to help these school succeed that were promised as part of NCLB. I am deeply concerned that the President's budget requests for each of the fiscal years since NCLB was enacted have not provided the funding levels promised by that law, and have, in fact, provided no funding for a number of important programs included in that law.

I began to hear concerns from Wisconsinites more than 4 years ago when the President first proposed his education initiative, and these concerns have only increased as my constituents continue to learn first hand what this law means for them and for their students and children. While Wisconsinites support holding schools accountable for results, they are rightly troubled by the focus on testing that is the centerpiece of the President's approach.

In response to these concerns, in past years I introduced with Senator JEFFORDS and others the Student Testing Flexibility Act, which would have allowed States and school districts that are meeting their adequate yearly progress, AYP, goals to waive the additional layer of testing required by NCLB, thus allowing them to maintain their existing testing programs. In addition, this bill would have allowed States to keep the federal money allocated for developing and administering these new tests and to use that money to help those schools and districts that are not meeting their AYP goals. While we have not reintroduced the bill this year, we remain committed to restoring to States and local school districts the decisions over the frequency and magnitude of testing.

In addition, earlier this year I sent with some of my colleagues a letter to the chairman and ranking member of the Health, Education, Labor, and Pensions Committee requesting that the committee have a series of hearings on how the ongoing implementation of the NCLB is affecting schools and districts. We asked that these hearings focus on issues that are being raised by our constituents, including: the unique circumstances of rural and smaller school districts; the long-term effects that meeting the one-size-fits-all AYP provisions will have on students, schools, and school districts; the concern and likelihood that nearly all public schools may not be able to meet the goal of 100-percent proficient scores on reading and math tests by the 2013–2014 school year, even if those schools show a steady increase in student achievement each year; the NCLB sanctions structure; the effect that Federal funding that is well below the agreed-upon authorization levels for crucial programs such as title I and special education is having on schools' ability to meet NCLB and State standards; the need for additional Federal funding for professional development, recruitment and retention, and for additional training for paraprofessionals, so that States and school districts can comply with requirements for having highly qualified teachers and paraprofessionals; the toll that preparation for the new federally mandated tests is having on, and will have on, the ability of teachers to spend time on innovative and exciting approaches to instruction and assessment, the instruction time available for nontested subjects, such as social studies, art, music, and physical education, the strength of State academic standards, and the morale of students and educators; the ongoing efforts to align the NCLB and the Individuals with Disabilities Education Act; the unique challenges that the accountability provisions pose for students with limited English proficiency; and the implementation of the supplemental services provisions, including implications for Federal civil rights law.

It is critically important that we understand the practical effect of NCLB on the everyday classroom experiences of students and teachers. I have heard from many educators who are already seeing a narrowing of curricula and increased teaching to the test in preparation for the federally mandated tests in reading and math. One of the purposes of public education is to ensure that students have a well-rounded curriculum that gives them the skills that they need to succeed in life. I remain concerned that the approach encapsulated in NCLB will produce a generation of students who know how to take tests, but who don't have the skills necessary to become successful adults. Test-taking has a place in public education, but it should not be the role of the Federal Government to tell schools how and when to require tests.

I am particularly disturbed that this appears to be only the tip of the testing iceberg. In his fiscal year 2006 budget request, the President proposed expanding this testing program to additional high school grades. We should not expand the NCLB testing mandates through the budget and appropriations process, and I am pleased that neither the House-passed nor the Senate reported Labor-Health and Human Services-Education appropriations bill includes this funding.

Students, teachers, and schools are more than a test score, and education should be a well-rounded experience that is not narrowly focused on ensuring that students pass a test to help their schools avoid being sanctioned by the Federal Government. Standardized tests measure performance on a particular day under particular circumstances. These tests do not make allowances for outside factors such as test anxiety, illness, worry about a troubled home situation, or even the fact that the child taking the test may not have eaten that day. To measure the performance of a school and its teachers and students on two test scores per grade does a disservice to these same students, teachers, and schools. And to compare the test scores of this year's third graders to those of next year's third graders does not provide an accurate picture of educational progress.

I will continue to monitor the effect of the No Child Left Behind Act on Wisconsin students, and I hope that the debate on this law, both in my State and nationally, will result in meaningful changes to this deeply flawed law that will ensure that each child is given the opportunity to succeed and that each school has the resources necessary to give these students that opportunity.

PROTECTING RELIGIOUS FREEDOM

Mr. SANTORUM. Mr. President, here in the United States we cherish and protect religious freedom. Citizens of this great Nation exercise this freedom in many places—in their homes, in their workplaces and many more. But no place is more commonly the location of reflection and prayer than the house of worship—be it the church or synagogue, mosque or temple. The houses of God are infused with sanctity—not because of their architecture or their art or even holy books housed in them—they are sacred because it is where we men and women go to connect to something larger than themselves. We go there to seek comfort and peace. This is, of course, not only true of houses of worship in this country, but throughout the world. It is thus with a heavy heart that I come to the floor today to describe and to deplore the desecration of synagogues that was perpetrated earlier this week in Gaza.

After painful deliberations in Israel's Cabinet, the government of Israel decided to leave standing nineteen synagogues in its twenty-one communities throughout the Gaza Strip rather than lending a hand to their destruction. Despite official Israeli requests to protect the sanctity and security of the holy sites after it courageously withdrew from Gaza, the Palestinian Authority rejected out of hand any responsibility and refused to protect the structures from arsonists and looters. In fact, a Palestinian police officer, tasked with keeping the peace, shirked his responsibility and allowed the mobs to torch the synagogues, claiming, ''The people have a right to do what they're doing.''

Those acts should offend all people of good conscience. We know too well that where houses of God are desecrated, threats to man's liberty and life are soon found. As a nation founded by those seeking freedom from religious persecution, we know that governments must actively protect their citizens' religious freedom. And they have a sacred obligation to protect buildings not because they are made of stone, glass and wood but out of respect for the worship of God that occurs inside them.

Houses of worship, central fixtures in any community, are places where people gather to serve and worship God, seek his counsel, and share common religious experiences. As an American

who strongly values religious freedom, I am appalled by the actions of Palestinians who desecrated holy sites and I deplore the total abdication of leadership demonstrated by the Palestinian Authority.

[On this day in 1963,] a bomb exploded at the Sixteenth Street Baptist Church in Birmingham, AL. And it took until 2001, almost 40 years later, but, we prosecuted and convicted a man responsible. It pains me as I think of such horrific acts occurring and I am proud that in America we not only have the right to worship freely but where we fully prosecute perpetrators of such crimes to the fullest extent.

The lawlessness in the streets of Gaza, the lack of human rights, and the disrespect shown to holy sites by the Palestinian Authority is in marked, stark contrast to the way Israel has treated mosques and Christian holy sites. Following the torching of synagogues in Gaza, Israel increased security at Arab mosques. We need no further proof of the difference between lawful, civilized nations and those that have no place in the family of nations. A government that fails to honor religious sites and, worse, lacks the ability to restrain its citizens from committing such heinous acts demonstrates it is not yet a partner to peace and not yet interested in normal relations with our great friend, the State of Israel.

Rabbi Tzvi Hersh Weinreb, Executive Vice President of the Union of Orthodox Jewish Congregations of America said, ''The destruction of a synagogue is akin to a knife being thrust into our very being. When synagogues are destroyed, with either the connivance or lack of action of a governing authority, we can only ask, what kind of government is this?''

All Americans of good will, of all faiths, ethnicities and nationalities feel such pain. I commend and join President Bush who yesterday condemned the desecration of the synagogues in Gaza and hope that all Members of this great body do the same.

NOMINATIONS OF STEWART A. BAKER AND JULIE L. MYERS

Mr. AKAKA. Mr. President, regrettably, I was detained at a Veterans' Affairs Committee business meeting which precluded my presence at an important nomination hearing before the Homeland Security and Governmental Affairs Committee on two critical nominations for key positions within the Department of Homeland Security. The Senate has the responsibility to ensure that the best qualified and most able people serve our country. I ask unanimous consent that my statement for that hearing be included in the RECORD.

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

Thank you Chairman Collins. I wish to add my welcome to Mr. Baker, Ms. Myers, and their families and friends.

You are both here because you wish to continue your careers in public service by serving as Assistant Secretaries in the Department of Homeland Security (DHS). These positions demand individuals who have demonstrated extensive executive level leadership and the ability to manage a sizable budget and diverse workforce. Mr. Baker, if confirmed, you will be the first DHS Assistant Secretary for Policy, and you will help define the role of the Office of Policy.

Ms. Myers, you have been nominated to lead Immigration and Customs Enforcement, an agency that is currently facing significant financial and human resource management challenges.

While every nomination considered by the Senate is important, I believe that today's hearing will be watched carefully by the American people, who are looking to this Committee to make sure we ask the appropriate, and sometimes tough, questions. The people of Hawaii, like all Americans, want to make sure that those leading DHS have the necessary experience and qualifications.

The creation of DHS in 2003 was the largest reorganization of the federal government since the Department of Defense was established in 1947. The merging of 22 legacy agencies into a single agency has created management challenges that DHS will face for years to come. Because of these significant challenges, DHS needs strong leaders. A qualified candidate must possess extensive experience managing people and budgets in addition to having experience in immigration or law enforcement or intelligence.

I am especially concerned about the current state of ICE, which is the second largest federal law enforcement agency with a $4 billion budget and over 15,000 employees in over 400 offices around the world.

ICE has extraordinary reach, extraordinary responsibilities for our national security, and extraordinary problems.

Financial difficulties have resulted in hiring freezes and reductions in training, bonuses, and travel. ICE's financial crisis has resulted in DHS reprogramming $500 million in FY 04 and FY 05 funds and requesting an additional $267 million in the April 2005 emergency supplemental. Despite assurances that ICE's financial problems have been resolved, DHS Inspector General Richard Skinner testified in July 2005 that ICE cannot properly account for millions of dollars every month due to its deficient financial management system. This financial crisis has had an adverse impact on the readiness and morale of the ICE workforce.

ICE needs strong, experienced leadership to repair these management problems.

Mr. Baker, the Administration has submitted legislation to the Congress that this Committee is now considering which would create the position of an Undersecretary for Policy. According to Secretary Chertoff's transmittal letter to the Congress on his proposal, dated July 13, 2005, the new Office of Policy ''will lead a unified, mission-focused policy approach'' and will include a number of existing units, such as the Office of International Affairs, the Special Assistant to the Secretary for Private Sector Coordination, the Border and Transportation Security Policy and Planning Office, elements of the Border and Transportation Security Office of International Enforcement, the Homeland Security Advisory Committee, and the Office of Immigration Statistics. In addition, the Secretary is proposing to add a strategic policy planning office and a refugee policy coordinator.

This is an enormous range of new responsibilities and will require someone with extensive management experience and vision.

I would argue that the key focus of this office should be on strategic planning. Given the nature of the Department's enormous size and breadth of responsibilities, someone is needed who can provide focus and direction to the mission of preventing and responding to terrorist attacks and natural disasters.

Mr. Baker, you are being nominated for the position of Assistant Secretary with the expectation of moving into the Undersecretary position should the Congress pass the reform proposal. One of the issues this Committee will have to address is whether you will need to be reconfirmed at a later date for that higher position should you be confirmed for the Assistant Secretary position.

One of the lessons learned from the Hurricane Katrina response is that the senior officials of an agency should have demonstrated leadership skills. The positions of Assistant Secretary for ICE and Assistant Secretary for Policy are no exception.

I would like to draw the attention of my colleagues to one measure of leadership skills: the standards the Office of Personnel Management has developed for the government's career Senior Executive Service (SES).

To qualify for an SES position, a candidate must possess the following five executive qualifications: leading change; leading people; being results driven; having business acumen; and building coalitions/communications.

SES candidates demonstrate these qualifications through experience in key executive skills such as leading others to rapidly adjust organizational behavior and work methods; supervising and managing a diverse workforce; developing strategic human capital management plans; establishing performance standards and plans; managing the budgetary process; overseeing the allocation of financial resources; and developing and maintaining positive working relationships with internal groups and external groups such as Congress, the Office of Management and Budget, and the White House.

These qualifications and experiences help ensure that the federal government's senior executives have the ability to establish a clear vision for the organization and to drive others to succeed. While political appointees are not required to meet these qualifications, I believe it would be difficult for an agency head to be successful without them.

I look forward to this opportunity to hear from Mr. Baker and Ms. Myers. Thank you Madam Chairman.