNOERNSCCHILD, 0000  
 PETER K LANDSTEINER, 0000  
 ALBERT L MAAS III, 0000

LESLIE R MCKECHNIE, 0000  
 DANIEL A MORIARTY, 0000  
 CYNTHIA A OCONNELL, 0000  
 DONALD S PENDER, 0000  
 JEFFREY G PHILLIPS, 0000  
 PETER T QUINN, 0000  
 MICHAEL A ROGALLA, 0000  
 ELMAR T SCHMEISSER, 0000  
 KENNETH F SELOVER, 0000  
 WALTER D SOJA, 0000  
 MICHAEL T THORNTON, 0000  
 PURRY A WACKER, 0000  
 CLARK H WEAVER, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT  
 TO THE GRADE INDICATED IN THE RESERVE OF THE  
 ARMY UNDER TITLE 10 U.S.C., SECTION 12203:

*To be colonel*

ROBERT D AKERSON, 0000  
 JAMES T ARSCOTT, 0000  
 SANJIVANI C BAKARE, 0000  
 GREGORY J BEILMAN, 0000  
 DAVID A BELYEA, 0000  
 DEIRDRE M BYRNE, 0000  
 RAYMOND L CAPPS, 0000  
 PAUL C DALY, 0000  
 CARL L DANIELSON III, 0000  
 WILLIAM P DIEFENBACH, 0000  
 KEVIN M DWYER, 0000  
 LAWRENCE E FOLTZ, 0000  
 WALTER B FRANZ III, 0000  
 DAVID E GREEN, 0000  
 DAVID K GUSTAVISON, 0000  
 RICHARD K HAILE, 0000  
 WALTER H HALLORAN, 0000  
 THOMAS M HARRIS, 0000  
 NORMAN A HETZLER, JR, 0000  
 ROY H HINMAN II, 0000  
 PAUL J HUBBELL, 0000  
 JAMES W HUSTON, 0000  
 WILLIAM S JOHNSON, 0000  
 CHRISTOPHER JONES, 0000  
 CHANCE T KAPLAN, 0000  
 FREDERICK B KRAFT, 0000  
 MARK A LOWRY, 0000  
 FRANCISCO J MALDONADO, 0000  
 HARRY P MARSHALL, JR, 0000  
 CHARLES N MARVIN, JR, 0000  
 DANIEL J MATRICIA, 0000  
 PHILIP E MCCUNE, 0000  
 GARY B MORSCH, 0000  
 SRIDHAR NATARAJAN, 0000  
 MIGUEL A OQUENDO, 0000  
 TERESA L OTTO, 0000  
 SILVINO P PAZCOGUIN, 0000  
 SUSAN E PEARSON, 0000  
 JEROME C M PETERS, JR, 0000  
 TIMOTHY P PFANNER, 0000  
 KELLY D PRIDGEN, 0000  
 CLYDE R REDMOND, 0000  
 HERNANE C RESTAR, 0000  
 EILEEN M ROSEN, 0000  
 JOSEPH F RUDA, JR, 0000  
 FELICITAS F SANTIAGO, 0000  
 CHRISTOPHER K SINHA, 0000  
 RONALD T STAUBLY, 0000  
 ROBERT E SUTER, 0000  
 PETER P TAILLAC, 0000  
 HEIDI P TERRIO, 0000  
 HEMANT K THAKUR, 0000  
 DEAN R THOMSON, 0000  
 MICHAEL T TRAVIS, 0000  
 ROBERT F TYREE, 0000  
 ROBBIE D VENDITTI, 0000  
 BARBARA E WALKER, 0000  
 CHARLES A YOMANS, 0000  
 RICHARD S K YOUNG, 0000  
 BETH A ZIMMER, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT  
 TO THE GRADE INDICATED IN THE RESERVE OF THE  
 ARMY UNDER TITLE 10 U.S.C., SECTION 12203:

*To be colonel*

PRISCILLA A BERRY, 0000  
 JERRY W BIEHL, 0000  
 JAMES F BOBO, 0000  
 TERRY D BONNER, 0000  
 OLGA R BRADLEY, 0000  
 AUDREY J CARAMANNA, 0000  
 MARY K CHAMBERS, 0000  
 MICHAEL W COLEMAN, 0000  
 WILLIAM T DIAMOND, 0000  
 RONALD E DZIEDZICKI, 0000  
 MARGARET M EIDEN, 0000  
 JOAN M ERICKSON, 0000  
 TEMPIE M EVANS, 0000  
 DEBRA M GIBBS, 0000  
 JUDITH L GISONDI, 0000  
 GLENDA W HILL, 0000  
 LAGAUNDA C JONES, 0000  
 GORDON KUNTZ, 0000  
 CHRISTINE V O'DONNELL, 0000  
 PENNY A REPLOCLE, 0000  
 DIANE L ROBATEAU, 0000  
 DELOIS ROBINSON, 0000  
 DENISE T ROONEY, 0000  
 DONALD J RUTHERFORD, 0000  
 RUTH A SHULL, 0000  
 MICHELE S SLICK, 0000  
 MARIA O STEWART, 0000  
 WILLIAM L STOLTZFUS, 0000  
 JUDITH L STONGE, 0000  
 MARGARET A SULLIVAN, 0000  
 DARLENE S THOMASEC, 0000  
 DOLORES J TROMBETTA, 0000

SANDRA M WEBBBOOKER, 0000  
 IMELDA J WEDDINGTON, 0000  
 RHONDA M WELLER, 0000  
 DONNA J WIBERG, 0000  
 CATHERINE E WRIGHT, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT  
 TO THE GRADE INDICATED IN THE RESERVE OF THE  
 ARMY UNDER TITLE 10 U.S.C., SECTION 12203:

*To be colonel*

GEORGE A ABBOTT, 0000  
 ELVIS ACOSTA, 0000  
 HALVOR N ADAMS III, 0000  
 RANDY A ALEWEL, 0000  
 MICHAEL A ALEXANDER, 0000  
 WILLIAM M ALEXANDER, 0000  
 PATRICK B ALLEN, 0000  
 THOMAS H ALLEN, JR, 0000  
 WILLIAM C ALLEN, 0000  
 JEFFREY T ALTENDORFER, 0000  
 JOHN W ALTEBAUMER, JR, 0000  
 CARL S AMATO, 0000  
 MAXIMILIANO AMAYA, 0000  
 DAVID B ANDERSON, 0000  
 JEFFRY L ANDERSON, 0000  
 JOHN K ANDREW II, 0000  
 GEORGE ANTOCHY, 0000  
 ARTHUR E ARMSTRONG, 0000  
 MARK E ASBURY, 0000  
 JOSE R ATENCIO III, 0000  
 BRIAN S ATTAWAY, 0000  
 DAVID E AUCOIN, 0000  
 ROBERT P AUCOIN, 0000  
 RICHARD M AUGERI, 0000  
 ELIZABETH D AUSTIN, 0000  
 KEVIN R AUSTIN, 0000  
 SCOTT A AYRES, 0000  
 MICHAEL J BABUL, 0000  
 MARTIN L BADEGLAN, 0000  
 GREGORY BAGLEY, 0000  
 WILLIAM M BAILEY, JR, 0000  
 TONY D BAKER, 0000  
 ANDREW M BARCLAY, 0000  
 LYNN BARDEN, 0000  
 ALLEN F BAREFORD, 0000  
 CRAIG A BARGFREDE, 0000  
 JOHN C BARKER, 0000  
 JAMES A BARKSDALE, 0000  
 RICHARD C BARE, JR, 0000  
 WILLIAM P BARRIAGE, 0000  
 WILLIAM E BARTHELD, 0000  
 KIRK M BAYLESS, 0000  
 KENNETH E BEAN, 0000  
 JOHN H BEARD, 0000  
 KENNETH A BEARD, 0000  
 ROBERT G BEARD, 0000  
 KEVIN J BECKER, 0000  
 TIMOTHY D BECTON, 0000  
 JAMES D BEESLEY, 0000  
 OLIVER T BELAMY, JR, 0000  
 PAUL M BENENATI, 0000  
 THOMAS J BENJAMIN, 0000  
 STEVEN J BENJAMIN, 0000  
 NANCY L BERGERON, 0000  
 THOMAS L BERGFELD, 0000  
 DAVID E BERRY, 0000  
 DENISE P BERRY, 0000  
 JEFFREY E BERTRANG, 0000  
 EUGENE N BLAN, 0000  
 JOHN R BIGGS, 0000  
 MICHAEL R BISHOP, 0000  
 MARK F BITTICK III, 0000  
 TODD W BJERKE, 0000  
 MICHAEL J BLACHURA, 0000  
 JAMES S BLACKMON, 0000  
 PERCY L BLACKMON, JR, 0000  
 PHILIP W BLAKELEY, 0000  
 HERSCHELL R BLAND II, 0000  
 BILLY J BLANKENSHIP, 0000  
 PETER C BLEICH, JR, 0000  
 LESLIE C BLIVEN, 0000  
 RONNIE V BLUE, 0000  
 RICHARD J BLUMBERG, 0000  
 JOHN D BLUMENSON, 0000  
 JOHN S BLY, 0000  
 MICHAEL E BOBECK, 0000  
 KENNETH E BOLTZ, 0000  
 CHARLES A BONASIERA, 0000  
 MARGARET S BOND, 0000  
 JAMES L BOOKWALTER, 0000  
 VALERIE L BORDER, 0000  
 RALPH J BORKOWSKI, 0000  
 THOMAS L BOSCO, 0000  
 RAYMOND P BOUCHARD, 0000  
 JAMES E BOUTTTE, 0000  
 GARY M BOWMAN, 0000  
 JANSON D BOYLES, 0000  
 VICTOR J BRADEN, 0000  
 JOHN D BRADY, JR, 0000  
 ALAN D BRAITHWAITE, 0000  
 JAMES J BRAXTON, 0000  
 DANIEL W BRECKEL, 0000  
 MICHAEL A BRENNAN, 0000  
 DAVID J BRICKER, 0000  
 PHILLIP E BRONSDON, 0000  
 PETER J BROOKS, 0000  
 JEFFERY L BROWN, 0000  
 JOSEPH R BROWN, 0000  
 PAUL H BROWN, 0000  
 SCOTT E BROWN, 0000  
 DAVID W BRUNETT, 0000  
 SEAN M BRUNETTI, 0000  
 CARL E BRYANT, JR, 0000  
 MARK S BRYANT, 0000  
 DONNA A BUCELLA, 0000  
 ROBERT H BUEHLER, 0000  
 GEORGE G BUGG, JR, 0000  
 JAMES R BUGGY, 0000  
 HUMBERTO BUTRAGO, 0000  
 LEANNE P BURCH, 0000  
 CHARLES J BURNETT, 0000  
 CURTIS R BURNS, 0000  
 PATRICK W BURNS, 0000  
 GILBERT H BUSTER, 0000  
 PHILIP A BUTCH, 0000  
 DIANA M BUTLER, 0000  
 DARRELL L BUTTERS, 0000  
 CRAIG A BYRD, 0000  
 CHRISTOPHER P CALLAHAN, 0000  
 PATRICK E CAMPION, 0000  
 MARK N CAMPSEY, 0000  
 GAIL H CAPP, 0000  
 REGIS A CARDIFF, 0000  
 JOHN E CARDWELL, 0000  
 PHILLIP A CAREY, 0000  
 DOMINIC A CARIELLO, 0000  
 GARY E CARLBERG, 0000  
 MICHAEL J CARLSON, 0000  
 ROBERT D CARLSON, 0000  
 GREGORY J CARMAN, 0000  
 BRIAN M CARPENTER, 0000  
 KEVIN J CARR, 0000  
 JEFFREY B CARRA, 0000  
 AUBREY W CARTER, 0000  
 RANDAL S CARTER, 0000  
 EDWARD G CASAZZA, 0000  
 STEPHEN R CASE, 0000  
 MICHAEL A CASEY, 0000  
 MICHAEL E CASEY, 0000  
 SEAN M CASEY, 0000  
 ROBERT A CASIAS, 0000  
 GREGORY R CASTELLO, 0000  
 BILL O CASTILLO, 0000  
 ROBERT C CENTNER, 0000  
 LEROY R CERBASI, 0000  
 SCOTT E CHAMBERS, 0000  
 JAMES C CHANDLER, 0000  
 JOHN G CHAPMAN, 0000  
 CINDRA M CHASTAIN, 0000  
 BYRON L CHERRY, 0000  
 DAVID E CHESSEY, 0000  
 HOWARD C CHILDRESS, 0000  
 RODERICK CHILDRESS, 0000  
 WESTLEY K CHIN, 0000  
 EDMUND Y H CHING, 0000  
 DARRY D CHINN, 0000  
 ROBERT B CHISHOLM, 0000  
 EDWARD K CHUNFAT, JR, 0000  
 BOBBY L CLAIBORNE, 0000  
 JOSEPH M CLARK, 0000  
 DAVID G CLARKSON, 0000  
 MAURICE O CLEMONS, 0000  
 MARK E COERS, 0000  
 THOMAS G COLE, 0000  
 BART D COLLINS, 0000  
 JOHN COMPARETTO, 0000  
 ABEL L CONCHA, 0000  
 DEBORAH A CONLEY, 0000  
 GONZALO CORDOVA MCFALINE, 0000  
 MARK A COSGROVE, 0000  
 CARLOS G COSTA, 0000  
 MARIO T COSTAGLIOLA, 0000  
 LEIGH A COULTER, 0000  
 MARJORIE K COURTNEY, 0000  
 ROBERT D COWEN, 0000  
 ROBERT J COY, 0000  
 JOHN L CRAFT, 0000  
 JOHN R CRAIG, 0000  
 LISA G CRAIG, 0000  
 BARRY P CREED, 0000  
 JOHN R CRESWELL, 0000  
 DON B CRONKHITT, 0000  
 ARTHUR P CROWDER, 0000  
 WILLIAM S CROWDER, 0000  
 GLENN A CROWTHER, 0000  
 DANIEL A CULVEY, 0000  
 MARK A CUMMINGS, 0000  
 DAVID W CUNHA, 0000  
 MICHAEL J CURRIE, 0000  
 RODERICK L CUTRIGHT, 0000  
 CARY G CUYLER, 0000  
 CHARLES K DALGLEISH, 0000  
 JOHN G DALY, 0000  
 JOHN J DANIELS, 0000  
 RAND S DANIELSON, 0000  
 MARSHA M DAVIS, 0000  
 ROBERT L DAVIS, JR, 0000  
 RODNEY G DAVIS, 0000  
 ROBERT L DEAN, 0000  
 BARRY A DEFOOR, 0000  
 MIGDALIA DELJESUS, 0000  
 ROBERT F DELCAMPO, 0000  
 JOHN A DELCORE, 0000  
 ROBERTO DELEON, JR, 0000  
 DARLINE DELESTON, 0000  
 JEFFREY J DELFUOCO, 0000  
 ROLAND F DEMARCELLUS, 0000  
 KENNETH DEMERS, 0000  
 FAUL DEVINCENZO, 0000  
 DAWN L DEYOUNG, 0000  
 DAVID T DICE, 0000  
 STEVEN J DICKENSON, 0000  
 ROBERT E DICKSON, 0000  
 ROBERT J DIERKSMEIER, 0000  
 MICHAEL S O DIETRICH, 0000  
 KIMBERLY A DILLON, 0000  
 JOHN DINAPOLI, 0000  
 DONATO M DINELLO, 0000  
 SANDRA W DITTING, 0000  
 CARROLL E DOBBS, 0000  
 CHERYL Y DOLES, 0000  
 EDWIN C DOMINGO, 0000  
 WILLIAM J DORAIS, 0000

ROBERT E DOUGLAS, 0000  
 EDWARD B DOWNEY, 0000  
 BYRON C DOWSE, JR., 0000  
 BRIAN T DRAKE, 0000  
 CHRISTINE A DREWS, 0000  
 WILLIAM C DRIGGERS, 0000  
 TILMAN DRURY II, 0000  
 SAMUEL W DUDKIEWICZ, 0000  
 STEVEN W DUFF, 0000  
 BETH G DUMBLIS, 0000  
 DENNIS J DUNN, 0000  
 LORI M DUPUIS, 0000  
 ANDREW C DURDEN III, 0000  
 DOUGLAS E DYER, 0000  
 CHRISTOPHER T EAKER, 0000  
 TERRY L EARNEST, 0000  
 GRACE E EDINBORO, 0000  
 RACHEL A EDNEY, 0000  
 ALBERT T EDWARDS, 0000  
 DWAYNE R EDWARDS, 0000  
 ELAINE A EDWARDS, 0000  
 JULES D EDWARDS III, 0000  
 EDWARD L ELDER, 0000  
 JAMES A ELLIOTT, JR., 0000  
 JEFFREY R ELLIOTT, 0000  
 JOHN D ELLIS, 0000  
 STEPHEN C ELLSWORTH, 0000  
 DAVID B ENYEART, 0000  
 THOMAS A EPPERSON, 0000  
 DAVID L SR ERNST, 0000  
 JAMES C ERNST, 0000  
 MILDRED A ERONDU, 0000  
 MICHAEL G EVENSON, 0000  
 DONALD L EVERETT, 0000  
 MICHAEL A EYRE, 0000  
 WALTER D EZZELL, JR., 0000  
 PETER J FAGAN, 0000  
 RICARDO A FALCON, 0000  
 JOSEPH P FALCONE, 0000  
 EDWARD T FARMER, 0000  
 THOMAS J FARRELL, 0000  
 RICHARD E FAY, 0000  
 LOUIS FAZEKAS, 0000  
 GREGORY E FEHLINGS, 0000  
 JOHN R FELLOWS, 0000  
 JORGE M FERNANDEZ, 0000  
 LARRY A FIELD, 0000  
 JEWELL E FIELDS, 0000  
 WILMA O FIORAVANTI, 0000  
 ROBERT A FODE, 0000  
 MARY J FORBES, 0000  
 ANTHONY S FORD, 0000  
 DOUGLAS A FORD, 0000  
 EUGENE L FORD III, 0000  
 MICHAEL A FORD, 0000  
 ANTHONY J FORMICA, 0000  
 ALVIN L FOSHEE, JR., 0000  
 DENIEUWE L L FOSTER, 0000  
 DANIEL A FOURNIE, 0000  
 EDWARD G FRIAR, 0000  
 DOUGLAS W FRISON, 0000  
 JOHN M FROST, 0000  
 FRANCES K GABLE, 0000  
 GERARD R GAGNON, 0000  
 CHARLES H GAILLES, JR., 0000  
 KENNETH L GAINOUS, 0000  
 MARION P GALE, JR., 0000  
 JOHN J GALLAGHER III, 0000  
 TERESA A GALLAGHER, 0000  
 DAVID A GALLOWAY, 0000  
 JESUS M GALVEZORTIZ, 0000  
 GARY G GARMAN, 0000  
 GERALD E GATTIS, 0000  
 EARL J GEB, 0000  
 GAIL L GERDING, 0000  
 ALFREDO GERENA, 0000  
 BOGDAN B GIENIEWSKI, 0000  
 JOHN E GIFFORD, JR., 0000  
 JOHN B GILLIS, 0000  
 GLENN L GIRTMAN, 0000  
 WILLIAM L GLASGOW, 0000  
 JAMES D GLENN, 0000  
 ARTHUR D GLIKIN, 0000  
 DAVID S GLOVER, 0000  
 DOUGLAS T GNEISER, 0000  
 TIMOTHY G GOBLIRACH, 0000  
 JANET L GOHMAN, 0000  
 BALDEMIRO GONZALEZ, 0000  
 KIPLING J GORE, 0000  
 MICHAEL L GOREHAM, 0000  
 JAMES R GORHAM, 0000  
 GEORGE S GORISHEK, 0000  
 SUSAN L GOUGH, 0000  
 JAMES E GOWEN, 0000  
 JAMES J GRANT, 0000  
 JAMES M GRAY, 0000  
 KENNETH F GRAY, 0000  
 MATTHEW C GRAYS, 0000  
 MARION W GREEN, JR., 0000  
 JUDY A GREENERAKER, 0000  
 DAVID A GREENWOOD, 0000  
 SHARON D GRESHAM, 0000  
 SCOTTY D GRIGSBY, 0000  
 JOHN W CRIMES, 0000  
 ERIC B GRIMM, 0000  
 DENISE A GROSS, 0000  
 JERONIMO GUARENO, 0000  
 MICHAEL J GUTHRIE, 0000  
 JAY D HADEN, 0000  
 MICHAEL R HADLEY, 0000  
 MICHAEL J HALL, 0000  
 PATRICK M HAMILTON, 0000  
 JAMES A HAMPTON, 0000  
 JAY R HANCOCK, 0000  
 LAWRENCE E HANNAN, 0000  
 OGDEN HANSFORD, JR., 0000  
 TIMOTHY J HANYOK, 0000

LAWRENCE K HARADA, 0000  
 ROBERT G HARBS, 0000  
 THOMAS A HARDY, 0000  
 WILLIAM G HARDY, 0000  
 JOHN K HARMS, 0000  
 LYNN E HARRELSON, 0000  
 ROY C HARRINGTON, 0000  
 BRIAN C HARRIS, 0000  
 CHAUNCEY HARRIS, 0000  
 JANE I HARRIS, 0000  
 VERNON L HARRIS, 0000  
 ROBERT H H HARTER, 0000  
 RONALD G HARTMAN, 0000  
 JAMES A HAUN, 0000  
 RODNEY G HAYES, 0000  
 JAMES M HEALEY, JR., 0000  
 JEAN M HECIMOVICH, 0000  
 DOUGLASS S HECKMAN, 0000  
 MICHAEL J HEFTY, 0000  
 ROGER J HEGER, 0000  
 GARY F HERCHENROEDER, 0000  
 MARK T HERRICK, 0000  
 DEAN W HESS, 0000  
 WILLIAM J HESTWOOD, 0000  
 KEITH E HIBNER, 0000  
 JAMES C HILL, 0000  
 ELIZABETH H HINES, 0000  
 STEVEN B HIRSCHKOWITZ, 0000  
 ROBERT J HODGES III, 0000  
 ROBERT L HODGSON, 0000  
 DONNA S HOLBROOK, 0000  
 STEVEN P HOLLOWAY, 0000  
 CHRISTOPHER J HOLSHEK, 0000  
 COLUMBUS HOOD, 0000  
 KIM B HOOPER, 0000  
 JAMES E HOOVER, 0000  
 RANDELL K HOWARD, 0000  
 KIMBALL M HUBBERT, 0000  
 MICHAEL J HUDDLESTON, 0000  
 STEPHEN W HUNT, 0000  
 WILLIAM J HUYOT, 0000  
 CHARLES S HUTT, 0000  
 DAMON L IGOU, 0000  
 JOHN V IMHOF, 0000  
 JEFFREY E IRELAND, 0000  
 RUTH A IRWIN, 0000  
 ORLANDO A IZQUIERDO, 0000  
 JANNETT N JACKSON, 0000  
 WILLIAM M JACOBS, JR., 0000  
 BRYAN J JAHNKE, 0000  
 JOHN F JAKUBOWSKI, 0000  
 GEORGE J JELICH, JR., 0000  
 KELLY S JENNINGS, 0000  
 BRUCE A JENSEN, 0000  
 VINCENT M JOHNS, 0000  
 DARREL L JOHNSON, 0000  
 DAVID L JOHNSON, 0000  
 PAUL E JOHNSON, 0000  
 RAYMOND E JOHNSON, 0000  
 RONALD D JOHNSON, 0000  
 TIMOTHY C JOHNSON, 0000  
 WAYNE JOHNSON, 0000  
 DAVID L JONES, 0000  
 WALTER L JONES, 0000  
 DEBORAH F JONESHARRIS, 0000  
 LOUIS H JORDAN, JR., 0000  
 WALTER A JUZUKONIS, 0000  
 ALAN R KALIN, 0000  
 THOMAS M KANE, 0000  
 RONALD M KAPRLE, 0000  
 JAMES KARAS, 0000  
 STEPHEN E KARSTENSEN, 0000  
 TIMOTHY W KEASLING, 0000  
 MARY D KEAST, 0000  
 MATTHEW J KEATING, 0000  
 JAMES E KEIGHLEY, 0000  
 WILLIAM K KEITH, 0000  
 JOHN B KELLER II, 0000  
 LAWRENCE J KELLY, 0000  
 PAUL M KELLY, 0000  
 SEAN M KELLY, 0000  
 TIMOTHY J KELLY, 0000  
 DAVID W KENLINE, 0000  
 GREGORY L KENNEDY, 0000  
 JAMES M KENNEDY, 0000  
 JOHN M KIESOV, 0000  
 JENIFER S KILCULLEN, 0000  
 MAE A KING, 0000  
 MARY A KING, 0000  
 CHRISTIAN P KLINEFELTER, 0000  
 CHRISTOPHER P KNEIB, 0000  
 JOSEPH L KNOTT, 0000  
 GERARD J KOEHLER, 0000  
 GREGORY J KOENDERS, 0000  
 JOY A KOESTER, 0000  
 RICHARD D KOETHE, 0000  
 SUSAN E KOLB, 0000  
 KENNETH A KOON, 0000  
 ALEXANDER K KOSE, 0000  
 JERRY E KOSIEROWSKI, 0000  
 RAYMOND P KRESS, JR., 0000  
 ROBERT P KROPIK, 0000  
 FONTAINE WILLIAM H LA, 0000  
 MARTIN A LAFFERTY, 0000  
 MARK S LAKE, 0000  
 DAVID N LANGLEY, 0000  
 JAMES H VI LATHAM, 0000  
 JOHN W LATHROP, 0000  
 DANIEL R LAVERTUE, 0000  
 ROBERT J LAWLESS, JR., 0000  
 WILLIAM J LAWRENCE, 0000  
 CHRISTOPHER F LAWSON, 0000  
 JOHN M LAZARO, 0000  
 RICHARD B LEAP, 0000  
 DANIEL B LEATHERMAN, 0000  
 DAVID E LEBLANC, 0000  
 JOSEPH P LEBLANC, 0000

CHRISTINE M LEBLOND, 0000  
 RANDY C LECOMPTE, 0000  
 JOSEPH H LEDLOW, 0000  
 KAREN E LEDOUX, 0000  
 CHARLES R LEE, JR., 0000  
 CURTIS A LEE, 0000  
 RUSSELL G LEES, 0000  
 JOHN A LENK, 0000  
 KERRY M LEONARD, 0000  
 BRIAN K LEONHARD, 0000  
 FIRMIN D LEPORI, 0000  
 ALLEN W LEPP, 0000  
 BRICE I LESLIE, 0000  
 WALTER T LEVENDOSKY, 0000  
 ALLEN K LEWIS, 0000  
 AUDREY J LEWIS, 0000  
 ELIZABETH A LIECHTI, 0000  
 GREGORY W LIMBERIS, 0000  
 RAY C LINDSEY, 0000  
 KENDALL LINSON, 0000  
 LAWRENCE A LIPSCOMB, JR., 0000  
 MARK T LISI, 0000  
 BERNARD P LISWELL, 0000  
 CHARLES M LITZELMAN, 0000  
 KEITH D LOCHNER, 0000  
 KATHLEEN A LOFTS, 0000  
 ARTHUR J LOGAN, 0000  
 BENJAMIN D LONEY, 0000  
 MICHAEL C SR LOQUASTO, 0000  
 BRADFORD N LOUISON, 0000  
 DAVID A LOWE, 0000  
 MICHAEL L LOY, 0000  
 PHILIP LUCI, JR., 0000  
 JEFFREY H LUECK, 0000  
 GREGORY A LUSK, 0000  
 DEWEY M LUTZOW, 0000  
 DWIGHT A LYDIC, 0000  
 ROBERT K LYTTLE, 0000  
 TIMOTHY I MACGILLIS, 0000  
 KENNETH C MADDEN, 0000  
 PATRICIA A MADICK, 0000  
 MICHAEL S MADIGAN, 0000  
 LARRY W MAHAR, 0000  
 MARIE M MAHONEY, 0000  
 STEVEN M MAHONEY, 0000  
 SHELLEY L MAHOOD, 0000  
 JOHN P MAIETTA, 0000  
 JIM E MALMGREN, 0000  
 PATRICIA A MANESSAVERY, 0000  
 MARLA A MANN, 0000  
 BRUNO A MANNARELLI, 0000  
 GLENN R MARCHI, 0000  
 LAURA L MARFUT, 0000  
 JEFFREY P MARLETTE, 0000  
 SCOTT A MARQUARDT, 0000  
 WILLIAM MARRERO, 0000  
 KENNETH L MARSH, JR., 0000  
 RONALD G MARTIN, 0000  
 JORGE J MARTINEZ, 0000  
 SAMUEL W MASSEY, 0000  
 BURTON L MASTERS, 0000  
 DAVID V MATAKAS, 0000  
 FRANK T MATHESON, 0000  
 MARK W MATHEWS, JR., 0000  
 MARK W MATHWIG, 0000  
 MARLON E MAYS, 0000  
 RICHARD L MCBRIDE, 0000  
 AMY S MCBURNIE, 0000  
 LAURIE E MCCABE, 0000  
 STEPHEN J MCCAHEY, 0000  
 KENNETH E MCCALLISTER, 0000  
 DENISE C MCCANN, 0000  
 EDWARD T MCCLOSKEY, 0000  
 VANN L MCCLOUD, 0000  
 ELBERT A MCCOLLUM, 0000  
 MICHAEL E MCCORMACK II, 0000  
 THOMAS J MCCORMICK, JR., 0000  
 WILLIAM M MCCORMICK, 0000  
 TERRY G MCCOY, 0000  
 KAREN L MCCURDY, 0000  
 MARGARET A MCDEVITT, 0000  
 JOHN J MCDUGALL, 0000  
 MICHAEL D MCDOWELL, 0000  
 KYRA B MCEHINNEY, 0000  
 MICHAEL A MCFADDEN, 0000  
 BILLY E MCFARLAND, JR., 0000  
 SCOTT A MCFARLANE, 0000  
 FRANCIS M MCGINN, 0000  
 JOHN K MCGREW, 0000  
 DAVID J MCGUIRE, 0000  
 WENDY A MCGUIRE, 0000  
 JOSEPH M MCINNIS, 0000  
 PATRICK J MCKEEVER, 0000  
 MICHAEL J MCKENNA, 0000  
 RICHARD L MCKINNEY, JR., 0000  
 JOHN L MCLEISH, 0000  
 KEVIN P MCINN, 0000  
 KENNETH C MCNEILL, 0000  
 WARNE D MEAD, JR., 0000  
 DEBORAH L MEARS, 0000  
 RICHARD M MEDVED, 0000  
 JORGE MELENDEZVEGA, 0000  
 MARCOS R MENDEZ, 0000  
 JOSE M MENDOZA, 0000  
 DAVID B MERCIER, 0000  
 JAMES L MEYER, 0000  
 BRYAN D MEYERS, 0000  
 HARVEY A MICHLITSCH, 0000  
 GARY E MILLER, 0000  
 EDWIN MIRANDA, 0000  
 JEFFREY F MITCHELL, 0000  
 JOEL C MJOLNESS, 0000  
 OWEN W MONCONDUIT, 0000  
 VINCENT J MONTERA, 0000  
 LAWRENCE K MONTGOMERY, JR., 0000  
 TIMOTHY E MONTGOMERY, 0000



DIANE B MOORE, 0000  
 JIM D MOORE, 0000  
 TERRY F MOORER, 0000  
 JAMES E MORRIS, JR, 0000  
 PAUL L MORSE, 0000  
 JOHN W MOSER III, 0000  
 JOHN MOULTON, 0000  
 KURT MUELLER, JR, 0000  
 BRUCE A MULKEY, 0000  
 JON D MULLINS, 0000  
 BRUCE A MURPHY, 0000  
 CLYDE E MURRAY, 0000  
 JOHN S MYERS, 0000  
 DEBORAH G NAGLE, 0000  
 NICHOLAS P NAVETTA, 0000  
 MICHAEL J NELSON, 0000  
 ROBERT P NELSON, JR, 0000  
 TRACY A NELSON, 0000  
 DANIEL R NEUFFER, 0000  
 KEVIN L NEUMANN, 0000  
 ALDEN C NEVA, 0000  
 KENNETH D NEWLIN, 0000  
 DAVID B NICKELS, 0000  
 RICARDO A NICOL, 0000  
 DEBORAH A NIGHTINGALE, 0000  
 JAMES R NORRIS, 0000  
 MARY R NORRIS, 0000  
 STEPHEN J NOVOTNY, 0000  
 JOHN M NUNN, 0000  
 ROBERT D OBRIEN, JR, 0000  
 THERESE M OBRIEN, 0000  
 JAMES E OHARE, 0000  
 STEVEN E OLSON, 0000  
 WILLIAM J ONEILL, 0000  
 MICHAEL ORE, 0000  
 TIMOTHY E ORR, 0000  
 DENNIS M OSTROWSKI, 0000  
 JOHN M OTTO, 0000  
 KEITH M OWENS, 0000  
 RONALD D J OWENS, 0000  
 BRIAN G PALMORE, 0000  
 MARK W PALZER, 0000  
 J THOMAS PARKER, 0000  
 ROBERT D PASQUALUCCI, 0000  
 DAVID A PASSWATERS III, 0000  
 STEVEN A PATARCITY, 0000  
 EVERETT S PAYNE, 0000  
 QUENTIN L PEACH, 0000  
 DWIGHT W PEARSON, 0000  
 CHARLES H PEDEN, JR, 0000  
 PATRICIA R PEDRETTI, 0000  
 ALBERT P PEHANICK, 0000  
 DAVID W PEMBERTON, 0000  
 STEPHEN B PENCE, 0000  
 KENDALL W PENN, 0000  
 STUART A PENNELS, 0000  
 LAYTON H M PENNINGTON, 0000  
 DANIEL G PEPPER, JR, 0000  
 GREGORY R PERCHATSCH, 0000  
 ROBERT G PEREZ, 0000  
 DOROTHY A PERKINS, 0000  
 RUSSELL E PERRY, 0000  
 DALE W PETERSON, 0000  
 CHARLES E PETRARCA, JR, 0000  
 GORDON W PETRIE, 0000  
 CHARLES W PHILLIPS, 0000  
 WILLIAM R PHILLIPS II, 0000  
 ROBERT E PHILPOTT, 0000  
 ROBERT A PIAZZA, 0000  
 LILLIAN C PITTS, 0000  
 MARK A PLANK, 0000  
 LINDA PLICHTA, 0000  
 JOHN E PLUNKETT, 0000  
 JOHN W POWELL, 0000  
 STERLING A POWELL, 0000  
 ALAN W PROFFITT, 0000  
 THOMAS J PURPLE, JR, 0000  
 DEE DEE L QUIGGLE, 0000  
 CARL T QUINN, 0000  
 JAMES B RABENOLD, 0000  
 SOPHIA R FATJAH, 0000  
 STEVEN C RAMEY, 0000  
 WILLIAM RAMOS, 0000  
 MATTHEW A RANEY, 0000  
 JACKIE L REAVES, 0000  
 FRANK J REBHOLZ, 0000  
 FELIPE O REYES, 0000  
 GEORGE E REYNOLDS III, 0000  
 THOMAS M RHATICAN, 0000  
 JIMMY D RHODES, 0000  
 JAMES R RICHARDSON, 0000  
 DAVID E RICKFORD, 0000  
 KEVIN R RIEDLER, 0000  
 MARCOS RIVERA, 0000  
 LEANN D ROBINSON, 0000  
 MICHAEL E ROBINSON, 0000  
 GALE E RODENBAUGH, 0000  
 MARIA J RODRIGUEZ, 0000  
 RICHARD S RODRIGUEZ, 0000  
 GOODRICH A ROGERS, 0000  
 MICHAEL H ROGERS, 0000  
 JOSEPH E ROONEY, 0000  
 NICHOLAS J ROPEY, 0000  
 MICHAEL E ROREX, 0000  
 JOSE R ROSA, 0000  
 JUAN H ROSA, 0000  
 RAUL ROSADO, 0000  
 GAIL A ROSS, 0000  
 JAMES W ROSS, JR, 0000  
 GINA M ROSSI, 0000  
 STANFORD B ROUTH, 0000  
 GWENDOLYN H RUFF, 0000  
 ERMEE J RUSSELL, 0000  
 JACQUELINE L RUSSELL, 0000  
 PAUL T RUSSELL, 0000  
 MARK L RUTKOWSKI, 0000  
 BOBBY L SAILORS, 0000

NORMAN Y SAITO, 0000  
 CHRISTIAN B SALAMONE, 0000  
 RONALD M SALAZAR, 0000  
 DOUGLAS K SALLEE, 0000  
 ROBERT P SAMBORSKI, 0000  
 LEON J SANCHEZ, 0000  
 JORGE L SANTIAGO, 0000  
 DOUGLAS R SATTERFIELD, 0000  
 VINCENT J SAVA, 0000  
 JAYSON D SAWYER, 0000  
 MARSHALL SCHLICHTING, 0000  
 DAVID S SCHLIEPER, 0000  
 LAWRENCE A SCHMIDT, 0000  
 ROBERT F SCHMITT, 0000  
 ANDREW K F SCHOBER, 0000  
 TIMOTHY F SCHROTH, 0000  
 CHARLES H SCHULZE, 0000  
 MICHAEL SCHWED, 0000  
 ROBERT L SCOGGINS, JR, 0000  
 STEPHEN K SCOTT, 0000  
 PETER E SEAHOLM, 0000  
 GIRARD SEITTE, IV, 0000  
 KAREN E SEMERARO, 0000  
 DEREK J SENTINELLA, 0000  
 DAWN M SERVON, 0000  
 VERNON A SEVIER, JR, 0000  
 KENNETH A SHANNON, 0000  
 RICHARD L SHEIDER, SR, 0000  
 THOMAS L SHERBAKOFF, 0000  
 DOUGLAS R SHIPMAN, 0000  
 EARNEST G SHOWS, JR, 0000  
 CHARLES D SHULTS, 0000  
 ANTONIO C SHUMATE, 0000  
 CLIFFORD M SILSBY, 0000  
 JACK C SKEEN, 0000  
 DAVID H SKILTON, 0000  
 NEIL J SKOW, 0000  
 ROLAN W SMALL, 0000  
 ANDY O SMITH, 0000  
 CHARLES F SMITH, 0000  
 DENNIS V SMITH, 0000  
 GEORGE J SMITH, JR, 0000  
 JOEL A SMITH, 0000  
 JOHN B SMITH, 0000  
 JOHN J SMITH, 0000  
 KEITH A SMITH, 0000  
 KURT T SMITH, 0000  
 LARRY J SMITH, 0000  
 LAWRENCE B SMITH, 0000  
 MARK C SMITH, 0000  
 PAUL G SMITH, 0000  
 ROBERT SMITH, 0000  
 TONY G SMITH, 0000  
 CHRISTOPHER M SMRT, 0000  
 ROBERT G SOECHTING, 0000  
 TERRY R SOPHER, JR, 0000  
 MICHAEL D SOULE, 0000  
 KEITH M SOUSA, 0000  
 STEVEN P SPAAY, 0000  
 RALPH E SPARKS, 0000  
 TIMOTHY W SPRIGGS, 0000  
 RONALD B SPRINKLE, 0000  
 MICHAEL S STABLER, 0000  
 JOHN B STANFORD, 0000  
 LUTHER J STAR III, 0000  
 HARRIET L STATEN, 0000  
 THOMAS H STATON, 0000  
 PHILIP A STEMPLE, 0000  
 NANCY J STEVENS, 0000  
 KENNETH B STEVENSON, 0000  
 GEORGE STIGLER, 0000  
 DOUGLAS R STIL, 0000  
 DENNIS W STINE, 0000  
 DEAN K STINSON III, 0000  
 JEROME F STOLINSKI, JR, 0000  
 BOB S STONE, 0000  
 MONTE R STOPPELLO, 0000  
 HARRY D STUDEBAKER, 0000  
 GEORGE D SUMMUT, 0000  
 JAMES M SURIANO, 0000  
 KATHLEEN J SWACINA, 0000  
 CHARLES W SWANSON, 0000  
 PETER SWIDERSKI, 0000  
 MARK D SWOPE, 0000  
 LORA J TAFT, 0000  
 JEFFREY W TALLEY, 0000  
 JAMES C TALLMAN, 0000  
 DOROTHY E TANEYHILL, 0000  
 DONALD B TATUM, 0000  
 STUART G TAYLOR, JR, 0000  
 DIANN C TERRY, 0000  
 JAMES M THATCHER, 0000  
 RONALD R THAXTON, 0000  
 JOSEPH THOMPSON, 0000  
 MICHAEL R TIMBERLAKE, 0000  
 GERALD P TIMONEY, JR, 0000  
 LATRICE J TOLLERSON, 0000  
 CHRISTOPHER G TORELLI, 0000  
 RAFAEL TORRES, 0000  
 MITCHELL E TORYANSKI, 0000  
 PETER R TOSI, 0000  
 STEPHEN A TOWN, 0000  
 MARK A TRACY, 0000  
 MICHAEL E TUCKER, 0000  
 PHILIP E TULLAR, 0000  
 PAUL G TURFON, 0000  
 DENNIS L TURNAGE, 0000  
 ROGER ULLMAN, 0000  
 FRANCIS J VAHLE, JR, 0000  
 HUGH C VANROOSEN II, 0000  
 ANTHONY J VERGOPIA, 0000  
 HENRY F VILLARAMA, 0000  
 APRIL M VINSON, 0000  
 CATHY J VITTORIA, 0000  
 ROBERT F VORISEK, 0000  
 RICKY L WADDELL, 0000  
 STUART E WAHLERS, 0000

ROBERT D WALK, 0000  
 STEPHEN C WALKER, 0000  
 GERALD I WALTER, 0000  
 ROBERT L WALTER, JR, 0000  
 BRYAN W WAMPLER, 0000  
 RANDY H WARM, 0000  
 KIRK G WARNER, 0000  
 STEVEN D WARNER, 0000  
 FOY W WATSON, 0000  
 CHARLES H WEBB, 0000  
 ROY S WEBB, 0000  
 PAUL J WEGMAN, 0000  
 ROBERT L WEGNER, JR, 0000  
 JOSEPH K WEIHS, 0000  
 RONALD P WELCH, 0000  
 JIMMIE J WELLS, 0000  
 WILLIAM P WENZLER, 0000  
 ROBERT W WESLER, 0000  
 RUBEL D WEST, 0000  
 RONNIE J WESTMAN, 0000  
 SCOTT A WHITE, 0000  
 STEPHEN P WHITE, 0000  
 JOEL M WIERENGA, 0000  
 DANIEL J WIERICHS, 0000  
 DAVID B WILES, 0000  
 THOMAS P WILKINSON, 0000  
 FRANK R WILLIAMS, 0000  
 MARK S WILLIAMS, 0000  
 CURTIS B WILLIAMSON, 0000  
 FRANK M WILLIAMSON, 0000  
 ELIZABETH F WILSON, 0000  
 EMORY S WILSON, 0000  
 JEROME WILSON, 0000  
 SANDRA B WOOD, 0000  
 WILLIAM S WOOD, 0000  
 BRUCE D WOOLPERT, 0000  
 GERALD E WUETCHER, 0000  
 MARC W YATES, 0000  
 ROGER D YEARWOOD, 0000  
 DANIEL L YORK, 0000  
 JAMES V YOUNG, JR, 0000  
 JOHN B YOUNG III, 0000  
 MICHAEL L YOWELL, 0000  
 ANTHONY D ZABEK, 0000  
 CLAIRE M ZAJAC, 0000  
 JOHN P ZAVEZ, 0000  
 MONTI G ZIMMERMAN, 0000  
 EDWARD M ZOELLER, 0000  
 DONALD R ZOUFAL, 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., SECTION 624:

#### *To be lieutenant colonel*

THOMAS S. HOFFMAN, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

#### *To be lieutenant colonel*

HERBERT L. ALLEN, JR., 0000  
 DALE A. JACKMAN, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

#### *To be lieutenant colonel*

LESLIE G. MACRAE, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., 624:

#### *To be major*

OMAR BILLIGUE, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADES INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

#### *To be major*

CORBERT K. ELLISON, 0000  
 DAVID M. JONES, 0000  
 GISELLA Y. VELEZ, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

#### *To be major*

GRETCHEN M. ADAMS, 0000

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*

MICHAEL D. SHIRLEY, JR., 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE AND FOR REGULAR APPOINTMENT UNDER TITLE 10, U.S.C., SECTIONS 624 AND 531:

#### *To be major*

GERALD J. HUERTA, 0000  
 JEFFREY L. MOORE, 0000  
 ANTHONY T. WILSON, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADES INDICATED IN THE UNITED STATES AIR FORCE AND FOR REGULAR APPOINTMENT UNDER TITLE 10, U.S.C., SECTIONS 624 AND 531:

*To be major*

MICHAEL F. LAMB, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

*To be major*

DEAN J CUTILLAR, 0000  
AARON C HARJU, 0000  
ANDREW L P HOUSEMAN, 0000  
DONALD J MCKEEL, 0000  
CATHERINE R S PLATT, 0000  
ROBERT R PORCHIA, 0000  
TRACY L RUSSELL, 0000  
THOMAS J TOFFOLI, 0000  
JOHN P VICKERYANTONIO, 0000  
XIAOHUI XIONG, 0000  
AN ZHU, 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 captain*

STEVEN P. DAVITO, 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 commander*

EDWARD S. WAGNER, JR., 0000

THE FOLLOWING NAMED OFFICERS FOR TEMPORARY APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 5721:

*To be lieutenant commander*

SAMUEL ADAMS, 0000  
TIMOTHY E ALLEN, 0000  
THOMAS B AYDT, 0000  
GREGORY L BADGER, 0000  
ROBERT C BANDY, 0000  
BRADLEY W BUSCH, 0000  
EDWARD K BYERS, 0000  
JAMES N COLSTON, 0000  
KENNETH T CREAMEANS, 0000  
MICHAEL B DAVIES, 0000  
STEVEN E FAULK, 0000  
MARK R FEGLEY, 0000  
ARTHUR C FULLER, 0000  
JORGE F GARCIA, 0000  
JEFFEREY L HAAS, 0000  
ROGER D HEINKEN, 0000  
JOSHUA J HENRY, 0000  
ERIC P HIGGS, 0000  
ROBERT B JOHNS, 0000  
ROY G KIDDY, 0000  
DANIEL J LOMBARDO, 0000  
GARRICK J MILLER, 0000  
GARY G MONTALVO, 0000  
LARRY A MYERS, 0000  
ALBERT D OUTCALT, 0000  
CAMILLE G PARRA, 0000  
NIRAV V PATEL, 0000  
MATHEW D PHANEUF, 0000  
JOHN P PIENKOWSKI, 0000  
BRIAN K ROTTNEK, 0000  
JERROD M SCHRECK, 0000  
MATTHEW S SHIELDS, 0000  
MELVIN R SMITH, 0000  
ALLEN C SUMMERALL, 0000  
CHRISTOPHER J TARSA, 0000  
RANDY J VANROSSUM, 0000

## IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

*To be colonel*

ROBERT S ABBOTT, 0000  
THOMAS C ABEL, 0000  
ROSS A ADELMAN, 0000  
ROARKE L ANDERSON, 0000  
DALE M ATKINSON, 0000  
PAUL K AUGUSTINE, 0000  
MARK T AYCOCK, 0000  
ROBERT S BAKER, 0000  
LUDOVIC M BAUDOINDAJOUX, 0000  
MITCHELL A BAUMAN, 0000  
MICHAEL F BELCHER, 0000  
FRANCIS P BOTTORFF, 0000  
BENJAMIN R BRADEN, 0000  
GARETH F BRANDL, 0000  
GREGG W BRINEGAR, 0000  
GEORGE H BRISTOL, 0000  
JOHN J BROADMEADOW, 0000  
KIRK E BRUNO, 0000  
ROBERT F CASTELLVI, 0000  
PHILLIP C CHUDOBA, 0000  
CHRISTOPHER M CLAYTON, 0000  
VINCENT A COGLINSESE, 0000  
ALBERT T CONORD, 0000  
JONATHAN D COVINGTON, 0000  
JOHN J CRANE, 0000  
LEWIS A CRAPAROTTA, 0000  
JAMES T CRAVENS, 0000  
KEITH W DANIEL, 0000  
ROBERT R DANKO, 0000  
ROBERT E DAVIS, 0000

DANIEL C DEAMON, 0000  
ROBERT D DEFORGE, 0000  
MARK J DESENS, 0000  
PAUL B DUNAHOE, 0000  
MARK W ERB, 0000  
STEPHEN A FERRANDO, 0000  
TIMOTHY W FITZGERALD, 0000  
WILLIAM J FLANNERY, 0000  
MICHAEL J FOLEY, 0000  
MARK D FRANKLIN, 0000  
PHILIP D GENTILE, 0000  
ROBIN G GENTRY, 0000  
KENYON M GILL III, 0000  
DANIEL J GILLAN, 0000  
THOMAS N GOBEN, 0000  
RICKEY L GRABOWSKI, 0000  
GARY S GRAHAM, 0000  
STEVEN M GROZINSKI, 0000  
BRUCE A HAINES, 0000  
CHRISTIAN N HALIDAY, 0000  
DAVID B HALL, 0000  
DOUGLAS M HARDISON, 0000  
DAVID S HEESACKER, 0000  
DALE E HOUCK, 0000  
KIRK W HYMES, 0000  
MICHAEL C JORDAN, 0000  
TODD G KEMPER, 0000  
DAVID A LAPAN, 0000  
ROBERT F LEARY, 0000  
DAVID R LEPPELMEIER, 0000  
RAYMOND F LHEUREUX, 0000  
DONALD J LILES, 0000  
JOHN D LLOYD, 0000  
DAVID P LOBIK, 0000  
CHRISTOPHER J LORIA, 0000  
MICHAEL E LOUDY, 0000  
STEPHEN D MARCHIORO, 0000  
HENRY B MATHEWS II, 0000  
JOHN L MAYER, 0000  
BRYAN P MCCOY, 0000  
SCOTT R MCGOWAN, 0000  
WILLIAM P MCLAUGHLIN, 0000  
RICHARD C MCMONAGLE, 0000  
MICHAEL R MELILLO, 0000  
JAMES B MILLER, 0000  
THOMAS C MOORE, 0000  
MICHAEL J MULLIGAN, 0000  
CARL E MUNDY III, 0000  
SCOTT C MYKLEBY, 0000  
NICHOLAS F NANNA, 0000  
NIEL E NELSON, 0000  
DANIEL J ODOHOUE, 0000  
MICHAEL J OEHL, 0000  
MICHAEL A OHALLORAN, 0000  
JOHN H OHEY, 0000  
FREDERICK M PADILLA, 0000  
BRIAN T PALMER, 0000  
PETER PETRONZIO, 0000  
MICHAEL N PEZNOLA, 0000  
DANIEL A PINEDO, 0000  
LAWRENCE J PLEIS III, 0000  
ALAN M PRATT, 0000  
CLARENCE V PREVATT IV, 0000  
PETER M RAMEY, 0000  
PETER C REDDY, 0000  
RICHARD W REGAN, 0000  
SHAWN M REINWALD, 0000  
MARC F RICCIO, 0000  
LAWRENCE R ROBERTS, 0000  
GREGORY M RYAN, 0000  
MICHAEL A SANTACROCE, 0000  
RICHARD A SCHOTT, 0000  
RICHARD M SELLECK, 0000  
TIMOTHY V SHINDELLAR, 0000  
CAROLINE A SIMKINSMULLINS, 0000  
FRANK H SIMONDS, JR, 0000  
DEAN T SINIFF, 0000  
PHILLIP J SKALNIAK, JR, 0000  
JOHN R SNIDER, 0000  
MICHAEL J TAYLOR, 0000  
DOUGLAS P THOMAS, 0000  
GARY L THOMAS, 0000  
MARK J TOAL, 0000  
JAMES D TURLIP, 0000  
PATRICK J UETZ, JR, 0000  
FLOYD J USRY, JR, 0000  
CYNTHIA J VALENTIN, 0000  
KEVIN S VEST, 0000  
DOUGLAS J WADSWORTH, 0000  
MARK E WAKEMAN, 0000  
JAY D WALKER, 0000  
DUFFY W WHITE, 0000  
THOMAS M WILLIAMS, JR, 0000  
DONALD G WOGAMAN, 0000  
PETER D WOODMANSEE, 0000  
GEORGE D ZAMKA, 0000  
RONALD M ZICH, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant colonel*

JASON G ADKINSON, 0000  
SETH D AINSPEC, 0000  
MIGUEL A AMEIGEIRAS, 0000  
JOHN R ANDERSON, 0000  
MICHAEL S ANDERSON, 0000  
DAVID N ARBOLA, 0000  
JON M AYLES, 0000  
ROBERT A BAIRD, 0000  
JOHN G BAKER, 0000  
JAVIER J BALL, 0000  
AHMAD BANDANI, 0000  
STEPHEN G BANTA, 0000  
JASON M BARRETT, 0000  
SCOTT F BENEDICT, 0000  
MICHAEL L BENNETT, 0000  
INMAN R BESSENGER, 0000  
WILLIE J BEST, 0000  
CHRISTOPHER S BEY, 0000  
JOHN W BICKNELL, JR, 0000  
ELIZABETH S BIRCH, 0000  
JAMES M BLACKBURN, 0000  
JASON Q BOHM, 0000  
BRANTLEY A BOND, 0000  
LLOYD E BONZO II, 0000  
BRADLEY R BORMAN, 0000  
ROBERT V BOUCHER, 0000  
JOHN R BOWEN, 0000  
WILLIAM J BOWERS, 0000  
CHAD M BREEDEN, 0000  
MARK A BRENNAN, 0000  
MARK T BRINKMAN, 0000  
RICKY F BROWN, 0000  
GLEN G BUTLER, 0000  
PATRICK C BYRON, 0000  
CHRISTIAN G CABANISS, 0000  
JAMES C CALEY, 0000  
JOHN R CALVERT, JR, 0000  
MICHEL C CANCELLIER, 0000  
JOHN H CANE, 0000  
THOMAS CARNESI III, 0000  
DONALD J CARRIER, 0000  
MICHAEL L CARTER, 0000  
DAVID P CASEY, 0000  
BRIAN W CAVANAUGH, 0000  
JOHN A CAVAZOS, 0000  
JUSTICE M CHAMBERS III, 0000  
CHRISTIAN P CHARLEVILLE, 0000  
CLIFFORD D CHEN, 0000  
JAMES D CHRISTMAS, 0000  
VINCENT E CLARK, 0000  
BENJAMIN R CLATTERBUCK, 0000  
SHAWN J COAKLEY, 0000  
PHILIP A COLBORN, 0000  
RANDALL J COLSON, 0000  
SHANE B CONRAD, 0000  
MATTHEW W COON, 0000  
MATTHEW H COOPER, 0000  
ROBERT P COTE, 0000  
ANDREW L CRABR, 0000  
MATTHEW R CRABILL, 0000  
MICHAEL S CUNINGHAM, 0000  
KARON L CURRY, 0000  
ROBERT D CURTIS, 0000  
KEITH M CUTLER, 0000  
MARC E CZAJA, 0000  
PAUL E DAMPHOUSSE, 0000  
ROBERT D DASCH, JR, 0000  
SCOTT T DAVIDS, 0000  
DONALD J DAVIS, 0000  
JAMES D DAVIS, 0000  
TODD S DESGROSSEILLIERS, 0000  
EDWARD T DEWALD, 0000  
THOMAS P DEWYEA, 0000  
JEFFREY J DILL, 0000  
KELLY G DORSON, 0000  
DAN E DOWSE, 0000  
CHARLES M DUNNE, 0000  
TERENCE J DUNNE, 0000  
DEAN A EBERT, 0000  
TODD S ECKLOFF, 0000  
CHARLES E EHLETT, 0000  
CHRISTOPHER H ELLIS, 0000  
TODD J ENGE, 0000  
BARRY L ENSTICE, 0000  
DAVID J ESKELUND, 0000  
KATHERINE J ESTES, 0000  
ROBB P ETNYRE, 0000  
FRED T FAGAN III, 0000  
JOHN P FARNAM, 0000  
DOUGLAS I FEIRING, 0000  
ANTHONY A FERENC, 0000  
MATTHEW D FERINCA, 0000  
GEOFFREY H FIELD, 0000  
ROBERT A FIFER, 0000  
JOHN S FITZPATRICK, 0000  
JOSE R FLORES, 0000  
MICHAEL D FLYNN, 0000  
ALLEN S FORD, 0000  
JAMES S FRAMPTON, 0000  
TIMOTHY C FRANTZ, 0000  
MICHAEL J GANN II, 0000  
KARL J GANNON, 0000  
MICHAEL GANTE, JR, 0000  
PETER J GARFIELD, 0000  
ERIC B GARRETTY, 0000  
TYSON B GEISENDORFF, 0000  
STEVEN G GERACOLIS, 0000  
SEAN D GIBSON, 0000  
GREGORY C GILLETTE, 0000  
ROBERTO J GOMEZ, 0000  
JEFFREY O GOODES, 0000  
FLAY R GOODWIN, 0000  
MICHAEL J GOUGH, 0000  
JOHN M GRAHAM, 0000  
VERNON L GRAHAM, 0000  
THOMAS E GRATTAN III, 0000  
CHRISTOPHER M GREER, 0000  
DUDLEY R GRIGGS, 0000  
FRANCIS A GRZYMKOWSKI, JR, 0000  
GLENN R GUENTHER, 0000  
ANDREW J GUNDERSON, 0000  
JON M HACKETT, 0000  
BRINLEY M HALL III, 0000  
SCOTT R HALL, 0000  
GREGORY J HANVILLE, 0000  
MARK S HARRINGTON, 0000  
WAYNE C HARRISON, 0000  
KENT W HAYES, 0000  
CASON N HEARD, 0000  
GREGORY M HEINES, 0000  
RYAN P HERITAGE, 0000

JAMES B HIGGINS, JR., 0000  
 RICHARD K HILBERER, 0000  
 PATRICK A HILLMEYER, 0000  
 JONATHAN W HITESMAN, 0000  
 HUNTER H HOBSON, 0000  
 THOMAS W HOFER, 0000  
 DAVID P HOLAHAN, 0000  
 TODD A HOLMQUIST, 0000  
 MARK A HOUSE, 0000  
 JON M JACOBS, 0000  
 JAMES T JENKINS II, 0000  
 JEFFREY J JOHNSON, 0000  
 PATRICIA JOHNSON, 0000  
 FRANK E JOHNSTON, 0000  
 RONALD F JONES, 0000  
 STEVEN P KAEGEBEIN, 0000  
 DANIEL R KAISER, 0000  
 GARY F KEIM, 0000  
 JAMES R KENNEDY, 0000  
 CRAIG T KILLIAN, 0000  
 ANDREW N KILLION, 0000  
 GREGORY W KING, 0000  
 ERIC R KLEIS, 0000  
 JOSEPH J KLOCEK, JR., 0000  
 NICHOLAS L KNIGHT, 0000  
 JEFFREY S KOJAC, 0000  
 TIMOTHY A KOLB, 0000  
 ANDREW J KOSTIC, JR., 0000  
 ERIK B KRAFT, 0000  
 DAVID P KRAMER, 0000  
 DAVID A KREBS, 0000  
 DALE R KRUSE, 0000  
 RUDY R KUBE, 0000  
 THOMAS E KUHN, 0000  
 MARK C KUSTRA, 0000  
 ALBERT A LAGORE, JR., 0000  
 CRAIG P LAMBERT, 0000  
 GEORGE LAMPKIN, JR., 0000  
 DAVID W LANCASTER, 0000  
 JOHN R LANGFORD, 0000  
 DANIEL T LATHROP, 0000  
 MICHAEL E LATHROP, 0000  
 KEVIN J LEE, 0000  
 JAMES E LEIGHTY, 0000  
 RICHARD E LEINO, 0000  
 GERRY W LEONARD, JR., 0000  
 KENNETH M LEWTON, 0000  
 WILLIAM R LIEBLEIN, 0000  
 STEPHEN E LISZEWSKI, 0000  
 CHRISTOPHER L LOVEJOY, 0000  
 FRANK E LUCC, JR., 0000  
 ARTHUR R LYMAN IV, 0000  
 TODD W LYONS, 0000  
 WILLIAM J MACKEY, 0000  
 BRIAN L MAGNUSON, 0000  
 JOHN A MANNLE, 0000  
 JOHN M MANSON II, 0000  
 ANTHONY J MANUEL, 0000  
 GREGORY R MARTIN, 0000  
 JAMES D MARTIN, 0000  
 JOSEPH A MATOS III, 0000  
 CHRISTOPHER J MATTEI, 0000  
 DOUGLAS S MAYER, 0000  
 JAMES C MCARTHUR, 0000  
 BRENDAN B MCBREEN, 0000  
 KYLE B MCCARTHY, 0000  
 CHRISTINA D MCCLOSKEY, 0000  
 PAUL H MCCONNELL, 0000  
 MICHAEL C MCGHEE, 0000  
 BRANDON D MCGOWAN, 0000  
 FRANK N MCKENZIE, 0000  
 LAWRENCE S MCKENNELLY, 0000  
 TIMOTHY J MCLAUGHLIN, 0000  
 ARCHIBALD M MCGLELLAN, 0000  
 CHRISTOPHER A MCPHILLIPS, 0000  
 JOHN S MEADE, 0000  
 FLOYD MEANS, JR., 0000  
 JOHN P MEE, 0000  
 MARK J MENOTTI, 0000  
 ANDRE L MERCIER, 0000  
 JOHN E MERNA, 0000  
 RANDALL H MESSER, 0000  
 RONI A MEYERHOFF, 0000  
 ANDREW R MILLBURN, 0000  
 JEFFREY W MILLER, 0000  
 LAWRENCE F MILLER, 0000  
 DON A MILLS, SR., 0000  
 JAMES H MOORE, 0000  
 ANTONIO J MORABITO III, 0000  
 DAN E MORRIS, 0000  
 JAMES M MORRISROE, 0000  
 CHRISTOPHER W MORTON, 0000  
 JOHN A MULLIN, 0000  
 JAMES E MUNROE II, 0000  
 MARK A MURPHY, 0000  
 JOSEPH M MURRAY, 0000  
 CHRISTOPHER L NALER, 0000  
 LAWRENCE A NATHAN, 0000  
 CHAD R NELSON, 0000  
 KENNETH A NELSON, 0000  
 VAN Q NGUYEN, 0000  
 BRENT R NORQUIST, 0000  
 SEAN P ODOHERTY, 0000  
 DANIEL P OHORA, 0000  
 BRIAN P OKEEFE, 0000  
 DUANE A OPPERMAN, 0000  
 RENE A ORELLANA, 0000  
 DAVID M OWEN, 0000  
 CHRIS PAPPAS III, 0000  
 ROBERT Y PARK, 0000  
 TIMOTHY M PARKER, 0000  
 ARTHUR J PASAGIAN, 0000  
 RICHARD W PAULY, 0000  
 MYLES F PEMBER IV, 0000  
 JASON C PIERDEW, 0000  
 AUSTIN L PETWAY, 0000  
 MICHAEL R PFISTER, 0000

RICHARD L PHILLIPS II, 0000  
 VON H PIGG, 0000  
 JAMES A POPIELIEC, 0000  
 PAUL J PRATT, 0000  
 ROBERT F PREMO, 0000  
 LESTER B PRICE, 0000  
 THOMAS E PRIEST, 0000  
 TRAVIS M PROVOST, 0000  
 JEFFREY W PROWSE, 0000  
 NEAL F PUGLIESE, 0000  
 JOHN M REED, 0000  
 KEITH D REVENTLOW, 0000  
 DEREK G RICHARDSON, 0000  
 PAUL M RIEGERT, 0000  
 DONALD J RILEY, JR., 0000  
 MITCHELL D RIOS, 0000  
 STEPHEN C ROBERTS, 0000  
 MACON R ROBINSON, JR., 0000  
 MICHAEL D ROBINSON, 0000  
 DANIEL J RODMAN, 0000  
 ALEJANDRO RODRIGUEZ, 0000  
 BRENT A RONNING, 0000  
 DAVID W ROWE, 0000  
 RICHARD C RUSH, 0000  
 STANLEY K RUSSELL, 0000  
 KEITH E RUTKOWSKI, 0000  
 JONATHAN L SACHAR, 0000  
 ROBERT P SALASKO, 0000  
 DAVID L SANFORD, 0000  
 JOHN M SAPPENFELD, 0000  
 CHAD L SBRAGIA, 0000  
 ALAN SCHACHMAN, JR., 0000  
 THOMAS A SCHELLIN, 0000  
 JOEL T SCHIRO, 0000  
 STEVEN J SCHMID, 0000  
 MARK G SCHRECKER, 0000  
 STEPHEN S SCHWARZ, 0000  
 ROBERT R SCOTT, 0000  
 DONALD A SCRIBNER, 0000  
 SUSAN B SEAMAN, 0000  
 WILLIAM H SEELY III, 0000  
 JOHN J SHARKEY, JR., 0000  
 DENNIS J SHERWOOD, 0000  
 STEVEN A SIMMONS, 0000  
 STEPHEN A SIMPSON, 0000  
 GREGG SKINNER, 0000  
 ROBERT B SOFGE, JR., 0000  
 JOHN C SPAHR, 0000  
 JOSEPH P SPATARO, 0000  
 OLIVER B SPENCER, 0000  
 NICHOLAS A SPIGNESI, 0000  
 CLAY A STACKHOUSE, 0000  
 SCOTT F STEBBINS, 0000  
 JAMES A STOCKS, 0000  
 JAY P STORMS, 0000  
 VICTOR S STOVER, 0000  
 MIKEL E STROUD, 0000  
 SCOTT D SUTTON, 0000  
 DOUGLAS K SWITZER, 0000  
 CHRISTOPHER D TAYLOR, 0000  
 MICHAEL D TENCATE, 0000  
 ANTHONY P TERLIZZI, JR., 0000  
 ADAM C THARP, 0000  
 GEOFFREY D THOME, 0000  
 DAVID C THOMPSON, 0000  
 MATTHEW E TOLLIVER, 0000  
 THAD R TRAPP, 0000  
 KARL R TRENKER, 0000  
 ALPHONSO TRIMBLE, 0000  
 MATTHEW G TROLLINGER, 0000  
 ROBERT M TROUTMAN, 0000  
 WILLIAM J TRUAX, JR., 0000  
 RICK A URIBE, 0000  
 JAY A VANDERWERFF, 0000  
 CHRISTIAN A VEERIS, 0000  
 MICHAEL R VILLANDRE, 0000  
 BRETT A WADSWORTH, 0000  
 THOMAS A WAGONER, JR., 0000  
 MARK M WALTER, 0000  
 PAUL J WARE, 0000  
 MICHAEL E WATKINS, 0000  
 JEFFREY G WEBB, 0000  
 RUDOLF WEBBERS, 0000  
 CLIFFORD J WEINSTEIN, 0000  
 ERIC S WEISSBERGER, 0000  
 FRANK E WENDLING, 0000  
 JAMES P WEST, 0000  
 SEAN D WESTER, 0000  
 CHARLES A WESTERN, 0000  
 BRIAN H WIKTOREK, 0000  
 GLENN S WILLIAMS, 0000  
 CURTIS L WILLIAMSON III, 0000  
 DONALD K WIMP, 0000  
 TIMOTHY E WINAND, 0000  
 MARK E WINN, 0000  
 JONATHAN A WOODCOCK, 0000  
 JOSEPH A WOODWARD, JR., 0000  
 JAMES B ZIENTEK, 0000

## IN THE COAST GUARD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT  
 TO THE GRADE INDICATED IN THE UNITED STATES  
 COAST GUARD RESERVE UNDER TITLE 10, U.S.C., 12203(A):

*To be captain*

VINCENT M. WEBER, 0000

THE FOLLOWING NAMED CADETS FOR APPOINTMENT  
 TO THE GRADE INDICATED IN THE UNITED STATES  
 COAST GUARD UNDER TITLE 14, U.S.C., SECTION 211:

*To be ensign*

JOHN C ADAMS, 0000  
 MICHAEL S ADAMS, JR., 0000  
 RYAN F ADAMS, 0000  
 MATTHEW E ALEX, 0000

HILLARY A ALLEGRETTI, 0000  
 NICHOLAS M ANDERSON, 0000  
 KAREN E APPEL, 0000  
 MARC J ARMAS, 0000  
 HUNTER T ATHERTON, 0000  
 ELIZABETH G BAKER, 0000  
 MORGAN R BARBIERI, 0000  
 JIAH G BARNETT, 0000  
 SEAN H BARTONICEK, 0000  
 ADRIAN A C BEER, 0000  
 DANIEL BELL, 0000  
 ERIN M BIEMILLER, 0000  
 ORION R BLOOM, 0000  
 TIMOTHY E BOETTNER, 0000  
 JORDAN T BOGHOSIAN, 0000  
 SARA BOOTH, 0000  
 ELISABETH BOSMA, 0000  
 JOSHUA D BOYLE, 0000  
 ELIZABETH L BRAKER, 0000  
 BRITTANY G BREWSTER, 0000  
 MATTHEW P BRINKLEY, 0000  
 ANTONIO D BRINO, 0000  
 BRIAN J BRUNS, 0000  
 HOLLY J BUCHEIT, 0000  
 ALEXANDER G BUCHLER, 0000  
 BRIAN M BUSH II, 0000  
 JONATHAN M BYAR, 0000  
 NELSON W CABLE, 0000  
 ERIN L CADA, 0000  
 BRYAN S CANTPIL, 0000  
 MARLON C CHICHESTER, 0000  
 KELLY L CHMIELECKI, 0000  
 JOEL C COITO, 0000  
 CLAY R CROMER, 0000  
 MICHAEL D CROWE, 0000  
 LAWRENCE M CUKRAN, 0000  
 ANDREW J CZARNIAK, 0000  
 AMALIA E DARATSOS, 0000  
 JOSHUA J DAUBENSPECK, 0000  
 STACEY R DAWSON, 0000  
 DAVID J DEPTULA, 0000  
 ANTHONY M DESTEFANO, 0000  
 JOSHUA M DI PIETRO, 0000  
 JAYME L DUBINSKY, 0000  
 BENJAMIN R DUNKERTON, 0000  
 MICHAEL E DURKTON, 0000  
 STEPHEN M ELLIOTT, 0000  
 DANIEL G EYER, 0000  
 MICHAEL S FAHEY, 0000  
 BOBBIE JEAN FELIX, 0000  
 MICHAEL P FELTOVIC, 0000  
 JOHN A FERREIRA, 0000  
 DANIEL F FLYNN, 0000  
 CATHERINE F GABINELLE, 0000  
 JEFFREY M GARVEY, 0000  
 PETER U GAVIN, 0000  
 GREGORY C GOLPHIN, 0000  
 ISAAC R GORDON, 0000  
 LUKE J GRANT, 0000  
 KARIMA A GREENAWAY, 0000  
 MICHAEL J GROFF, 0000  
 GINNY R GUSTAFSON, 0000  
 DANIEL R HACKETT, 0000  
 MEGHAN M HAGUE, 0000  
 GEORGE F HALL, 0000  
 NICHOLAS J HAMILTON, 0000  
 TIFFANY A HANSEN, 0000  
 JARED A HARLOW, 0000  
 AMY E HAMEL, 0000  
 ADRIAN P HARRIS, 0000  
 JONATHAN R HARRIS, 0000  
 RYAN D HAWN, 0000  
 RYAN P HENEBERY, 0000  
 MARY KATHLEEN O HERON, 0000  
 ELIZABETH M HETRICK, 0000  
 JOSIAH D HILL, 0000  
 JOHN W HOLDERMAN, 0000  
 GORDON A HOOD, 0000  
 TASHA R HOOD, 0000  
 WILLIAM J HOUDE, JR., 0000  
 CHRISTOPHER R F HOWARD, 0000  
 NATALIA M HOY, 0000  
 PETER C HSU, 0000  
 ZACHARY D HUFF, 0000  
 MELISSA J HUSKA, 0000  
 JESSE E HYLES, 0000  
 CHRISTOPHER A JASNOCH, 0000  
 JOSEPH K JOHNSON, 0000  
 LEE H JONES II, 0000  
 ALANNA G KALTSAS, 0000  
 JESSICA A KANE, 0000  
 PETER J KARDAS, 0000  
 MATTHEW V KEMPE, 0000  
 JEANNETTE M KILLEN, 0000  
 HELEN Y KIM, 0000  
 JASON M KLING, 0000  
 KELLY L KOCH, 0000  
 GEORGE C KOLUMBIC, 0000  
 SCOTT R KOSER, 0000  
 BRIAN A KUDRLIE, 0000  
 JACOB M KYER, 0000  
 JEFFREY M LAMONT, 0000  
 PETER M LANG, JR., 0000  
 JONATHAN D K LEE, 0000  
 LINDSEY E LEFEBVRE, 0000  
 NICHOLAS D LEITER, 0000  
 REBECCA M LENBERG, 0000  
 JENNIFER N LOPEZ, 0000  
 GREG T LOVELESS, 0000  
 CRAIG G MACKENZIE, 0000  
 NATHAN P MACKENZIE, 0000  
 ANDREW P MADJESKA, 0000  
 FRANK A MARCHESKI, 0000  
 JUSTIN M MATEJKA, 0000  
 CHRISTOPHER N MCANDREW, 0000  
 TYLER J MCGILL, 0000  
 HEATHER M MEINEKE, 0000

HEIDI L MILLER, 0000  
KEVIN L MILLER II, 0000  
PAUL J MILLER, 0000  
RYAN C MILLER, 0000  
WILLIAM C MILLWARD, 0000  
SARA P MONACO, 0000  
BRIAN P MONAGHAN, 0000  
JEREMY J MONTES, 0000  
DARLA M MORA, 0000  
EMILY L MORRISON, 0000  
MATTHEW K A MOTHANDER, 0000  
LANE M MUNROE, 0000  
ELISABETH T MURTHA, 0000  
SAMUEL L NELSON, 0000  
DAVID T NEWCOMB, 0000  
ELIZABETH J NEWTON, 0000  
GERALD W NEWTON, 0000  
BENJAMIN K OLOUGHLIN, 0000  
ROLAND T I ORR II, 0000  
THOMAS R OSBORN, JR, 0000  
JEFFREY K PADILLA, 0000  
AARON T PARKER, 0000  
BRITTANY C PARKER, 0000  
JENNIFER G PAULSON, 0000  
KIRA M PETERSON, 0000  
SARAH E PETRELLA, 0000  
ERIN K PIGORS, 0000  
HAROLD N I PIPER II, 0000  
JOHN P POLEY, 0000  
GREG H PONZI, 0000  
RYAN B POPIEL, 0000

JOSEPH H PRIDE, 0000  
JEDEDIAH A RASKIE, 0000  
DAVID W RATNER, 0000  
TRACEY L RICHARDS, 0000  
CORY A RIESTERER, 0000  
JOSEPH E RIZZO, 0000  
NATHANIEL R ROSS, 0000  
JUSTIN F RULE, 0000  
AMANDA C RYAN, 0000  
THOMAS A SANBORN, 0000  
ERNEST A C SAPONARA, 0000  
KATIE R SAVOIE, 0000  
NATHANIEL P SELAVKA, 0000  
JOSEPH R SEMKE, 0000  
NICHOLAS C SENIUK, 0000  
MATTHEW A SHAFFER, 0000  
MATTHEW R SHAFFER, 0000  
KRISTEN A SHALLOW, 0000  
REBECCA B SHULTS, 0000  
AMY C SIBERT, 0000  
GREGORY S SICKELS, 0000  
JUSTIN C SMITH, 0000  
JESSICA A SNYDER, 0000  
TRACY M SPEELHOFFER, 0000  
GRAYSON C STALVEY, 0000  
JASON R STANKO, 0000  
BENJAMIN W STEVENSON, 0000  
DAVID W STUTT, 0000  
CONOR J SULLIVAN, 0000  
RICHARD W SULLIVAN, JR, 0000  
CHRISTOPHER E SVENCER, 0000

TRACEY L SWAYNOS, 0000  
COLLEEN A SYMANSKY, 0000  
RICHARD C SZOKA, 0000  
NICOLE M TESONIERO, 0000  
FELICIA S THOMAS, 0000  
MICHAEL C THOMAS, 0000  
JONATHAN T TILLMAN, 0000  
CHRISTOPHER W TOMS, 0000  
LAWRENCE E TORMEY, 0000  
ANTHONY T TRAN, 0000  
CHRISTINE M UNDERWOOD, 0000  
STEVEN B VAN DERLASKE, 0000  
KYRA N VAN ECHO, 0000  
GREGORIO J VERA II, 0000  
PAMELA R WADE, 0000  
RYAN T WAITT, 0000  
JOHN H WALTERS, 0000  
MATTHEW E WARANIUS, 0000  
BRYAN D WATTS, 0000  
JORELL R WEBB, 0000  
CHRISTOPHER C WEISER, 0000  
SAMANTHA M WHITTEN, 0000  
KIMBERLY M WILSON, 0000  
DEWEY W WORKER, 0000  
CHAD A YEAMANS, 0000  
LILY A ZEPEDA, 0000  
JOSHUA L ZIKE, 0000  
MATTHEW S ZOLNIEREK, 0000  
ANDREW H ZUCKERMAN, 0000