



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 109th CONGRESS, FIRST SESSION

Vol. 151

WASHINGTON, THURSDAY, JANUARY 20, 2005

No. 3

House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. SIMPSON).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
January 20, 2005.

I hereby appoint the Honorable MICHAEL K. SIMPSON to act as Speaker pro tempore on this day.

J. DENNIS HASTERT,
Speaker of the House of Representatives.

PRAYER

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer: Almighty God, today as the 109th Congress welcomes the President and Vice President for the Inauguration, the American people pray for the three branches of this government. May they work together for prosperity and peace and security.

We join our voices with the prayer once said by Thomas Jefferson: "Almighty God, You have given us this good land for our heritage. We humbly beseech You that we may always prove ourselves a people mindful of Your favor and glad to do Your will."

Bless our land and bless all those who serve in public service. Bless the government that it may be with the people and for the people now and forever. Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Minnesota (Mr. KLINE) come forward and lead the House in the Pledge of Allegiance.

Mr. KLINE 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.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 4 of rule I, the Speaker signed the following enrolled bill on Thursday, January 6, 2005:

H.R. 241, to accelerate the income tax benefits for charitable cash contributions for the relief of victims of the Indian Ocean tsunami.

APPOINTMENT AS MEMBER TO JOINT ECONOMIC COMMITTEE

The SPEAKER pro tempore. Pursuant to 15 United States Code 1024(a), and the order of the House of January 4, 2005, the Chair announces the Speaker's appointment of the following Member of the House to the Joint Economic Committee:

Mr. SAXTON of New Jersey.

COMMUNICATION FROM THE HON. NANCY PELOSI, DEMOCRATIC LEADER

The SPEAKER pro tempore laid before the House the following communication from the Honorable NANCY PELOSI, Democratic Leader:

HOUSE OF REPRESENTATIVES,
OFFICE OF THE DEMOCRATIC LEADER,
January 19, 2005.

Hon. J. DENNIS HASTERT,
Speaker of the House, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to section 703(c) of the Public Interest Declassification

Act of 2000 (50 U.S.C. 435 note), I hereby appoint David Skaggs of Colorado, to the Public Interest Declassification Board for an initial 2-year term.

Best regards,

NANCY PELOSI.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair announces that on January 19, 2005, the Speaker delivered to the Clerk a letter listing Members in the order in which each shall act as Speaker pro tempore under clause 8(b)(3) of rule I.

RECALL DESIGNEE

The SPEAKER pro tempore laid before the House the following communication from the Speaker of the House of Representatives:

OFFICE OF THE SPEAKER,
HOUSE OF REPRESENTATIVES,
Washington, DC, January 19, 2005.

Hon. JEFF TRANDAH, Jr.,
Clerk of the House,
The Capitol, Washington, DC.

DEAR MR. CLERK: Pursuant to House Concurrent Resolution 1, and also for purposes of such concurrent resolutions of the current Congress as may contemplate my designation of Members to act in similar circumstances, I hereby designate Representative DeLay to act jointly with the Majority Leader of the Senate or his designee, in the event of my death or inability, to notify the Members of the House and the Senate, respectively, of any reassembly under any such concurrent resolution. In the event of the death or inability of that designee, the alternate Members of the House listed in a letter placed with the Clerk are designated, in turn, for the same purposes.

Sincerely,

J. DENNIS HASTERT,
Speaker of the House of Representatives.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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COMMUNICATION FROM DISTRICT DIRECTOR OF HON. DENNIS KUCINICH, MEMBER OF CONGRESS

The SPEAKER laid before the House the following communication from Patricia Vecchio, District Director of the Honorable DENNIS KUCINICH, Member of Congress:

HOUSE OF REPRESENTATIVES,
December 17, 2004.

Hon. DENNIS HASTERT,
Speaker of the House, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: This is to notify you formally pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a subpoena, issued by the Probate Court of Cuyahoga County, Ohio, for testimony and documents.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is inconsistent with the precedents and privileges of the House.

Sincerely,

PATRICIA VECCHIO,
District Director.

COMMUNICATION FROM THE HON. CHRISTOPHER SHAYS, MEMBER OF CONGRESS

The SPEAKER laid before the House the following communication from the Honorable CHRISTOPHER SHAYS, Member of Congress:

JANUARY 11, 2005.

Hon. J. DENNIS HASTERT,
Speaker of the House of Representatives,
Capitol, Washington, DC.

DEAR DENNY: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a subpoena for documents issued by the Connecticut Superior Court, Docket at Tolland.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is consistent with the precedents and privileges of the House.

Sincerely,

CHRISTOPHER SHAYS,
Member of Congress.

COMMUNICATION FROM ATTENDING PHYSICIAN OF THE CONGRESS OF THE UNITED STATES

The SPEAKER laid before the House the following communication from Dr. John Eisold, Attending Physician of the Congress of the United States:

THE ATTENDING PHYSICIAN,
CONGRESS OF THE UNITED STATES,
January 14, 2005.

Hon. DENNIS J. HASTERT,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: This is to formally notify you, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a civil subpoena for documents issued by the United States District Court for the District of Columbia.

After consulting with the Office of General Counsel, I have determined that compliance with the subpoena would not be consistent with the rights and privileges of the House, and I have instructed the Counsel to object.

Sincerely,

DR. JOHN EISOLD,
Attending Physician.

ANNOUNCEMENT BY COMMITTEE ON RULES ON AMENDMENT PROCESS FOR CONSIDERATION OF H.R. 54, CONGRESSIONAL GOLD MEDAL ENHANCEMENT ACT OF 2005

Mr. HASTINGS of Washington. Mr. Speaker, the Committee on Rules may meet next week to grant a rule which could limit the amendment process for floor consideration of H.R. 54, the Congressional Gold Medal Enhancement Act of 2005. The bill was introduced on January 4, 2005, and referred to the Committee on Financial Services.

Any Member wishing to offer an amendment should submit 55 copies of the amendment and one copy of a brief explanation of the amendment to the Committee on Rules in room H-312 of the Capitol by 1 p.m. on Tuesday, January 25. Members should draft their amendments to the text of the bill as introduced on January 4. Members are advised that the text of the bill as introduced is available for their review on the Web sites of the Committee on Financial Services and the Committee on Rules.

Members should use the Office of Legislative Counsel to ensure that their amendments are drafted in the most appropriate format. Members are also advised to check with the Office of the Parliamentarian to be certain their amendments comply with the rules of the House.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 10:15 a.m.

Accordingly (at 10 o'clock and 8 minutes a.m.), the House stood in recess until approximately 10:15 a.m.

□ 1020

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. SIMPSON) at 10 o'clock and 20 minutes a.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair announces that sitting Members are being delivered their official pins in order to be seated on the platform. There are no extra seats available, so former Members cannot join the procession. The same holds true for children. They can neither go with the procession nor be seated on the platform.

The area where Members of the House are to be seated is not covered. Members should keep this fact in mind in deciding whether to wear overcoats and hats.

The Sergeant-at-Arms will precede the procession bearing the mace. The Clerk will escort the Members to the

west front of the Capitol. The procession will be led by the dean of the House, followed by the House leadership, committee chairmen, ranking minority members, and then other Members in order of seniority.

The House leadership, committee chairmen, and ranking minority members shall retire to the holding room upon leaving the Chamber.

The Chair would encourage Members, as they gather in order of seniority, to congregate by "classes" in the well.

Pursuant to House Resolution 9, the Members of the House will now proceed to the west front to attend the inaugural ceremonies for the President and the Vice President of the United States.

Upon completion of the ceremony, pursuant to House Resolution 9, 109th Congress, the House will stand adjourned.

Pursuant to House Concurrent Resolution 2, 109th Congress, that adjournment will be until 2 p.m. on Tuesday, January 25, 2005.

Thereupon, at 10 o'clock and 22 minutes a.m., the Members of the House, preceded by the Sergeant-at-Arms and the Speaker, proceeded to the west front of the Capitol.

OMISSION FROM THE CONGRESSIONAL RECORD OF THURSDAY JANUARY 6 2005, AT PAGE H 129

The tellers delivered to the President of the Senate the following statement of results.

JOINT SESSION OF CONGRESS FOR THE COUNTING OF THE ELECTORAL VOTES FOR PRESIDENT AND VICE PRESIDENT OF THE UNITED STATES, OFFICIAL TALLY

The undersigned, TRENT LOTT and TIM JOHNSON, tellers on the part of the Senate, ROBERT W. NEY and JOHN B. LARSON of Connecticut, tellers on the part of the House of Representatives, report the following as the result of the ascertainment and counting of the electoral vote for President and Vice President of the United States for the term beginning on the Twentieth day of January, two thousand and five.

Electoral votes of each State	For President			For Vice President	
	George W. Bush	John F. Kerry	John Edwards	Dick Cheney	John Edwards
Alabama—9	9			9	
Alaska—3	3			3	
Arizona—10	10			10	
Arkansas—6	6			6	
California—55		55			55
Colorado—9	9			9	
Connecticut—7		7			7
Delaware—3		3			3
District of Columbia—3		3			3
Florida—27	27			27	
Georgia—15	15			15	
Hawaii—4		4			4
Idaho—4	4			4	
Illinois—21		21			21
Indiana—11	11			11	
Iowa—7	7			7	
Kansas—6	6			6	
Kentucky—8	8			8	
Louisiana—9	9			9	
Maine—4		4			4
Maryland—10		10			10
Massachusetts—12	12			12	
Michigan—17	17			17	
Minnesota—10		9	1		10
Mississippi—6	6			6	
Missouri—11	11			11	

Electoral votes of each State	For President			For Vice President	
	George W. Bush	John F. Kerry	John Edwards	Dick Cheney	John Edwards
Montana—3	3	.....	.....	3	.....
Nebraska—5	5	.....	.....	5	.....
Nevada—5	5	.....	.....	5	.....
New Hampshire—4 .....	.....	4	.....	.....	4
New Jersey—15 .....	.....	15	.....	.....	15
New Mexico—5	5	.....	.....	5	.....
New York—31 .....	.....	31	.....	.....	31
North Carolina—15	15	.....	.....	15	.....
North Dakota—3	3	.....	.....	3	.....
Ohio—20	20	.....	.....	20	.....
Oklahoma—7	7	.....	.....	7	.....
Oregon—7 .....	.....	7	.....	.....	7
Pennsylvania—21 .....	.....	21	.....	.....	21
Rhode Island—4 .....	.....	4	.....	.....	4
South Carolina—8	8	.....	.....	8	.....
South Dakota—3	3	.....	.....	3	.....
Tennessee—11	11	.....	.....	11	.....
Texas—34	34	.....	.....	34	.....
Utah—5	5	.....	.....	5	.....
Vermont—3 .....	.....	3	.....	.....	3
Virginia—13	13	.....	.....	13	.....
Washington—11 .....	.....	11	.....	.....	11
West Virginia—5	5	.....	.....	5	.....
Wisconsin—10 .....	.....	10	.....	.....	10
Wyoming—3	3	.....	.....	3	.....
Total—538 ..	286	251	1	286	252

TRENT LOTT,
TIM JOHNSON,
*Tellers on the part of
the Senate.*
ROBERT W. NEY,
JOHN B. LARSON,
*Tellers on the part of
the House of Rep-
resentatives.*

The state of the vote for President of the United States, as delivered to the President of the Senate, is as follows:

NOTE: The certificate from the State of Minnesota reflected that one elector cast ballots for John Edwards, of the State of North Carolina, for both President and Vice President.

CORRECTION TO THE CONGRESSIONAL RECORD OF TUESDAY JANUARY 4, 2005 AT PAGE H 67

PROCEEDINGS OF THE HOUSE OF REPRESENTATIVES AFTER SINE DIE ADJOURNMENT OF THE 108TH CONGRESS 2D SESSION AND FOLLOWING PUBLICATION OF THE FINAL EDITION OF THE CONGRESSIONAL RECORD OF THE 108TH CONGRESS

APPOINTMENT BY THE SPEAKER AFTER SINE DIE ADJOURNMENT

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 (P.L. 108-7), and the order of the House of December 8, 2003, the Speaker on December 31, 2004, reappointed the following Member on the part of the House to the United States-China Economic and Security Review Commission:

Mr. Larry Wortzel, Alexandria, VA, for a term to expire December 31, 2006.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Ms. ESHOO (at the request of Ms. PELOSI) for January 6, 2005.

ENROLLED BILL SIGNED

Mr. Trandahl, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

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.

BILLS PRESENTED TO THE PRESIDENT

Jeff Trandahl, Clerk of the House reports that on January 6, 2005 he presented to the President of the United States, for his approval, the following bills.

H.R. 241. To accelerate the income tax benefits for charitable cash contributions for the relief of victims of the Indian Ocean tsunami.

ADJOURNMENT

At the conclusion of the inaugural ceremonies (at 12 o'clock and 33 minutes p.m.), the House, without returning to its Chamber, pursuant to House Resolution 9, stood adjourned, and pursuant to House Concurrent Resolution 2, stood in adjournment until Tuesday, January 25, 2005, at 2 p.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

197. A communication from the President of the United States, transmitting notification stating that the emergency declared with respect to foreign terrorists who threaten to disrupt the Middle East peace process is to continue in effect beyond January 23, 2005, pursuant to 50 U.S.C. 1622(d); (H. Doc. No. 109-6); to the Committee on International Relations and ordered to be printed.

198. A communication from the President of the United States, transmitting an 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, with annex, as extended, pursuant to 16 U.S.C. 1823(a); (H. Doc. No. 109-5); to the Committee on Resources and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

[Filed on January 3, 2005]

Mr. TOM DAVIS of Virginia. Committee on Government Reform. Report on the Activities of the House Committee on Government Reform for the 108th Congress (Rept. 108-815). Referred to the Committee of the Whole House on the State of the Union.

Mr. NEY: Committee on House Administration. Report on the Activities of the Com-

mittee on House Administration during the 108th Congress (Rept. 108-816). Referred to the Committee of the Whole House on the State of the Union.

Mr. BOEHLERT: Committee on Science. Summary of Activities of the Committee on Science for the 108th Congress (Rept. 108-817). Referred to the Committee of the Whole House on the State of the Union.

Mr. NUSSLE: Committee on the Budget. Activities and Summary Report of the Committee on the Budget, 108th Congress (Rept. 108-818). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. BACHUS (for himself, Mr. MOORE of Kansas, Mr. TOM DAVIS of Virginia, Mr. YOUNG of Florida, Ms. HOOLEY, Mr. WHITFIELD, Mr. MORAN of Kansas, Mr. WOLF, Mr. BROWN of South Carolina, Mr. ROGERS of Alabama, Mr. BACA, Mr. BURTON of Indiana, Ms. BORDALLO, Mr. WELLER, Mr. TANCREDO, Mr. BOSWELL, Mr. LEACH, Ms. LEE, Mr. CARDOZA, Mr. CHANDLER, Mr. OTTER, Mr. COOPER, Mr. PICKERING, Mr. OLVER, Mr. BAKER, Mr. SHAYS, Mrs. DAVIS of California, Mr. SHIMKUS, Mr. DINGELL, Mr. DOGGETT, Mr. FILNER, Mr. BEAUPREZ, Mr. COLE of Oklahoma, Mr. GONZALEZ, Mr. GENE GREEN of Texas, Mr. GUTIERREZ, Ms. HERSETH, Mr. HINCHAY, Mr. HOLT, Mrs. JONES of Ohio, Mr. KILDEE, Mr. KIND, Mrs. MALONEY, Mrs. MCCARTHY, Mr. McDERMOTT, Mr. GEORGE MILLER of California, Mr. PAYNE, Mr. SCOTT of Georgia, Mr. SPRATT, Mr. STUPAK, Mrs. TAUSCHER, and Mr. ADERHOLT):

H.R. 292. A bill to amend title 10, United States Code, to increase the amount of the military death gratuity from \$12,000 to \$100,000; to the Committee on Armed Services.

By Mr. HEFLEY:

H.R. 293. A bill to amend the Internal Revenue Code of 1986 to eliminate the marriage penalty in the contribution rules for Roth IRAs; to the Committee on Ways and Means.

By Mr. HEFLEY:

H.R. 294. A bill to amend the Internal Revenue Code of 1986 to extend to civilian employees of the Department of Defense serving in combat zones the tax treatment allowed to members of the Armed Forces serving in combat zones; to the Committee on Ways and Means.

By Mr. TANCREDO (for himself, Mr. ACKERMAN, Mr. CANTOR, Mr. WEXLER, Ms. ROS-LEHTINEN, Mr. SHIMKUS, Mr. GARRETT of New Jersey, Mr. PENCE, and Mr. FOSSELLA):

H. Con. Res. 19. Concurrent resolution expressing the sense of Congress that the people of the United States should observe the 60th anniversary of the liberation of Auschwitz, a Nazi death camp during World War II, and honor all the victims of the Holocaust, and for other purposes; to the Committee on International Relations.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. RAMSTAD introduced a bill (H.R. 295) for the relief of Konstantinos Ritos; which was referred to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 43: Mr. WOLF.

H.R. 47: Mr. WILSON of South Carolina.

H.R. 179: Mr. HOSTETTLER.

H.R. 180: Mr. HOSTETTLER.

H.R. 219: Mr. TANCREDO.

H.R. 278: Mr. BARTLETT of Maryland, Mr. WILSON of South Carolina, Mr. PAUL, and Mr. BASS.

H. Con. Res. 6: Mr. HUNTER, Mr. SKELTON, Mr. CALVERT, Mr. BARTLETT of Maryland, Mr. SMITH of New Jersey, Mr. PAUL, Mr. OTTER, Mr. FORBES, Mr. COOPER, Mr.

FOSELLE, Mr. SIMPSON, Mr. TAYLOR of Mississippi, Mr. KENNEDY of Minnesota, Mr. REYES, Mr. BISHOP of Georgia, Mr. FEENEY, Mr. JONES of North Carolina, Mr. CHOCOLA, Mr. SNYDER, Mr. WHITFIELD, Mr. MURTHA, Mr. PICKERING, Mr. MILLER of Florida, Mrs. MYRICK, Mr. GUTKNECHT, Mr. PLATTS, Mr. BUYER, and Mr. TANCREDO.



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PROCEEDINGS AND DEBATES OF THE 109th CONGRESS, FIRST SESSION

Vol. 151

WASHINGTON, THURSDAY, JANUARY 20, 2005

No. 3

Senate

The Senate met at 3 p.m. and was called to order by the Honorable NORM COLEMAN, a Senator from the State of Minnesota.

PRAYER

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

Let us pray.

Almighty God, our rock and fortress, You put the mountains in place and bring silence to roaring waves. We celebrate and sing because of You. You are a strong tower where we find safety. Strengthen our faith and forgive us for doubting Your power and providence. Help us see Your hand in the orderly transition of governmental power. Remind us that You place leaders in their positions of authority. Thank You for this great land and for the many freedoms we sometimes take for granted.

We appreciate Your faithfulness and Your mercies that are new each day. Today, lead our lawmakers so that Your name will be honored. Protect them from hidden traps and sustain them through the lengthening shadows.

Lord, as we pray, we remember Howard Liebengood, Senator FRIST's faithful chief of staff and a former sergeant at arms. Comfort and sustain all of us who are grieving his loss. We pray in Your blessed Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable NORM COLEMAN 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 20, 2005.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable NORM COLEMAN, a Senator from the State of Minnesota, to perform the duties of the Chair.

TED STEVENS,
President pro tempore.

Mr. COLEMAN thereupon assumed the Chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY WHIP

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

SCHEDULE

Mr. MCCONNELL. Mr. President, on behalf of the majority leader, I will announce today's schedule. The Senate has convened on this ceremonial day for the purpose of considering some of the President's Cabinet level appointments. We had hoped and expected to consider the President's appointment of Condoleezza Rice to be Secretary of State but, unfortunately, I understand there is an objection on the other side to moving to that nomination today. So in a moment I will propound several unanimous consent agreements for the President's nominations.

Before I do, I say that if we get these agreements, there will be no rollcall votes today.

ORDER OF PROCEDURE

Mr. MCCONNELL. I ask unanimous consent that at the conclusion of my remarks and the remarks of the Democratic leader, the Senate proceed to executive session for consideration of Executive Calendar No. 3, Mike Johanns, to be Secretary of Agriculture; pro-

vided further that there be 30 minutes of debate under the control of Chairman CHAMBLISS, 15 minutes under the control of Senator HARKIN, and 15 minutes under the control of Senator DAYTON; provided further that at the conclusion of that time the Senate proceed to a vote on the confirmation and nomination with no intervening action or debate.

Finally, I ask that the President then be immediately notified of the Senate's action.

The ACTING PRESIDENT pro tempore. Is there objection? The Democratic leader.

Mr. REID. I ask that the consent be modified to delete the time for Senator HARKIN and Senator DAYTON.

The ACTING PRESIDENT pro tempore. Is there objection to the modified request? Without objection, it is so ordered.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that following the vote on the Johanns nomination, the Senate proceed to the consideration of Executive Calendar No. 2, Margaret Spellings, to be Secretary of Education; provided further that there be 45 minutes of debate under the control of Chairman ENZI, 15 minutes under the control of Senator KENNEDY, 10 minutes under the control of Senator LAUTENBERG, 10 minutes under the control of Senator WYDEN, and 10 minutes under the control of Senator DODD; provided further that at the conclusion of that time the Senate proceed to a vote on the confirmation of the nomination with no intervening action or debate.

Finally, I ask that the President then be immediately notified of the Senate's action.

Mr. REID. I ask that the consent be modified to have Senator KENNEDY have Senator LAUTENBERG's time if Senator LAUTENBERG does not claim it.

The ACTING PRESIDENT pro tempore. Is there objection to the modified consent?

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



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Without objection, it is so ordered.

Mr. McCONNELL. Mr. President, I ask further consent that at 3 p.m. on Monday, January 24, the Senate proceed to executive session for the consideration of Calendar No. 1, Carlos Gutierrez, to be Secretary of Commerce; provided further that there be 2 hours of debate on the nomination, 1 hour under the control of Chairman STEVENS and 1 hour under the control of Senator DORGAN; further, that at the conclusion of that time, the Senate proceed to a vote on the confirmation of the nomination, with no intervening action or debate.

Finally, I ask that the President then be immediately notified of the Senate's action.

The ACTING PRESIDENT pro tempore. Is there objection? Without objection, it is so ordered.

Mr. McCONNELL. Mr. President, I ask unanimous consent that today, following the confirmation of the Spellings nomination, the Senate proceed to the confirmation of Condoleezza Rice to be Secretary of State; provided further that there be 2 hours of debate equally divided in the usual form, and that following that debate the Senate proceed to a vote on the confirmation of the nomination with no intervening action or debate.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. REID. Mr. President, reserving the right to object, we have Senators who have been engaged in matters relating to what is going on around the world who, for the confirmation of the Secretary of State, wish to be able to speak. We have squeezed the time in as closely as we could, and we have 4½ hours we need on our side. This has been explained to the Republican leadership.

We would, of course, be willing to move forward on that tonight and tomorrow, but there are the inaugural festivities, and we all understand that. It certainly does not seem untoward in any way that the Senators have some time to speak before this most important nomination, and I say as a matter of passing, at the White House today I had a fine conversation with Condoleezza Rice, and she said her main goal was to make sure she was confirmed by the time the President gave his State of the Union speech because she had a trip scheduled to go overseas after that. This confirmation will take place, at the latest, sometime Wednesday. So she will be able to make that with a lot of time to spare. So I object.

The ACTING PRESIDENT pro tempore. The objection is heard.

Mr. McCONNELL. Mr. President, some of us were just at a luncheon where I had a chance to speak with the current Secretary of State who is anxious to get back to tinkering with his cars. So he will note that objection with some regret.

As I indicated, we anticipated an objection. Senator REID had indicated

there would be a problem on that side for any amount of debate we would have today or tomorrow, so therefore I ask that on Tuesday, January 25, at a time determined by the majority leader, after consultation with the Democratic leader, the Senate proceed to executive session for the consideration of the Rice nomination; provided further that during Tuesday's session there be 9 hours of debate equally divided between the two leaders or their designees.

I further ask consent that when the Senate resumes the nomination on Wednesday, January 26, there be an additional 40 minutes of closing remarks equally divided between the two leaders or their designees.

Finally, I ask that following that debate, the Senate proceed to a vote on the confirmation of the nomination with no intervening action or debate, and that after the vote the President be immediately notified of the Senate's action.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. KENNEDY. Reserving the right to object, and I do not intend to object, I was wondering if my colleague from Massachusetts, Senator KERRY, has any time within that time?

Mr. REID. Mr. President, if I could, I ask the consent be modified to reflect the speakers for the Democrats at this time: Senator BYRD, 1 hour; Senator BOXER, 1 hour; Senator REED of Rhode Island, 30 minutes; Senator DURBIN, 30 minutes; Senator KERRY, 20 minutes; Senator LEVIN, 15 minutes; Senator KENNEDY, 15 minutes; Senator LIEBERMAN, 10 minutes; Senator CORZINE, 10 minutes; Senator SALAZAR, 10 minutes; Senator FEINSTEIN, 10 minutes.

I would say to all my colleagues, we have only 5 minutes left, so there would be no additional time but for the fact that Senator BOXER has indicated she likely will not use her whole hour. She is always most courteous with other Senators, and she will be happy to give some of that time on Tuesday to other Senators, if necessary.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. KENNEDY. I withdraw my reservation.

The ACTING PRESIDENT pro tempore. Does the acting majority whip modify that request?

Mr. REID. I ask to modify that request.

The ACTING PRESIDENT pro tempore. Is there objection to modifying the consent? Without objection, it is so ordered.

The Democratic leader.

Mr. REID. I apologize to the acting leader. Senator BIDEN has indicated he is going to get 20 minutes, but he is going to speak in favor of the nomination. He said he could get that from Senator LUGAR.

Mr. McCONNELL. Mr. President, I yield the floor.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, 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.

EXECUTIVE SESSION

NOMINATION OF MIKE JOHANNIS TO BE SECRETARY OF AGRICULTURE

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will now go to executive session and proceed to the nomination of Mike Johannis.

The clerk will report the nomination.

The legislative clerk read the nomination of Mike Johannis, of Nebraska, to be Secretary of Agriculture.

The ACTING PRESIDENT pro tempore. The Senator from Georgia.

Mr. CHAMBLISS. I yield as much time as he may consume to my colleague from Kansas, the former chairman of the House Agriculture Committee under whom I served, my dear friend, PAT ROBERTS.

The ACTING PRESIDENT pro tempore. The Senator from Kansas.

Mr. ROBERTS. I thank the distinguished chairman of the Agriculture Committee, and, I might add, the new chairman of the committee, for yielding this time to me. I look forward to working with him. On behalf of the man whose job it is to feed America in a troubled and hungry world, we could not have made a better choice—I am using the editorial "we"—for a man to lead the Senate Agriculture Committee. He brings to the job extensive experience and commitment to represent not only the producers of Georgia but those all throughout the Nation. So I thank the Chairman. I look forward to working with him.

I rise today to speak on the nomination of Governor Michael Johannis of Nebraska to serve as the next Secretary of Agriculture. But first I would like to thank our outgoing Secretary of Agriculture, Secretary Ann Veneman. Ann has been a longtime and dear personal friend of mine. While she now has accepted a new challenge as head of UNICEF; that is, the United Nations Children's Fund, I want to personally thank her for the 4 years of service she has given to this Nation. Her steadfastness on behalf of agriculture was inspiring to us all. So to Ann Veneman: A job well done.

Her legacy will be her commitment to trade and food and agricultural security, which is in the best interest of all Americans. On her watch she dealt

with some of the most difficult issues any Secretary could ever face: first, a threat of foot and mouth disease almost as soon as she took office, later followed by BSE issues and the introduction of something called Asian soybean rust, which is a very severe problem. She handled all of these problems well. And she also established a plant and animal disease monitoring system. Again, that will be her legacy.

I also wish Governor Johanns all the best as he becomes our new Secretary of Agriculture. It will not be an easy job, and he knows that. Secretary Johanns will be forced to confront many of the same issues Secretary Veneman faced. He will face food safety and security surprises that will make it all the more important to continue to protect the safety and security of our food supply and the agricultural sector.

He will also face challenges with regard to budget pressures, the farm bill reauthorization, and also continued competition—I want to emphasize this—if not an outright ambush to U.S. farm programs through the World Trade Organization. That is going to be a very big challenge to all of us.

Mike Johanns is up to and qualified for this task. I had the pleasure to visit at length with the Governor prior to his confirmation hearing. I attended the entire hearing. Actually, I had the gavel when we moved the nomination. Knowing the Governor from a neighboring State, I can tell you he has a passion for this job. He has committed to do well on behalf of our farmers, ranchers, food safety, and our nutrition programs.

The Department of Agriculture is an immense agency, and he is well qualified for this task. He was raised on a farm. He understands agriculture. Most important, he is someone who will be a bully pulpit champion, if you will, for production agriculture. He is the type who will certainly be willing to sit on the wagon tongue with the farmers and ranchers, asking for their advice and their suggestions.

I have heard many stories from the Kansas producers on the northern borders of Kansas who have told me of crossing the border to Nebraska, not for a football game but simply on business, walking into the local coffee shop, and there they would run into Governor Johanns and he would be carrying on the coffee shop conversations with his farmers. This is the kind of man we want in this position.

President Bush has picked an outstanding candidate in nominating Mike Johanns, the former Governor of Nebraska. I look forward to working with him. I urge my colleagues to support the swift approval of his nomination.

I again thank the distinguished chairman and yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Georgia.

Mr. CHAMBLISS. I thank the Senator from Kansas for his very kind comments and also for his support of

the nomination of Governor Johanns. I, of course, rise to support that nomination by the President of the United States of Governor Michael Johanns of Nebraska to serve as Secretary of Agriculture.

I, too, want to first thank our outgoing Secretary, Ann Veneman, for the great job she has done. She has faced some very serious challenges over the last 4 years. I have continually pointed out to folks involved in agriculture, as I have spoken to groups around the country, the terrific job she personally as well as her Department did relative to the potential BSE issue that arose in the northwestern part of our country several months ago.

I thought it was a prime example of the difference in the way our system works, particularly under APHIS, which is an organization that does exactly what it is supposed to do, and that is to make sure animals are inspected in an appropriate way before they come into the United States, versus countries that simply do not have in place the mechanisms that we do to try to prohibit this very terrible disease from spreading among livestock. I thought Secretary Veneman herself, by engaging immediately on this issue, showed strong leadership. I believe it was because of that that this issue faded very quickly, as it should have.

Following September 11, we have had a continuing issue of food security. We have been very fortunate, but I believe it is more than that. It is a situation where we have had strong leadership in USDA, under Secretary Veneman, that has been on top of the issue of food safety. As a result of that strong leadership, we have not encountered a potential terrorist attack on our food system.

I compliment her for the great leadership she has shown. She was willing to come to my State early on in her tenure. Having grown up and been involved in a peach farm in California, she particularly appreciated coming to a peach farm in Georgia where, as I told her, we grow much sweeter peaches, but that is always for debate.

But she made herself very knowledgeable of southeastern agricultural issues, which are a little bit different from California issues. I appreciate her from that standpoint. We wish her well in her new endeavor, and I know she is going to be very successful there.

I want to say on behalf of Governor Johanns that he is extraordinarily well prepared and qualified for this new challenge which the President is giving him.

He grew up on a dairy farm in Iowa. He served two terms as mayor of Lincoln, NB, and he is in his second term as Governor of that State. He has shown outstanding leadership during his tenure as Governor, which will serve him well in managing the diverse and important activities of the Department of Agriculture. As leader of a major agricultural State, the Governor

is obviously familiar with the issues that are important to farmers and ranchers.

He has been a leader in the Western Governors Association on drought issues, and has led five trade missions to expand overseas markets for American agricultural products.

I want to emphasize that all of us who have been involved in agriculture, as I have from the legislative side for the last 10 years, know and understand that the future and survival of the American farmers is their ability to export the finest quality of agricultural products that are grown anywhere in the world. Those export markets are critical. Governor Johanns brings a particularly unique strength and perspective to that aspect of agriculture. I am very pleased about that fact.

He has also been a leader on other issues that are critical to the very diverse mission of the U.S. Department of Agriculture. He has been a strong voice for rural economic development. He is a past chairman of the Governors Ethanol Coalition, and knows the potential of value-added agriculture. He serves as chairman of the Governors Biotechnology Partnership, and has fostered electronic government and technology applications in his State.

On January 6, Governor Johanns appeared for his nomination hearing before the Committee on Agriculture, Nutrition and Forestry which I have the privilege to chair. For nearly 3 hours he answered questions on a wide range of subjects, and made a clear and positive impression on members of the committee. His compassion and understanding of the issues was so evident that committee members voted to approve his nomination that same day by a unanimous vote of 20 to zero.

Today in his inauguration address, the President made a direct outreach to all Members of the Senate, and showed a willingness to cooperate in a bipartisan way to try to enact positive legislation in this body.

I am very proud of the fact that the committee which I chair in a very bipartisan fashion, including the Presiding Officer, voted out unanimously the nomination of Governor Johanns.

To my ranking member, TOM HARKIN, I appreciate his cooperation in this effort. He has been very forthright in his discussions with Governor Johanns, and he has also been very forthright and forceful in his support of Governor Johanns for this nomination.

I congratulate the President on his choice to lead the Department of Agriculture for the next 4 years.

I appreciate Governor Johanns' commitment to continue an outstanding record of public service, and I recommend to my colleagues that they all support his nomination.

At this time, I yield such time as he may consume to the Senator from Nebraska, Senator HAGEL.

The ACTING PRESIDENT pro tempore. The Senator from Nebraska.

Mr. HAGEL. Mr. President, thank you.

I first offer my congratulations to the new chairman of the Senate Agriculture Committee. We are pleased about Senator CHAMBLISS's new assignment and responsibilities. I very much appreciate his taking on these new responsibilities at a time that will be critical for American agriculture as we work our way toward the reform bill, as well as central issues that will face our country directly connected to American agriculture.

I rise this afternoon to add my congratulations to the President's nominee for Secretary of Agriculture, the Nebraska Governor, Mike Johanns. I have known Mike Johanns for many years. We have worked very closely over the last few years. He has ably served the State of Nebraska during a difficult time.

As the Agriculture Committee noted in its hearings for Governor Johanns, he is eminently qualified. His background is well known. He is prepared, and he will be a very effective Secretary.

I might add, one of the reasons many of us are so enthusiastic about Mike Johanns doing this job is that he understands not only American agriculture but he understands trade. He understands geopolitical strategic issues that are connected to our agriculture, our economy, and trade.

He understands that these great issues of our time are woven into the same fabric. They are within the great arc of national interest for America. He has the kind of stature and the kind of character that we never see enough of in Washington.

For those reasons, and for many others, I am enthusiastic, as are so many of us, about Mike Johanns taking on the job of Secretary of Agriculture.

We will miss him in Nebraska. His steady leadership has brought Nebraska through a difficult time of deficits, not unlike other States. He has performed not only well but he has built a value-added system not only in our economy but in our government in Nebraska. He will be succeeded by a very able Lieutenant Governor, Dave Heineman, whom we also wish well.

As I conclude, I add my thanks to Secretary Veneman's service to our country and to American agriculture over the last 4 years. She too has had to deal with many of the uncontrollables that are part of that portfolio—a difficult job. She deserves recognition for the kind of job she has done. She has done it just as Mike Johanns will do his job—with class, with dignity, always reaching out to others, as well as working closely with the Congress.

The last point I will make is whatever was said by the Senator from Kansas about Nebraska football is not to be taken seriously.

Other than that, I think my time is up. Thank you, Mr. President. I yield the floor.

Mr. CHAMBLISS. Mr. President, we will not ask for bowl scores at this time.

Mr. HARKIN. Mr. President, the position of Secretary of Agriculture, in my estimation, is one of the most important, yet too often unheralded, positions in the Federal Government. Good leadership by the Secretary is vitally important in my State of Iowa, where agriculture is critical to our economy and we treasure our way of life in small towns and rural communities. Yet no matter where one lives, we all depend on agriculture for food, fiber and, increasingly, for energy and other farm-based products. The day-to-day responsibilities of the Secretary of Agriculture truly touch the lives of every American as well as millions of others around the world.

It is my pleasure to congratulate Governor Michael Johanns of Nebraska on his confirmation to be the next Secretary of Agriculture. I have spoken with Governor Johanns in some depth on several occasions and believe he has the qualities and potential to be a very good Secretary. I might add, his Iowa pedigree is certainly a plus. I also thank and commend Secretary Ann Veneman, as she departs, for her good work and her cooperation and communication with me, as well as the same between our staffs, over the years.

As we look ahead to the next 4 years, there are many challenges and many opportunities ahead. We passed a good farm bill in 2002, President Bush praised it and signed it. For the most part it has been working, but too many of the key initiatives in that bill have suffered from misguided or delayed implementation. Yet even though we stayed within our budget in writing the farm bill, since then agriculture and farm bill funding has been very damagingly siphoned off. Those budget threats seem certain to intensify. The risks to food safety and security from bovine spongiform encephalopathy or other animal and plant diseases continue to make headlines. The new Secretary will have to deal with some very serious issues many of them very soon.

At the same time, we have some great opportunities in agriculture and the rural economy; that is, if only we will seize them. I am encouraged that Governor Johanns understands the importance of capitalizing on these opportunities, specifically value-added agriculture spanning the range from pork and beef to the great potential to produce energy and biobased products from farm fields across the country.

For instance, we adopted a provision in the farm bill to require all Federal departments and agencies to give a preference to procuring biobased products whenever feasible thus creating a huge potential market. While USDA has issued final rules to carry out this program, nothing will actually be purchased until a list of eligible products is published. I have urged Governor Johanns to move to implement this program fully and without further delay in order to begin realizing the economic and environmental benefits of this biobased initiative.

We also included a very robust conservation title in the 2002 farm bill, one that was touted by the president when he signed the bill into law. Unfortunately, many of those initiatives, including the Conservation Security Program, have been undermined by funding cuts and too-often poor execution. I have talked with Governor Johanns about these problems, and I am hopeful that we will work together to fulfill the promise of the farm bill and move forward on these important conservation initiatives so that farmers and ranchers have the tools they need to be the best stewards of the land they can be.

We also have a history of bipartisan cooperation to meet our responsibilities to alleviate hunger and malnutrition through Federal and international food and nutrition assistance. And increasingly, we face compelling challenges in improving diets and nutrition in order to promote healthier and longer lives.

Many other issues important to prosperity and quality of life in rural America must be addressed ranging from providing broadband access to boosting locally owned businesses and jobs to ensuring opportunities for family-size farms and independent producers.

I am optimistic that we can make real progress in addressing these and other challenges in food, agriculture and rural issues. I welcome Governor Johanns to Washington, congratulate him on his confirmation as the next Secretary of Agriculture and remind him that my door is always open.

Mr. NELSON of Nebraska. Mr. President, the United States is blessed with an abundance of natural resources and cutting-edge technology that leads the world in agriculture. We all agree that the richest resource of American agriculture is its people—the farm and ranch families—whose efforts drive the productivity of our Agriculture industry for food, fiber and fuel.

American agriculture today is a complex business, very different from what it was even a decade ago. Adoption of modern technology, improved mechanization, and changing methods of production, marketing, and financing by energetic farmers and ranchers has changed the landscape of our rural areas. Our producers, diversified by size and enterprise, support an economic system that is, without doubt, the envy of the world.

It's critical to understand the diversity of American agriculture and how it influences our daily lives—whether we work or we don't work in agriculture or whether we live or we don't live on a farm. This is why I support the nomination of Nebraska Governor Mike Johanns to lead this agency that is responsible for the safety of meat, poultry and egg products, for opening new markets and reopening those currently closed to U.S. agricultural products, for providing food aid to those who have the need, for protecting soil,

water and wildlife, and for administering food nutrition programs.

Governor Johanns' qualifications to lead the Department of Agriculture are—at the core—his upbringing and his receptiveness to change and diversification—essential elements for an industry driven by ingenuity and fair competition.

Nebraska is a world-class leader in producing a high-quality, abundant, and affordable food supply. It leads the Nation in total red meat and dry bean production, and is a significant player in the production of alfalfa hay, corn, grain sorghum, soybeans, winter wheat, livestock, and popcorn.

Nearly 8 million acres of Nebraska's field crops benefit from irrigation, through approximately 24,000 miles of streams and rivers, reservoirs and aquifers. In recent years, the importance of maintaining water quality and quantity in times of severe drought conditions has added to the complexity of agricultural production. Mike Johanns has governed in these times of great uncertainty and is well aware of the continuing needs to deal with these most difficult times.

Governor Johanns presents a list of qualifications that will be of considerable benefit not only to Nebraska and the Midwest, but throughout the nation.

He is an experienced leader and a strong advocate with solid common sense solutions to the difficult questions presented to him. We've talked about the need for a bipartisan approach in this important job and I know he agrees how important that will be.

I look forward to continue working with Governor Johanns, as Secretary of Agriculture to improve drought monitoring and forecasting, to advance renewable fuels initiatives increasing the use of ethanol and biodiesel in our transportation fuels just to name a few. In addition, the opportunity to create new and innovative rural development programs and reverse the trend of out-migration from the smallest communities has never been more important. Today's nominee not only has the leadership experience but he also has the experience of having worked to develop such programs.

Governor Johanns and I have discussed and agree that it is important for the Secretary of Agriculture to work in a bipartisan manner with Congress. With a Farm Bill reauthorization effort nearing, I look forward to working cooperatively with him to develop a practical approach to our national agriculture policy that will support and promote our agriculture products and producers. The new Farm Bill should further the goals of consumer safety and confidence in our nation's food supply, without compromising the ability of our producers to compete—freely and fairly—in the global marketplace.

I was pleased to learn of the administration's selection of Mike Johanns as

the Secretary of Agriculture. I have said repeatedly, and believe thoroughly, the person who will administer the farm bill and build for the future of agriculture in America needs to be somebody with Midwestern agricultural experience. Governor Johanns has that kind of experience and that perspective and in my opinion will serve the administration and the country well.

Mr. CONRAD. Mr. President, today the Senate is expected to confirm the nomination of Governor Michael Johanns of Nebraska to be the next Secretary of Agriculture.

As we vote on this nomination, we should all recognize just how important this position is to America's farmers and ranchers. Beyond that, the Secretary's responsibilities touch the lives of every American consumer as well as millions of people overseas. This is a point that is being made daily as we seek to provide the needed food aid and assistance to those who have suffered such terrible losses as a result of the recent tsunami.

There isn't any question that American agriculture faces significant challenges on many fronts. It is incumbent upon all of us to be the strongest advocates we can be for our producers and their communities. However, the Secretary of Agriculture is unique. The Secretary must provide national leadership and advocacy to promote a greater understanding of the important role our agricultural producers play in our own society and the world.

The Secretary's role must be more than just the spokesperson for the administration on agricultural issues. In fact, I believe that one of the most important responsibilities of this position is to be an advocate within the administration to ensure our producers, consumers and rural communities are not short-changed in the domestic and international policy and political processes.

Governor Johanns will have a very big job as we confront the pressures that are being placed on agriculture as a result of the budget deficit, weather related disasters, increased food safety and bio-terrorism concerns, environmental issues and opportunities related to agriculture, the economic development needs in rural America, and the level of insecurity that an increasing number of farmers, ranchers and rural main street businesses are feeling as a result of globalization.

I am hopeful our new Secretary of Agriculture will provide the leadership necessary to address these issues in a way that advances the interests of all agricultural sectors while enhancing the appreciation of Americans for our agricultural heritage.

Two weeks ago I supported the action of the Senate Agriculture, Nutrition and Forestry Committee to advance this nomination to the full Senate with a positive recommendation. Today I offer my support for the action the Senate is about to take in confirming

Governor Michael Johanns as our next Secretary of Agriculture.

Mr. DURBIN. Mr. President, I rise today in support of the nomination of Governor Mike Johanns as the Secretary of Agriculture. As the Governor of Nebraska, and a fellow Midwesterner, Johanns has a strong background in agriculture and is well suited for the role of Secretary of Agriculture.

I was able to meet with Governor Johanns yesterday and I was very impressed with his view on the future of agriculture, food safety and rural issues. The next four years are going to be an important time as we face the reauthorization of the farm bill, food safety concerns, nutrition and trade.

Agriculture is important to my home State of Illinois. Illinois is one of our country's most important agricultural contributors. Illinois farm land, which accounts for about 28 million acres, is considered some of the most productive in the world. More than 76,000 farm families in the State produce corn, soybeans, wheat, beef, pork, dairy products, and specialty crops. Illinois is the number one soybean-producing State in the country and number two in corn. Illinois ranks second nationally in the export of agricultural commodities with nearly \$4 billion worth of goods shipped to other countries each year. The State's agribusiness activity is vibrant. From the Chicago area to Decatur and throughout Illinois, agricultural processing employs thousands of people. And researchers at the University of Illinois as well as at other institutions, continue to help provide answers to some of the most common as well as the most complex, agricultural questions we face.

Since Governor Johanns was the past chairman of the Governors' Ethanol Coalition, I know he sees the potential of value added agriculture. Adding values to commodities adds real promise for boosting farm income and jobs and economic growth in rural America. Illinois ranks second in the nation in corn production, with more than 1.5 billion bushels produced annually, and is the nation's leading source of clean-burning ethanol. Corn grown in Illinois is used to make 40% of the ethanol consumed in the United States. In Illinois, roughly one in every six rows of corn—approximately 280 million bushels—is the source for ethanol.

As the Secretary of Agriculture, Governor Johanns will face unprecedented challenges in protecting the safety and security of our food supply.

The recent discovery of two more cows with BSE, or "mad cow disease," in Canada reminds us that we cannot ignore the threat of BSE. We must shore up the firewalls that prevent BSE from spreading in this country, to give American consumers confidence that the beef they feed to their families is safe to eat.

We need a scientifically sound testing program that will tell us whether our BSE control efforts are working. A

surveillance program should include older cattle that appear healthy but that can still harbor BSE. Almost a year ago, USDA promised to include cattle in this population in its surveillance, but still hasn't started this testing.

We must stop feeding cows to other cows, the practice that is thought to have led to the spread of mad cow disease in Europe. We have had a feed ban in this country since 1997, but we need to close loopholes in the ban and redouble our efforts to make sure that the ban is being followed.

We must make sure that the parts of cattle that pose the highest risk of infection are being correctly and completely removed.

Our primary goal should be to protect the health of the public, and the health of the animal herds in the United States.

I look forward to working with Secretary-Designate Johanns to make sure our nation's BSE prevention and control program earns and deserves the public's confidence.

An issue I care deeply about is food safety. When HHS Secretary Tommy Thompson announced he was stepping down last month, he noted several items of unfinished business that the government must address. Among them, he mentioned the importance of improving the nation's food security.

Secretary Thompson said that he worries "every single night" about a massive attack on the U.S. food supply. Thompson said: "I, for the life of me, cannot understand why the terrorists have not, you know, attacked our food supply, because it is so easy to do."

If this is not a clear call to action, I don't know what is.

I hope to count on Secretary Johanns for support of legislation I plan to roll out in the next few weeks that will give the Agriculture Department and the Food and Drug Administration the tools they need to improve the security of our food supply.

My bill would give these agencies authority to oversee implementation of food security measures at food processing plants; give these agencies the same recall authority over food that agencies like the Consumer Product Safety Commission exercise over toys; and improve information coordination among the food safety agencies to diffuse potential threats to the food supply.

I also hope Secretary Johanns will be able to see beyond the bureaucratic morass that has developed at the agencies charged with the safety of our food and help us move towards making the vision of creating a single agency responsible for food safety a reality.

The Centers for Disease Control and Prevention estimates that 76 million people suffer from food poisoning every year, with children and the elderly suffering a disproportionate amount of the most serious cases. We need, at the very least, to improve the coordination of the food agencies' oversight while

working towards the goal of developing a single food safety agency.

I would also hope that Johanns plans to play a key role in advising the administration on the appointment of a new food safety chief to replace the outgoing Elsa Murano at the Food Safety and Inspection Service. We need a person in this important position that has a commitment to food safety over other agricultural interests as the agency faces challenges including implementing a strategy to keep Mad Cow disease out of the country.

In my meeting with Governor Johanns I was pleased to hear him mention trade. As I mentioned before, Illinois ranks second nationally in the export of agricultural commodities with nearly \$4 billion worth of goods shipped to other countries each year. Japan has closed its markets to our beef for over a year. We must take a strong position to reopen this market. Our trading partners have got to be held accountable for dealing with our country in a straightforward way.

As the leader of a major agriculture state, Governor Johanns is familiar with issues of importance to farmers and ranchers. I will support his nomination as Secretary of Agriculture and look forward to working with him on issues facing the Department of Agriculture.

Mr. JOHNSON. Mr. President, I will vote to confirm the nomination of Secretary-Designate Mike Johanns to serve our Nation as United States Department of Agriculture, USDA, Secretary. It is with no small obligation or minor imposition that this honor and responsibility fall upon Mr. Johanns, as he functions in his best capacity to fairly represent our varied and diverse regional issues in American agriculture. Our national agriculture sector is highly fractionalized as States seek to ensure representation for specific commodities and Farm Bill programs, and I am concerned, however optimistic, that Mr. Johanns will do his due diligence to ensure our South Dakotan and plains states interests are well represented at the Federal level and by USDA.

Of immediate concern is the current status of the beef industry. While USDA forges ahead with their final rule to allow the importation of live Canadian cattle and ruminant products, I am alarmed for the implications on our beef sector and our producers' ability to make the bottom line. I am concerned for the inaccessible export markets that continually seem less reachable with USDA's treatment of this issue. I am continually dismayed that USDA appears to place the interests of Canadian cattle producers above the interests of domestic producers, and I am hopeful that Mr. Johanns will place this issue at the forefront of his agenda while assuming his position as Secretary. I am hopeful that Mr. Johanns will listen to the voice of the American agricultural producer and recognize the immediacy and timeliness of the issue.

I am optimistic that Mr. Johanns will implement mandatory Country of Origin Labeling, COOL, which, while signed into law by this current President under this most recent farm Bill, has yet to be implemented. It is with increasing frustration that our producers await the benefits of this common sense program, and while it has been no secret that the administration is not favorable toward a mandatory food labeling program, I am hopeful that Mr. Johanns will honor the voice of Congress and of the American producer and move forward with the implementation process in a reasonable and honorable manner.

The business of agriculture is becoming increasingly challenging for our small farmers and producers. Market concentration and vertical integration, unreasonable contract obligations, maintaining and developing export markets to garner a fair commodity price, and a serious disconnect between urban and rural America are driving our smaller farmers out of business on a daily basis. It is with no small sense of urgency that I emphasize the need to address these issues. I am hopeful, that as promised, Mr. Johanns will maintain an open door policy for members of Congress to discuss these issues and arrive at reasonable policy solutions that are valuable and substantive for the agriculture producer, in South Dakota and across America.

Ms. CANTWELL. Mr. President, as the U.S. Congress begins its 109th session, the Senate is performing its constitutional duty of providing its advice and consent on the President's nominees for cabinet positions.

I take the Senate's responsibility to evaluate Presidential nominations very seriously. The process is important to ensuring strong leadership at the very highest levels of the federal government. It also provides an opportunity for Senators to have focused discussions with nominees on issues of particular importance to their respective constituencies.

Today the Senate will confirm several nominees, including the nomination of Nebraska Governor Mike Johanns, the President's selection to succeed Secretary Veneman at the Department of Agriculture.

While I am not a member of the Senate Committee on Agriculture, Nutrition and Forestry, I am confident that Chairman CHAMBLISS, ranking member HARKIN and the rest of the committee's members conducted a thorough examination of Governor Johanns' record. I will support the committee's recommendation and vote in favor of his nomination.

That being said, I have come to the floor today to express my thoughts on two specific agricultural issues that are important to Washington state's renowned beef industry: mad cow disease and country of origin labeling.

On December 23, 2003, the first known case of mad cow disease ever discovered on U.S. soil was found in Washington State. The discovery sent a ripple effect across the country as U.S. ranchers watched in shock while our trading partners closed their doors to U.S. beef exports.

An investigation was conducted and DNA tests confirmed that this cow likely originated in a herd from Alberta, Canada, but this was little consolation to consumers here and abroad who immediately began to question whether U.S. beef was safe to eat.

While the exact cause of infection could not be confirmed, it is widely accepted by the science community that this cow became infected while eating contaminated feed before Canada had implemented its 1997 ruminant-to-ruminant feed ban.

The Department of Health and Human Services, Food and Drug Administration and U.S. Department of Agriculture responded by announcing a number of new rules to strengthen protections over the human food. Most importantly, USDA and FDA banned specified risk materials, such as brain and central nervous system tissues from entering the human food supply. These materials have been shown to present the greatest risk of transmitting mad cow disease through cattle herds and to humans.

Unfortunately, FDA failed to stand firm on its stated commitment to close four specific loopholes in feed regulations, measures that Acting FDA Commissioner Crawford made a commitment to do on January 26, 2004 and something that I believe was and is necessary to fully ensure the safety of U.S. beef.

As we know, feeding ruminant parts back to ruminants represents one of the greatest risks of spreading mad cow disease and that's why the U.S., like Canada, implemented a rule to ban this practice in 1997. But existing feed loopholes, such as the poultry litter loophole and plate waste loophole allow for the possibility of ruminant materials to find their way into ruminant feed through cross contamination.

To address this possibility, I introduced legislation during the 108th Congress, entitled the Animal Feed Protection Act, which would ban these materials from being used in any animal feed. This is important legislation that will strengthen existing feed rules to help mitigate the chance of cross contamination and ensure that ruminant materials are not accidentally fed to cattle.

Although my legislation did not pass last year, I plan to reintroduce the Animal Feed Protection Act for consideration during the 109th Congress next week. U.S. beef is arguably the safest in the world, but even so, critical export markets including Japan and South Korea still remain closed to U.S. beef exports. It is imperative that we do everything possible to prove to consumers abroad that the measures we

have in place to prevent further cases of mad cow are robust and comprehensive.

It was reassuring to hear Governor Johanns state, during his nomination hearing, that working to regain exports to Japan's market is priority number one for the U.S. beef industry.

As I know the Governor understands, access to these markets is the key to bringing prosperity back to U.S. cattle producers, feeders, processors and beef packers. No one understands the importance of the Japanese and South Korean markets better than the ranchers in Washington state, who exported nearly \$250 million of Washington beef to these markets in 2003. It is hard to overstate the extent to which Washington ranchers and the U.S. beef industry at large continue to suffer from the loss of these exports.

Although progress has been made, recent discoveries of mad cow in Canada could present a major setback to our ongoing negotiations with Japan and South Korea if it is determined that the risk of mad cow in Canada has not been adequately addressed.

Canada's discoveries of mad cow on January 2 and January 11 came just days after USDA announced a rule recognizing Canada as a minimal-risk region with regard to the mad cow disease.

The USDA defends this decision by citing the results of a risk analysis that the agency conducted in 2004. That analysis examined the reliability and adequacy of Canada's mad cow firewalls in eradicating this disease in its herds. The agency's analysis determined that Canada had a robust and comprehensive system in place to address all of the necessary risks of transmitting mad cow disease and had implemented proper safeguards to ensure the safety of its beef.

Thus, the USDA published a minimal risk rule in the January 4, 2005 Federal Register. That rule will authorize the reopening of our border to the importation of Canadian live cattle under the age of 30 months and other beef products from cattle over the age of 30 months beginning on March 7 of this year.

However, Canada's latest discovery of mad cow on January 11 has raised serious questions regarding the possibility of non-compliance of feed regulations in Canada and questions as to the reliability of Canada's system to enforce its mad cow firewalls. Because the cow was determined to be less than seven years of age and thus was born after Canada implemented its 1997 ruminant-to-ruminant feed ban, many have speculated that non-compliance of feed rules represents the most likely source of this infection.

In responding to this discovery, Administrator Ron DeHaven of the Animal and Plant Health Inspection Service, APHIS, announced that the agency would expedite sending a technical team to Canada to investigate the circumstances surrounding these recent discoveries.

Last Friday, I sent a letter to Secretary Veneman and Governor Johanns requesting that this audit being conducted by APHIS inspectors be given time for a full and fair analysis. I think it is prudent for the USDA to provide the time and resources necessary to reach a determination as to the safety of Canadian beef before we reopen our border to its importation.

I believe that USDA must reevaluate reopening the border should serious non-compliance of feed regulations or lapses in Canada's enforcement of mad cow firewalls be uncovered.

Reestablishing the once dominant global market share enjoyed by U.S. beef producers is ultimately about product reliability and consumer confidence.

It is vital that we address Canadian safety issues now, so that we can prevent running the risk of importing potentially unsafe products. While I understand that reopening the border is important to the Canadian beef industry, our primary responsibility is to ensure the safety of our food supply here at home.

As world markets continue to converge becoming more and more interdependent, securing our domestic food supply requires much more work than it once did. We have an opportunity to aid our consumers by implementing mandatory country of origin labeling.

I believe such labeling is important for two major reasons—first, the security of our food supply; and second, the American consumer's right-to-know where their food was produced.

In 2002, I joined with my Senate colleagues in support of the farm bill, which, among other things, required that the USDA implement mandatory country of origin labeling standards by 2004. These provisions were supported by a wide margin of members in Congress, receiving nearly two-thirds support in the House. Even so, some who have fought the implementation of mandatory country of origin labeling every step of the way.

Last year, Congress decided to push back the date of implementation of mandatory labeling until September 2006 on all goods except for fish and shellfish. The justification was that we needed to "reconsider" its economic implications.

While I understand that labeling will come with increased costs, I believe that a failure to establish full accountability as to where our food is coming from could end up costing our consumers, businesses and government far more, should tainted beef or other unsafe products enter our food supply.

Whether in the case of an outbreak of mad cow or a biological terrorist plot that infects food imported into our country, we need to have a definite and immediate system to target the source of our food and, if necessary, provide the American people a clear way to identify the food and stop consumption.

The expansion of international agricultural trade has exponentially increased the options available to Americans as they peruse the shelves at their local grocery store. Imported foods are grown in widely varying conditions around the world, often in countries with drastically different regulatory contexts that allow the utilization of pesticides and growing practices which are banned here in the U.S.

As I previously stated, I support labeling for the benefits that it will bring to ensuring safety, but also because I believe that American consumers have the right to know where their food comes from. We have no control over the methods utilized by other countries to produce their goods, but we can control whether or not foreign products maintain the information necessary for American consumers to make an informed decision.

American consumers must be able to assess information on imported products to determine whether it is important to them.

Today, consumers are increasingly faced with the daunting task of sifting through vast amounts of packaging and labeling to obtain the information most critical to them.

Americans, for too long, have been knowingly exposed to foreign products without being provided with adequate information.

The issue of labeling our agricultural products, including beef, comes down to this: Do we want consumers to have confidence—and do we want consumers to have choice? Even though public opinion surveys show that U.S. consumers want to buy American products, those consumers don't always have the information necessary to make that choice.

I know that most consumers from my State would much rather buy and consume U.S. beef. This is because it is important to them that they are able to rely on the quality of the product and the safety of methods used in its production.

It is important to Washingtonians that the beef they purchase comes from a cow that was fed under American standards for feed safety—beef that had to be processed under strong American standards and beef that has met a set of standards that allows consumers to feel confident of its safety and its quality.

Some will argue that we already use USDA labels to indicate whether beef is produced in the U.S. however, the grade label from the USDA, which a lot of consumers might think means that beef was American made, is often stamped on packages that contain imported beef mixed in with just a small percentage of American beef.

Under the Federal Meat Inspection Act, cattle and other bulk or non-processed products must be clearly labeled as to their country of origin. However, once those products are brought into the U.S. and value-added processing occurs, the law does not mandate that in-

formation indicating the country of origin be included on the final products that ultimately reach the consumer.

This is an important issue that Congress must address.

Families sitting at the dinner table should not have to wonder about what went into the food they eat. They should be provided the information to know what they are consuming. To put it simply, consumers deserve better accountability.

Cattlemen in Washington State are proud of the beef they raise and are willing to trust their livelihood to the choices made by informed American consumers.

The USDA stamp should represent the quality and safety of American products—not a mark that in some instances will mislead consumers into just thinking that they are buying American quality. A product's country of origin should be information that is included all of the way from the border to the store shelf.

Last fall, Craig Grub, a Medical Lake rancher said: "Consumers deserve to be able to make an educated choice. They should have implemented Mandatory labeling years ago." Producers like Mr. Grub support mandatory country of origin labeling because they understand and appreciate the importance of food safety and consumer choice in America.

Regardless of whether we work through the legislative or rulemaking processes, I believe that the implementation of a greater standard of accountability over imported products is imperative to better ensure food safety for our consumers here at home.

There is a lot of work that remains in order for this country to achieve this goal and I am confident that Governor Johanns is committed to working to this end. I will vote in support of his nomination. I am eager to begin working with him on reopening Asian markets to U.S. beef as well as to collaborate and promote opportunities for all U.S. agricultural products abroad.

Mr. SALAZAR. Mr. President, I rise in support of the nomination of Governor Johanns to be Secretary of Agriculture. I very much look forward to working with him on issues of importance to Colorado's rural communities—its ranchers, farmers, agribusinesses and consumers.

I also look forward to putting into action my own experience as a farmer and rancher and learning from the experience and leadership of the Governor from Nebraska, a neighboring State that is struggling with many of the same challenges that Colorado faces.

I anticipate that Governor Johanns will be confirmed today, and that is as it should be because he has a lot of work waiting for him.

I fear that many in the country do not recognize the challenges facing farmers, ranchers and rural towns in Colorado and across America today. Farming, ranching and agri-related

businesses play a vital role to rural communities, and it is the job of the Senate Agriculture Committee and the United States Department of Agriculture to help those communities preserve this way of life and ensure that it will sustain many more generations of families. Governor Johanns has assured me that he understands this and that as Secretary of Agriculture he will rise to meet this challenge.

One of the first important challenges that Governor Johanns will have to address is the issue of mad cow disease and the Canadian border. The Governor must direct the Animal and Plant Health Inspection Service, the Food Safety Inspection Service, as well as work with the Food and Drug Administration to thoroughly examine and fully understand the implications that reopening the border to Canadian live cattle will have on farmers, ranchers, consumers and agricultural organizations and industries across the U.S.

In addition, the Governor will have the challenge of reviewing the testimony and comments of farmers and ranchers, consumers and other agricultural industries and organizations whose livelihoods and families will be directly impacted by USDA's decision. I look forward to the Governor and USDA's review of each of these items and, as a member of the Agriculture Committee, will enjoy our further discussions on their findings and final decision.

Furthermore, this ongoing mad cow issue underscores another challenge for Governor Johanns as well as a matter of vital importance: country-of-origin labeling, COOL. American consumers have the right to know where their food is coming from, and I think that common sense dictates that if we can label where our shirts and socks are made, we can surely label where our meat and food comes from. I hope that Governor Johanns will work with us to ensure that COOL will go ahead once and for all, as passed by law.

During Governor Johanns' nomination hearing in the Senate Agriculture Committee, he spoke about the need to encourage and explore biotech opportunities, open new markets, and provide expanded opportunities for productivity in agriculture. Important value-added initiatives such as these will be an essential factor to ensure a viable future for rural areas.

Toward that end, early next month the President will release his budget for the upcoming fiscal year. That will provide a good indicator of his priorities for rural residents across the country. In last year's budget, the administration cut funding for rural development and eliminated or severely limited funding for programs to get rural communities broadband access, promote rural investment and help rural firefighters. Knowing of the Governor's commitment to expand opportunities for rural communities, I look forward to his help in protecting important programs such as these.

Earlier this week, I also received written answers to questions I had submitted to Governor Johanns. While I certainly appreciate Governor Johanns' timely reply, I also look forward to hearing more detailed answers on the questions that he did not respond to, including an important issue to Colorado that has to do with a proposed development at the base of a ski area at Wolf Creek Pass.

The Governor also spoke of the importance of the spirit of cooperation. I agree that we must cooperate to provide our rural residents with increased rural development and sustainable agricultural opportunities as well as reasonable commodity supports and eligibility guidelines to ensure that federal supports go to the family farmers who are the intended beneficiaries. Part and parcel of protecting our family farmer and rancher is ending the monopolization of the meatpacking industry and helping small, family agri-businesses to compete.

Our family farmers, ranchers, and rural business people deserve fair farm, rural development and conservation programs as well as a safe food supply and other policies that help create more successful communities.

I send my thanks to Governor Johanns for his service to Nebraska and his willingness to serve the Federal Government, and I look forward to working with him on these important issues.

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

• Mr. KOHL. Mr. President, I support the confirmation of Mike Johanns to be Secretary of Agriculture and look forward to working with him in my capacity as the ranking member of the Senate Agriculture Appropriations Subcommittee. We will have occasion to work together on many different topics in the months to come.

One topic of particular interest to me is the Milk Income Loss Contract, MILC, program. This counter-cyclical support program was included in the 2002 farm bill and provides critical safety net for America's dairymen.

In 2002 and the first half of 2003, dairy prices reached 25-year lows. During that time, the MILC program provided dairy producers with much, needed assistance. It helped to preserve the productive capacity of Wisconsin's dairy farms and stemmed the tide of losses that dairy farmers had experienced in previous periods of price downturn.

Unfortunately, the MILC program is scheduled to expire in September 2005, 2 years earlier than the rest of the farm bill commodity programs. I believe that is unacceptable and will be joining soon with a bipartisan, multi-regional coalition of Senate colleagues to introduce legislation that would extend the MILC program.

I ask unanimous consent that a letter that several of my colleagues and I recently sent to the President on this topic be printed in the RECORD. I look

forward to working with Secretary Johanns on this issue in the months to come.

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

U.S. SENATE,

Washington, DC, January 10, 2005.

The PRESIDENT,
The White House,
Washington, DC.

DEAR MR. PRESIDENT: We are writing to commend your strong statements during the Presidential Campaign in support of the Milk Income Loss Contract (MILC) program. Your pledge to work toward reauthorization so that "dairy farmers all across this country can count on the support they need," is critical.

Under current law the MILC program is set to expire at end of September of 2005, two years prior to other farm bill programs. We are seeking a two-year extension of MILC to bring it in line with other agriculture support programs. To allow MILC's expiration would eliminate a critical safety net for dairy farmers at a time when milk prices are on the decline.

We greatly appreciate your expression of support for extension of the MILC program and look forward to seeing that commitment reflected in your Fiscal Year 2006 budget. We hope to work closely with your Administration in active support of the MILC extension legislation in the coming months.

With best wishes,

Sincerely,

ARLEN SPECTER,
MARK DAYTON,
HERB KOHL,
PATRICK J. LEAHY,
U.S. Senators.

Mr. CHAMBLISS. Mr. President, I urge my Senate colleagues to support the President's nomination of Governor Michael Johanns of Nebraska to serve as the Secretary of Agriculture.

Governor Johanns is extraordinarily well-prepared and qualified for this new challenge. He grew up on a dairy farm in Iowa. He has served two terms as Mayor of Lincoln, NE, and is in his second term as Governor of that State. He has shown outstanding leadership during his tenure as Governor which will serve him well in managing the diverse and important activities of the Department of Agriculture.

As leader of a major agriculture state, the Governor is obviously familiar with the issues that are important to farmers and ranchers. He has been a leader in the Western Governors' Association on drought issues and has led five trade missions to expand overseas markets for American agricultural products.

He has also been a leader on other issues that are critical to the very diverse mission of the U.S. Department of Agriculture. He has been a strong voice for rural economic development. He is a past Chairman of the Governors' Ethanol Coalition and knows the potential of value-added agriculture. He serves as Chairman of the Governors' Biotechnology Partnership and has fostered electronic-government and technology applications in his state.

Mr. President, on January 6th Governor Johanns appeared for his nomi-

nation hearing before the Committee on Agriculture, Nutrition, and Forestry, which I have the privilege to chair. For nearly 3 hours he answered questions on a wide range of subjects and made a clear and positive impression on the entire Committee. His compassion and understanding of the issues was so evident that Committee members voted to approve his nomination that same day by a unanimous 20 to 0 vote.

Mr. President, I congratulate the President on his choice to lead the Department of Agriculture for the next 4 years. I appreciate Governor Johanns' commitment to continue an outstanding record of public service and I recommend to my colleagues that they all support his nomination.

Mrs. HUTCHISON. Mr. President, I strongly support the confirmation of Margaret Spellings as the eighth Secretary of Education. Ms. Spellings is a longtime public servant who for the past 4 years has served as President Bush's chief domestic policy adviser. In her White House efforts, she has helped implement policies on education, health, labor and housing. Her familiarity with America's students and teachers will prove invaluable in her new role managing our public educational system.

Ms. Spellings also assisted President Bush when he was Governor of our home State of Texas, where they worked together on a number of important education programs including the Texas Reading Initiative to improve literacy, the Student Success Initiative to eliminate social promotion, and the State's accountability standard which is the forerunner to the No Child Left Behind Act. Because of her educational accomplishments, each year the United States develops more qualified teachers, better facilities and superior resources.

A veteran of the Texas Association of School Boards, Ms. Spellings knows firsthand the advantages afforded by education and has pledged to ensure every child acquires the skills necessary to realize the American Dream. I am proud to support her in that effort, and to support her confirmation so she may continue her important work.

Mr. DOMENICI. Mr. President, I rise today in strong support of the confirmation of Mike Johanns to be Secretary of Agriculture. As the former Governor of Nebraska, Mike Johanns knows how important agriculture is to this country. Through his dedicated public service he has shown a great understanding of the complex nature of the industry and the problems facing it.

Growing up on an Iowa dairy farm, Mike Johanns learned from an early age that agriculture is the backbone of this great nation. For over two centuries, hardworking men and women like Mr. Johanns have dedicated their lives to protecting the vitality of the food and fiber industry. The nomination of Mike Johanns for the position

of Secretary of Agriculture is a tribute to his commitment, and I have no doubt that this commitment will bring distinction to the position of Secretary of Agriculture.

Throughout his professional career, Mike Johanns has been committed to the wellbeing of America's farmers and ranchers. As Governor, Mr. Johanns emphasized the importance of value-added agriculture, renewable fuels such as ethanol, and job creation in rural areas. Additionally, Mr. Johanns has demonstrated a keen knowledge of international trade policy, a subject that will continue to increase in importance as the world moves towards a more globalized economy. I look forward to working with Mr. Johanns to ensure that future trade agreements with the food and fiber industry are treated equitably.

Mr. Johanns has also been an important leader on drought policy, a subject that is very important to many communities in the west. I believe that with his experience in this area, the country can move forward in establishing a concrete and coherent drought policy that provides tangible benefits for those affected by this serious problem.

I know that Mr. Johanns will serve the agriculture community the utmost integrity and fairness and I look forward to working with him in the future.

Mr. FRIST. Mr. President, it is with great pleasure that I rise to support the nomination of Governor Mike Johanns to lead the Department of Agriculture. I applaud the President for his outstanding choice. The Nebraska Governor enjoys strong support from both sides of the aisle, including from his two home State Senators, CHUCK HAGEL and BEN NELSON. The Governor's nomination was approved unanimously in committee and I expect swift action on his confirmation today.

Governor Johann's story starts in Mitchell County, IA, on his family's dairy farm. Long hours working on the farm taught him the demands of the business, the hard work, discipline and resiliency it takes to succeed in agriculture. It also taught him a deep respect for the land and a sturdy work ethic which he says defines him to this day.

As Governor of Nebraska, Mr. Johanns has been a true friend of America's farmers and ranchers. He has traveled the world to open new markets. Nebraska is the largest beef processing state in the country and the fourth largest exporter of agricultural products. Under Governor Johanns' leadership, Nebraska's exports to China have more than doubled, from \$51 million dollars in 1999 to \$110 million in 2003.

He has also been a tireless advocate for his State's agricultural workers. As Governor, he developed the Meatpackers Bill or Rights to protect the mostly Hispanic work force from

poor working conditions. It was a controversial bill, but the Governor was determined to stand up for the right of his workers to safe working conditions. As he put it, "people have a right to a safe work environment whether they earn five or fifty dollars per hour."

As Secretary of Agriculture, he will continue to grow and strengthen our farm economy. There will be challenges, including protecting the food supply, and developing alternative energy sources like ethanol. But Governor Johanns' lifetime of experience and leadership makes him superbly and uniquely qualified to meet these challenges.

Governor Johanns says his father cried when he learned that his son was going to become a lawyer instead of a farmer. I hope today is cause for celebration.

I look forward to the swift confirmation of Governor Johanns, and I look forward to working with him to keep America moving forward.

Mr. CHAMBLISS. Mr. President, I know of no other speakers on either side.

I ask that all time be yielded on the nomination of Governor Johanns for Secretary of Agriculture.

The ACTING PRESIDENT pro tempore. All time is yielded.

The question is, Will the Senate advise and consent to the nomination of Mike Johanns, of Nebraska, to be Secretary of Agriculture?

The nomination was confirmed.

The ACTING PRESIDENT pro tempore. The President will be immediately notified of the Senate's action.

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

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

The motion to lay on the table was agreed to.

THE NOMINATION OF MARGARET SPELLINGS TO BE SECRETARY OF EDUCATION

The legislative clerk read the nomination of Margaret Spellings, of Texas, to be Secretary of Education.

Mr. ENZI. Mr. President, I rise today to bring before the Senate the nomination of Margaret Spellings to be the Secretary of Education.

On January 6, the Committee on Health, Education, Labor and Pensions held a hearing to review the qualifications of Ms. Spellings for the position. As chairman of the committee, I am pleased to note that the committee members found her qualifications to be exemplary and well suited to the Cabinet level position. She has been enthusiastic and well informed.

As the President's domestic policy adviser, Ms. Spellings was instrumental in developing the No Child Left Behind Act, and other important legislative initiatives.

Today I stand with Senator KENNEDY, the ranking member and the former chairman of the HELP Committee, in

bipartisan support of her nomination. I thank Senator KENNEDY and his staff for helping us bring this nomination to the floor in a very timely manner.

In addition, I am joined by Senator ALEXANDER, who will be the chair of the HELP Committee's Subcommittee on Education and Early Childhood Development.

We look forward to working with Ms. Spellings in her new position.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, I congratulate my friend and colleague, Senator ENZI, on his appointment as the chairman of our committee. He is my favorite chairman to the year 2007. I thank him very much.

I am glad to withhold if the Senator desires. As always, he is very gracious, but I am glad to wait until he has completed his remarks. Then I intend to talk about education.

Mr. ENZI. I concluded my initial statement, and I will see if another is necessary.

I yield to the ranking member if he so desires.

Mr. KENNEDY. Mr. President, I sincerely look forward to working with my friend from Wyoming. We had a great tribute the other evening from various education groups. Senator ENZI met with more than 95 different groups, and in his typical fashion said he was willing to sit down and listen to each and every group. It was a bold action on his part. It is a clear indication he is going to be an active leader in the field of education as he has been in so many other areas of our committee.

I join with him in the strong support of Margaret Spellings to serve as the Secretary of Education.

There is no more important position in a President's cabinet. And I believe that Margaret Spellings has the knowledge, commitment, and leadership to improve the quality of education across our land.

The strength of America depends on the strength of our public schools.

Education is the key to opportunity and a strong economy. Our schools and teachers prepare young Americans to compete and succeed in an ever-changing economy.

Education is key to our national security. We cannot protect America and maintain our progress in the world without skilled and well-trained citizens.

Education is the key to good citizenship. Good schools can shape the character of our citizens and train Americans to participate in our democracy, to serve our country and our communities.

In short, our schools are key to the American dream.

From our earliest days as a Nation, our country's founders understood this. John Adams, in drafting the Massachusetts constitution in 1780, affirmed that education of the people was "necessary for the preservation of their rights and

liberties." And many other States since have included similar commitments in their founding documents.

With every new age and each new challenge, part of the genius of America is that we have adapted. We have risen to the challenge. As Thomas Jefferson reminds us, "Every generation needs a new revolution." I believe that the revolution for this generation at this time is to master our own destiny and guide the currents of globalization for our own purposes.

No nation is guaranteed a position of lasting prosperity and security. We have to work for it. We have to fight for it. We have to sacrifice for it. And above all else, we must equip our citizens to use their God-given talents to compete in the global economy, not by lowering their wages but by raising their skills.

The price of failure is enormous. Already, millions of Americans have seen their good jobs shipped overseas. Last year, the new jobs created here at home paid 41 percent less than the jobs lost. And American families are finding it harder and harder to make ends meet—harder and harder to live the American dream.

To restore that dream in a global economy, we must remove every obstacle to our vision and look beyond the horizons of today. Of course, we must strengthen our economy so that it works for everyone. And we must invest in new growth industries that will create the well-paying jobs of the future.

Most of all, we must stand with all Americans to ensure that they have the skills and the opportunities they need for the future. We must encourage the study of math and science, and once again create a culture of innovation and progress in America.

That's the mission of the Department of Education in these times.

It is why I welcome President Bush's nomination of Margaret Spellings to be the next Secretary of Education.

Ms. Spellings has an impressive record on domestic policy. During her 4 years in the White House, she has worked on a range of issues for President Bush, including transportation, housing, health, and labor.

Most impressive is her work on education. Ms. Spellings has been a consistent champion for improving and strengthening public education, from her days as an advisor to Texas Governor Bush to her later role as the President's principal advisor on the No Child Left Behind Act. Over the years, she has worn many different hats in public education—advocate, parent, and policymaker. Her steadfast commitment to children and to the institutions that serve them has never wavered.

I look forward to working with her in the years ahead to strengthen our schools and universities, and forge a national commitment in education.

More than a basic value or a founding belief, education has been a force to move America forward. It has been the engine of the American dream.

During the industrial revolution, we made a national commitment to ex-

pand access to high schools and propel America forward.

In the 1940's, the GI Bill opened the doors of college to a great generation and launched a renewal of our economy.

After Sputnik's launch, we passed the National Education Defense Act to ensure our global competitiveness and national security by providing low-interest college loans for students studying math, science and foreign languages.

Again today, we face national and international challenges to achieving the American dream—some new and others familiar.

The destructive forces of poverty and inequality continue to prove obstacles to opportunity and progress. International challenges, such as outsourcing of jobs and the rising investment of other nations in mathematics and science, mark a new global standard to drive the world's economy.

In the face of these changes, we need a national education strategy to assure that America can advance—not retreat—in the days ahead. As President Bush challenged the nation in his Inaugural Address today, we must "bring the highest standards to our schools."

To meet this goal, we must do more to see that No Child Left Behind truly means no child.

It's not just a slogan. For us, it's a moral commitment. It's a solemn oath to our children, to parents, and to communities that we will fight for them every single day.

It's a promise that they will see qualified teachers, afterschool interventions, and supplemental services. It's a promise that they will see high academic standards, research-based instruction, and targeted help when they need it.

It's also a promise that every child counts—Black or White, Hispanic or Asian, rich or poor. Our promise to leave no child behind means that children with disabilities receive access to a highly-qualified teacher and to the individualized support that they need to succeed in school and in life. It means that schools are held accountable for their progress, too.

No Child Left Behind is an expression of our basic values that we're willing to make the tough choice and the hard sacrifices to invest in and improve our public schools, because they are the ever widening gateways to opportunity and success for every one of our children.

Our commitment cannot stop there. We must do more to help students prepare for college, afford college, enter college, and complete college.

I point out briefly what has been happening when we look at the costs of college tuition that are effectively out of control. From 2001 to 2004 or 2005, the increase of public college education for 4 years has increased 35 percent.

There has been an effort to recognize everyone has some role in making college affordable. The individual has a role. Some have resources, others do not. If they do not have the resources but have the academic skill, we at the

Federal level ought to be able to put together the kind of package so they are able to attend college. We did that in the 1980s.

Twenty years ago in Higher Education Aid, we had almost 60 percent of the assistance in grants and 40 percent in loans; now that has reversed. Now we find 58 percent and 41 percent in grants. As a result of this development and phenomena, there are hundreds of thousands of children in this country who do well and are admitted to the finest schools and colleges and universities of this country who will not attend because they do not have the resources. That is wrong. We have to address this.

A college education means more today than it ever has. Today's demand for highly skilled workers has moved beyond the 1950s, when only 15 percent of jobs required advanced skills. In 2005, more than 60 percent of all jobs require some post-secondary education. Of the fastest growing jobs, half require a college degree and the other half require strong information technology skills.

Despite growing demand, in the future, it is estimated that the number of college degrees earned will slow to one-third of its current rate.

Yet, last year, 400,000 college-ready students didn't attend a 4-year college on a full-time basis because they couldn't afford to do so.

In America, surely we can agree that cost should never be a barrier to a college education.

There is another area I want to mention. I know my colleagues are here and want to speak. I will not take more than my share of the time. One other very important feature I hope we can work with the administration on is early education. I touched briefly on college. I think we have to do a great deal more in the areas of math and science. When you look at what our competition is doing in China, in India, in terms of math and science and engineering and research, we cannot take for granted our own prosperity and our own national security.

The best dollar invested in children is in early education. This chart shows results from the High Scope Perry Preschool Study, in Ypsilanti Michigan, which has been peer reviewed, the Beethoven Early Childhood Program Study, and the Chicago Child/Parent Centers Study in Chicago. They all reached the same conclusions: with early education a young person is more likely to complete school, more likely to get a skilled job, less likely to be held back a grade, and less likely to need special education. The results are dramatic. The results are even more dramatic that they are more likely to complete high school on time.

The wonderful book Jack Shonkoff wrote, "From Neurons to Neighborhoods," brings together three National

Academy of Sciences Studies. All of them reach the same conclusion, that the opportunity to make progress with children in the earliest of months, virtually since the time they are born—even prior to the time they go to Head Start or a preschool program—is immense, and we have the proof.

This is an area Mrs. Bush is interested in. I am very hopeful we can find common ground and work on this area.

I believe that every child in America, upon reaching eighth grade, should be offered a contract. Let students sign it, along with their parents and Uncle Sam. The contract will state that if you work hard, if you finish high school and are admitted to college, we will guarantee you the cost of earning a degree. Surely, we have reached a stage in America where we can say it and mean it—cost must never again be a bar to college education.

We must also inspire a renaissance of math and science in our schools and colleges. Over the last 30 years, America has fallen from 3rd to 15th in producing scientists and engineers. In a major study released last month, we ranked 29th among 40 industrialized nations in math.

This revival begins in our elementary and high school classrooms.

Last week, President Bush called for increased investments in the training of math and science teachers in our middle schools and high schools. This is an important first step.

In addition, the courses that students take—as well as the quality of teaching—matter greatly. We know that the higher the level of math courses that students take in high school, the more likely they are to earn a bachelor's degree.

National standards in math and science have existed for more than a decade. We ensure that those standards are competitive with international norms, and align them with the skills that students need to be successful in college and in the workforce. We should offer incentives and supports for schools to develop and implement rigorous standards and courses. High standards and high-quality curriculum are the pillars of reform in our schools.

We must strengthen the pipeline of math and science into higher education. In the 1950s, after the launch of Sputnik, the National Defense Education Act resulted in a doubling of the federal expenditure in education, and helped secure the advancement and later dominance of the United States in the arms race and in the global economy.

But today, out of 15 million college students, less than 400,000 graduate with a bachelor's degree in math, science, engineering, or technology. Only 75,000 go on to obtain Master's degrees in those fields. We need a new National Defense Education Act.

We can double the number of future American scientists by 2010 if we pursue three key strategies.

First, we need more and better math and science teachers in grade schools.

We should make college free—no loans whatsoever—for any student, regardless of their family income, training to become a math or science grade school teacher.

Second, even for those not going into teaching, we should make college and graduate school tuition free for middle class and low-income math and science students. These fields are critical to America's future and we should dedicate resources toward strengthening them in particular.

Third, we should expand the capacity of colleges and universities to educate future scientists and engineers by growing the Tech Talent program at the National Science Foundation. Tech Talent enables colleges to hire additional math and science faculty, develop additional math and science courses, make sure that math and science classes are small and accompanied by up to date lab facilities, and supports paid summer internships for math and science college students.

Finally, we can't expect to maintain a competitive standing in the global economy without paying attention to education in the early years. Learning begins at birth, and research has proven that what we do for our children's early education and development does more to ensure their success later in school and later in life than any other investment.

Today, two-thirds of fourth graders are not proficient readers. Less than a third of American students are proficient in math and science. And one-third of students who begin high school fail to earn a diploma.

Early education can change all of that. Students who participate in high-quality, comprehensive early childhood programs are less likely to be held back a grade, and less likely to need special education. Later on, they are more likely to complete high school on time. Later in life, they are more likely to hold a skilled job or a college degree.

It's time that we made early childhood education a priority in America. We need to ensure that every child has access to a high quality early education program.

We need to coordinate the wide variety of programs and services currently available for children. And we must also ensure that all those caring for children have the skills and qualifications necessary. If we are to expect quality care for our children in these settings, then they need quality teachers, who are supported, trained, and adequately compensated to do the job.

America has always dedicated itself to expanding opportunity and embracing the future. These are our highest values, and we must draw upon them to approach the challenges that lie ahead with strength, skill, and confidence.

In short, we must stand ready to embrace the American dream by improving the quality of education in America.

Mr. President, I urge our colleagues and friends to give overwhelming sup-

port for this nominee. Margaret Spellings does not always say no. She is not always going to say yes, but she is not always going to say no. We on this side of the aisle are looking forward to working with our chairman to try to make a real difference in enhancing the quality of education for children all over this country.

I thank the Chair.

The ACTING PRESIDENT pro tempore. Who yields time?

The Senator from Wyoming.

Mr. ENZI. Mr. President, I yield such time to the Senator from Tennessee as he might consume.

The ACTING PRESIDENT pro tempore. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, while the chairman and Senator KENNEDY and Senator DODD are here, I want to say that I appreciate Senator KENNEDY's remarks and strong support for Margaret Spellings. I appreciate the work he and MIKE ENZI and Senator DODD have done in education and early childhood education, and I hope that is a signal that over the next couple of years we can do more together.

Senator KENNEDY and I worked on legislation that affects American history, and we have another pending bill on that. Senator DODD and I have worked together on legislation that affects premature birth. We have some differences of opinion, and we will make those differences of opinion, but I am confident at least the chairman and I, and I believe Senator KENNEDY and Senator DODD, will work together on Education Committee issues to do our very best to make sure we put children first and our country's competitive position first. I relish the opportunity to work with them. I know of no three more effective Senators than the chairman, Senator KENNEDY, and Senator DODD. I wanted to say that while they were all here.

I once held the same job President George W. Bush hopes Margaret Spellings will hold. I was appointed Secretary of Education by the first President Bush. As I said at the hearing for Ms. Spellings, at my first Cabinet meeting I learned that not everyone in Washington thinks it is the most important job in Washington, because I learned at my first Cabinet meeting that the Secretary of Education sits at the end of the Cabinet table and is the last to be evacuated in the case of a crisis. In fact, I used to tell my friends, if they woke up in the morning when I was in the Cabinet and saw me assuring them that everything was all right, they should know that everything was not all right because that would mean they had worked all the way down to rest of the Government before they got to me.

But I agree with what the Senator from Massachusetts said a little earlier. I do not think there is any more important job in Washington than that of Secretary of Education, who does not manage education. Education is in the homes and communities and

schools, and it is paid for, 93, 94 percent, outside of Washington. But the Education Secretary can help our President put a priority on education.

A lot of improving education is simply valuing education. I used to say down in Tennessee, when I was Governor, trying to get our State to value it more than that, the reason the Minnesota schools are better than the Tennessee schools is that in Minnesota they value education more, that we were valuing fast cars and football games and they were valuing high scores in math and science, and we were getting the fastest cars and they were getting the highest scores in math and science.

So having the President and respective Members of the Senate put this upfront and having a competition for who can have the best "better schools" program and the best new initiative, that is the way we should be doing it. I look forward to that.

I believe Margaret Spellings can help President Bush complete 8 years as a genuine education President. Because she knows him. She worked with him in Texas. She helped him introduce one of the strongest accountability programs any State has. She was able to work with the Congress, helping him work in a bipartisan way with the No Child Left Behind bill, in a very strong example of bipartisanship, not just a passive one. But to continue to support it, she worked for the school board association there.

So she knows the President. She knows the subject. She knows politics. She knows the Congress. She knows the White House. And she ought to be good. So I am delighted the President has chosen her. I look forward to working with her.

Now, Senator KENNEDY and Senator ENZI made some mention of a few subjects they believe are important, especially important right now, that they hope the President and his new Secretary will put a focus on. I would like to do the same, in brief.

No. 1, I would like to see this new Secretary and this President establish a point person within the administration for higher education. One of my great regrets, as I left the Secretary of Education's office in 1992—other than I had to leave it because we lost the election—one of my great regrets was I did not go to the first President Bush and say: Let me be the point person for all the Federal Government does on higher education. And why is that? It is because the National Academy of Sciences estimates that one-half of our new jobs since World War II have come from advances in science and technology; in other words, from our brainpower. That is where it has come from. And much of that advance in science and technology has come from about 50 great research universities and the national laboratories we have that are run by the Department of Energy.

No other country in the world has anything that compares with those re-

search universities and those national laboratories. And just as they were for the last 50 years, they will be for the next 5, 10, 50 years the key to our ability to keep our standard of living. We need to remember that we are only 5 to 6 percent of the population in the world, and we may have a third of all the dollars. Now the rest of the world is going to be catching up, and they are already doing that.

India and China are busy keeping their brightest people home. They are busy working on building greater universities. While we may be taking for granted this superior system of higher education we have today, Senator KENNEDY pointed out the rising tuition. I will tell you why the tuition is rising. It is not because the Federal Government is not putting more money in. It is because the State governments are putting in less.

In Tennessee, when I left the Governor's office in 1987, 51 cents out of every State tax dollar was being spent on education, and 14 cents on health care. Today, it is 40 cents on education, and 26 cents on health care; and health care is going up. That same story is true in virtually every State in the country, and the money that was being spent on education and now being spent on health care is coming, for the large part, out of higher education. So if we shortchange higher education, we are shortchanging our ability to keep good jobs in the United States.

We have a number of other issues that have to do with higher education that we need to focus on. Visas for foreign students: The Senator from Minnesota has been as active, perhaps more active, than any other Senator in pointing out there is a dramatic drop in the number of foreign students at our universities. People might say, so what? They do not speak English very well, anyway, when they teach courses in graduate school.

Here is so what. They are among the smartest people in the rest of the world, and they come here, go to our universities, and they create ideas and jobs for us. They help make our universities the best. France, Germany, India and China are trying to keep them home, and we are making it hard for them to get here. We are going to pay the price for that.

The President has made some comments about year-round Pell grants. We have held a hearing about that. Senator KENNEDY talked about the adequacy of Pell grants. We need to look at that. I believe our universities are strong because, first, we recognize their autonomy.

In other words, we don't tell them what to do. We encourage autonomy, and then we give the money to students and let the money follow the students to the academic institution of their choice. We don't say you can't go to Notre Dame or you can't go to Yeshiva or you can't go to Howard. Sixty percent of American college students have a grant or a loan from the Federal

Government that follows them to the school of their choice. We ought to continue to respect that autonomy and not restrict it.

Colleges of education, distance learning, community colleges, increased spending for the physical sciences that support our research efforts, political correctness in colleges and universities, the relationship of research universities and the National Laboratories, having an administration-wide inventory of all the Federal Government does in support of higher education would help us put a focus on higher education, and the fact that better schools, colleges, and universities mean better jobs.

There are two or three other areas I hope the President and the new Secretary will pay attention to, such as finding more ways to involve parents in the education of their children by giving them more choices of educational opportunities. I believe the genius behind our superior system of colleges and universities is because we don't try to run them from here. We respect the autonomy of the universities and we allow students money and allow them to choose the schools. If it helped create the best colleges, I don't know why we don't use more of that to help create the best schools.

A third area is to make sure we are spending Federal dollars for children age 0 to 5 as well as possible. This is an area the Senator from Massachusetts mentioned. It is one in which the Senator from Connecticut is interested. The Federal Government spends \$18 to \$21 billion a year through 69 different programs that dedicate part of their budget toward early education and care programs that serve children under the age of 5. That is in addition to all the money that goes to children because of the Medicaid Program. The Department of Education administers 34 of those 69 programs. We ought to take a look at the spending of the \$18 to \$21 billion and find out how well it is being spent.

Head Start is just about a third of it. Head Start is not all we do for early children. We ought to see where the gaps are. We ought to understand what the States are doing, what the cities are doing, and then see what else the Federal Government might need to do additionally or what we might change to do better.

Next, make sure No Child Left Behind is funded, flexible, and working. The President has asked us to expand it to high school, or has indicated his intention to do so. We ought to take a look at what we are already doing first and see if there are some lessons that we need to learn from how No Child Left Behind was implemented in the first 3 years so that we can avoid any mistakes we made when we consider going on into high school.

I am a convert to No Child Left Behind. I am a convert primarily because we have a third of our eighth graders who score below basic on reading and

math, which is disgraceful. At least we need to know that and need to know who is falling behind. But this is a huge program, and there is a lot to look at: Achievement in State standards, what constitutes highly qualified teachers, the choice in supplemental service provisions, how No Child Left Behind affects rural areas as compared to urban, the very important U.S. history subject and learning English subject. And we need to look at funding.

Last time I checked, the President does not appropriate a penny. The Congress might as well give itself some credit for this. Federal funding for K-12 is up 36 percent. That is a lot. It is as much as Senator KENNEDY said tuition was up in the last 4 years. State funding, at least in my State, is up about 11 percent. So Federal funding for kindergarten through the 12th grade is up three times as much in the last 4 years as State funding for kindergarten through the 12th grade. But still we need to take an honest look to see.

We put some new requirements, through No Child Left Behind, on State and local governments. Did we properly fund that? That is an appropriate question. We should ask that question.

Finally, I would like to see more work done on the subject that Senator KENNEDY and I and the new Democratic leader, Senator REID, have worked on. That is restoring the civic mission of our public schools. The President talked about that today in his inaugural address: What does it mean to be an American? He gave the kind of speech I hoped he would give: What are the values in our country? What is important to us? We can get all the programs later. He did that beautifully.

The late Albert Shanker, President of the American Federation of Teachers, once said the reason we have public schools is to teach the three Rs to the immigrant children and teach them what it means to be an American with the hope that they will go home and teach their parents. We should be embarrassed that the lowest score that high school seniors make on the national assessment for educational progress test is in U.S. history, our own history. If we don't know our own history, we don't know why we are in Iraq. We don't know why we say anything is possible. We don't know why we say no child is left behind. We don't know why we debate illegal immigration. We could have no discussion in the Senate Chamber that made any sense at all unless we had some understanding of U.S. history.

Senator REID and I cosponsored legislation that passed last year to help create summer academies, presidential academies for the teachers of American history, and congressional academies for students of American history. Senator KENNEDY and I will introduce again this year legislation that will add State-by-State tests and NEAP tests in U.S. history, giving States that option so they can compare their scores. We are looking for many dif-

ferent ways to restore the civic mission of our public schools.

There is a lot to do. I believe there are three great challenges facing our country: One is terrorism; one is preserving our common culture; and one is keeping our jobs in a competitive world marketplace. And the key to that is brainpower and education. Better schools, colleges, and universities will mean better jobs. And with the experience that we have in this Chamber and the high level of interest we have in education and the history we have had recently of bipartisan cooperation, we ought to be able to make some significant progress.

I look forward to being a part of that, working with Chairman ENZI and Ranking Member KENNEDY.

I thank the Chair.

The ACTING PRESIDENT pro tempore. The Senator from Wyoming.

Mr. ENZI. Mr. President, I thank the Senator from Tennessee for his total enthusiasm on this issue. We are so fortunate to have him as the chair of the Subcommittee on Education and Early Childhood. You have just seen a demonstration of the passion that he puts into education. Of course, he has covered it from the perspective of being Governor, of being a college president. Probably more important, he has covered it from the perspective of being the Secretary of Education of the United States. Now as a Senator, he is going to make a difference in policy by pursuing that committee vigorously, as we can tell from his comments.

I also appreciate the earlier comments of Senator KENNEDY and the tremendous cooperation that we have had not only on the hearings that we have had but also on the personal discussions on the workload that we have by September 5, when 28 reauthorizations expire. We have to get those done.

I thank the Chair and yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Connecticut.

Mr. DODD. Mr. President, I am glad our colleague from Tennessee has remained. People may assume I am fulfilling some collegial courtesy to extend comments about the experiences of the members of the committee, but as Senator ENZI has just said, we are very fortunate to have LAMAR ALEXANDER as a Member of this body and as a member of the Committee on Health, Education, Labor, and Pensions. The Senator from Wyoming touched on the experiences that Senator ALEXANDER has had, except one, and that was as a Presidential candidate. He spoke eloquently, throughout those months in which he sought the highest office in the land, about the importance of education. So, we are fortunate to have him on our Committee.

I can't tell the Chairman of the Committee how much I look forward to working with him as well. I am optimistic about the work we can do on the Health, Education, Labor, and Pensions Committee.

I will support the nomination of Margaret Spellings as Secretary of Edu-

cation. The mission of the Department of Education is "to ensure equal access to education and to promote educational excellence for all Americans." If we succeed in making our education system as good as it can be, there is no national priority that will not benefit. If we do not succeed, we leave things to chance. So I believe that the Secretary of Education is one of the most, if not the most, important positions in the President's Cabinet.

Ms. Spellings comes to the Department of Education with strong credentials as a policymaker in the area of education. She currently serves as the Assistant to the President for Domestic Policy. In that role, she is responsible for the development and implementation of White House policy on education, health, labor and other elements of the President's domestic agenda. Prior to her White House appointment, she worked for 6 years as one of Governor Bush's senior advisers, a role in which she had responsibility for the development and implementation of his education agenda. Many of the initiatives she worked on were incorporated into the No Child Left Behind Act, NCLBA. In fact, Ms. Spellings was one of the administration's primary architects of the No Child Left Behind Act, working with Members of this body, and others, to craft this law.

As Ms. Spellings said at her hearing, there is no more important obligation each of us has to the American people than to educate our citizens. Like her, I believe that a high-quality education must be available to each and every American regardless of where they live, their economic status, whether they attend urban, rural or suburban schools, and whether they are a first or fifth generation American. I was impressed at her nomination hearing by the breadth of her knowledge and her ability to respond to a wide range of questions on so many aspects of education policy. Her intimate knowledge of No Child Left Behind will be the key to successful future implementation of this law, and I am hopeful that she is up to the task of working with this body to ensure that a greater degree of reasonableness is taken into account in implementing it.

I do not in the least question this nominee's qualifications or commitment. She is in these respects truly impressive. I do, however, question the policies of the administration she is duty-bound to represent.

I had high hopes when this administration came to office. I supported what is widely touted as this administration's landmark education initiative, the No Child Left Behind Act.

I supported No Child Left Behind because I care about improving the quality of education in America for all of our children. I believed that this law would help to achieve this goal by establishing more rigorous standards for measuring student achievement, by helping teachers do a better job of instructing students, and by providing

the resources desperately needed by our schools for even the most basic necessities to help put the reforms we passed into place. Regrettably, the high hopes that I and others had for No Child Left Behind have not been realized. The law is being implemented by the administration in a manner that is inflexible, unreasonable, and unhelpful to students.

Worse still, the administration's promise of sufficient resources to implement No Child Left Behind's much-needed reforms is a promise that has yet to be kept. Currently, the law is underfunded by \$9.8 billion. As a result of the failures of the administration to fulfill its commitment to our Nation's schoolchildren under the Law, children and their teachers are shouldering new and noteworthy hardships. Students, teachers, administrators, parents, and communities, are struggling to work with requirements that are often confusing, inflexible, and unrealistic. And they are struggling to do so without the additional resources they were promised to put them into place.

As I have said on numerous occasions in the past, resources without reforms are a waste of money. By the same token, reforms without resources are a false promise—a false promise that has left students, their teachers, and taxpayers, grappling with new burdens and little help to bear them.

Just last week, the President announced a new education initiative that would expand No Child Left Behind testing at the high school level. New testing, combined with new requirements already scheduled over the next 2 years—including the deadline for teachers to be highly qualified—will require a great infusion of resources. And yet, we have recently been told that one-third of the States will see a decline in No Child Left behind funds this coming year.

No Child Left Behind is not the only law which remains underfunded. Today, the Individuals with Disabilities in Education Act, IDEA is funded at less than half of the 40 percent we committed to provide when we passed the law 30 years ago. This means that States continue to bear more than their fair share of responsibility for meeting disabled students' needs. States that, mind you, are facing astronomical deficits as a whole. States that often have no choice but to pass these costs on to municipalities which then pass them on to everyday, average American taxpayers through their local property taxes.

Just as disheartening is this administration's lack of support for student financial aid. Since coming into office, it has done little to help the average American taxpayer send their children to college. The maximum Pell Grant award remains frozen at \$4,050 for the fourth consecutive year, enough to pay just 34 percent of the average annual cost of attending college. In the meantime, public college tuition has gone up 35 percent over the last 4 years.

A college graduate earns close to double the amount of an individual who has only graduated from high school. Without additional financial aid in the form of loans—and more importantly, grants—many American students may not be able to afford a college education. Prohibitive costs may be keeping some of our best minds from fulfilling their dreams of a higher education. And yet, this administration has done virtually nothing to make college more financially accessible. Qualified students with the will to achieve should be given the change to do so. Until recent announcements of expanding the Pell Grant program, this administration has done little if anything to give these students that chance. And while I am happy to hear that higher education is receiving long over due attention, I am concerned by indications that the administration may pay for new initiatives simply by cutting others.

Outside of funding, I am concerned about President Bush's proposal to move Head Start from the Department of Health and Human Services to the Department of Education and to change the program's focus to reading. I do not object to exploring innovative ways to help children read. However, it is the comprehensive nature of Head Start that makes a difference for poor children. Head Start is just as much about ensuring that children have proper health care, dental care, vision and hearing screening, as well as screening for developmental delays. Head Start is about the social, emotional, physical, and cognitive development of children. To focus only on cognitive development would ignore the other pillars of school readiness. We need to be cautious about changing a program that does so much good for so many children and families. Our focus need to remain in the development of the "whole" child.

I still support Margaret Spellings' nomination because she is well-qualified for the position and has demonstrated seriousness of purpose. However, my concerns about the nominee are not her personal qualifications but the policies of the administration she represents. I pledge my best effort to work with her and others to find common ground. But, by the same token, I will respectfully dissent where this administration pursues policies that I believe are harmful to our Nation's children.

Again, even though I am supportive of this nomination, it does not mean that Ms. Spellings is going to agree with the Senator from Connecticut on everything. I suspect she will not. But I know when I make a call to her, I have somebody on the line who will listen and will consider sound arguments about why or why not we ought to do certain things. I very much look forward to working with her and this committee in the coming months.

I have often quoted Thomas Jefferson who made the comment just over 200

years ago that any nation that ever expects to be ignorant and free expects what never was and what never possibly could be. That was his statement at the beginning of the 19th century. It is just as true today. That is why the nomination before us is of the utmost importance.

I yield the floor.

The PRESIDING OFFICER (Mr. CHAFEE). The Senator from Oregon.

Mr. WYDEN. Mr. President, I do not want to turn this into a bouquet-tossing process, but I also want to commend our friend from Wyoming. I think he is going to do an excellent job in his new position. At the end of last year, we got a little bit more flexibility in terms of the interpretation of Leave No Child Behind Act because of the efforts with respect to hiring of rural teachers, and I thank him for his work on that, and certainly the bipartisan firm of Senators KENNEDY, DODD, ENZI, and ALEXANDER is a force to contend with, and I am looking forward very much to working with them.

The confirmation of the Secretary of Education by the Senate, important as it is, is not the only important development in American education this week. I am sure many of our colleagues have heard about the remarks made by Harvard President Larry Summers this week, remarks that in effect said women may be underrepresented in math and sciences because of innate differences between men and women.

I spoke with Dr. Summers this morning. He made it clear to me that he is acutely aware that remarks he intended to be thought-provoking crossed the line. He knows that as president of one of America's most distinguished institutions, his views are heard worldwide. I expect he will continue to express his contrition to the Harvard community and educators around the country.

I have devoted a lot of time to this issue myself. In 2002, when I became chairman of the Subcommittee on Science, I pursued this issue on a bipartisan basis, particularly with Senator ALLEN of Virginia. Today I ask my colleagues the question of what ought to be on the table at this point, and that is what is going to be done now, what is going to be done immediately, to create more opportunities for girls and women to advance in science, math, engineering, and related fields?

It is very seldom, when a problem such as this comes up, that there is literally a tool right at our fingertips to solve the problem, but in studying this issue, in holding hearings on this issue, I became convinced that title IX of the Education Act can be the key to ensuring gender equity in critical academic fields for women.

Here is how title IX reads: No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving Federal financial assistance.

It means any institution receiving Federal funds must make sure that women are treated equitably.

In the Senate, and certainly around the country, there is a common misconception that title IX is about sports. I think very few people are aware that primarily, at its roots, it is an academic statute. Athletics are certainly where we have seen the most progress under title IX. Before title IX, 1 in 17 girls in school played sports. Now it is 1 in 2.5, or 40 percent.

So I ask my colleagues, imagine if those same changes could be seen in math, science, and engineering, from the 20 percent of science undergraduates who are women today, to 40 percent or 50 percent; from the 6 percent of engineering professors who are women today to 40 percent.

The potential of title IX is enormous. Enforcing it in academic fields could revolutionize the study and application of math and science in our country.

Educators of good conscience should not wait for a Federal reprimand to comply with a Federal law that benefits all of us. Title IX ought to be a guiding principle in hiring, tenure, scholarships, and lab space for all scholars on all the academic campuses around our country. Title IX can finally give women studying science a fair shake where they have not gotten one before. It does not sound like a tall order, but it is not happening. Unfortunately, the Federal Government is not taking the lead in terms of tackling the issue.

For example, I asked the General Accounting Office to examine whether the Federal Government is following the law and enforcing title IX. What the General Accounting Office found was disappointing at best. They looked at the Department of Education, NASA, the Department of Energy, and the National Science Foundation, and they found that little or no efforts were being made to ensure compliance with title IX requirements for grantees getting Federal dollars. Of all the agencies reviewed, the Department of Education was the only Federal agency that conducted any title IX compliance reviews. But they have not conducted a single review—not one—since 1995.

The Federal Government is not doing its part to ensure that title IX is being enforced for women and girls with the ability and the desire to work in math and science. I have asked Secretary of Education Paige and the President that title IX be enforced as intended. But today, colleagues, I formally call on the individual who will shortly be confirmed as the Secretary of Education, Margaret Spellings, to work to ensure that girls and women in our federally funded schools do not suffer discrimination in math and the sciences. I will tell you, it is an issue of economics, and it is also an issue of national security. A report from the Hart-Rudman Commission on National Security to 2025 warned that America's failure to invest in science and to reform math

and science education was the second biggest threat to our national security. It warned that only the threat of a weapon of mass destruction in an American city was a greater danger. In fact, the Commission unanimously concluded that the danger from underinvesting in math and science and failing to reform math and science education was greater than the danger from any conceivable conventional war.

I do not see how America can meet its national security needs if it is not giving women a fair shake as it relates to opportunity in math and science. So on this Inauguration Day, I call on the new Education Secretary, the individual we will shortly confirm, to take this message of economic fairness and national security to heart.

The remarks that Dr. Summers has made, which have triggered such debate, have generated a new and important discussion about this issue. As the Senate confirms a new Education Secretary, I believe there is no better time to return our attention to the issue of how this body can advance opportunities for women in math and science, not by writing any new laws but by enforcing the laws on the books.

Colleagues, I would say—our new chair is here—it is one thing if Chairman ENZI has to get together with Senator KENNEDY and Senator ALEXANDER and Senator DODD and write a whole new law. Here we have a law on the books, but the conception is that it is just for sports, and it has been a good sports statute. What I am saying is we can revolutionize opportunities for women in math and science if we use the law as it was originally intended.

Go talk to our former colleague, Senator Birch Bayh. Senator BAYH, who testified before my subcommittee, said this was primarily an academic statute, and he would very much like to see it used for opportunities for women.

The conversation I had with Dr. Summers this morning certainly was not over when we hung up the phones. What began as a controversy this week I hope is going to end with a bipartisan effort, like the one that Senator ALLEN and I launched several years ago, to make sure there are more opportunities for women and girls to enter the math and science fields. That is what I intend to pursue. I intend to do it on a bipartisan basis, working with our new chair and colleagues whom I know share this interest.

I yield the floor.

Mr. ENZI. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator has 26 minutes and 56 seconds.

Mr. ENZI. I have been requested by the Senator from Tennessee to yield 3 minutes to discuss the issue that has just been brought up.

Mr. ALEXANDER. Mr. President, I am glad I was here to hear the Senator from Oregon. I want to think about what he said and make two comments.

It is a noble and good effort for us to think about how can we make certain young girls as well as young boys have the opportunity to learn more about science and math and to make careers of science and math should they choose to do that. I would like to urge some caution in the application of title IX to cause that. We may want to be more selective in our approach.

I watched the good title IX can do. I was president of a university which saw a fantastic women's sports program, as an example, develop because of that—at the University of Tennessee. At least it encouraged that. But it might have some unintended consequences because, in many cases, girls are doing better than boys. Almost every liberal arts college in America today is having a hard time recruiting males, not females. In many of the graduate professional schools across the country we are finding growing numbers of women, which is a wonderful development, and they are in the majority. Were we to begin to apply too strict an application of title IX, we might find it restricting money spent for females because they are doing better than the males.

One of the greatest problems affecting our country is why African-American males are not doing as well in high schools, so I would like to discuss that some more. I appreciate his bringing it up. I am glad I was here to hear it.

Second, I have read the comments about Dr. Summers and his comments. He may wish he said what he said in a little different way, but I am also a little concerned about the controversy. I understand what he said is he raised the question: Is it possible that there is an innate difference between men and women that might contribute to the smaller number of women who study math and science and make careers of it?

If he were a politician on the Senate floor, he might think twice about saying that because he might be misinterpreted. But if you are on the campus of a university, you are supposed to be able to ask questions, even questions that are a little offbeat, even questions that are incorrect. I can guarantee you, having been temporarily on the faculty there at Harvard with an appointment, there are many more bizarre ideas than that that are regularly asked and regularly expressed. So he may be wrong; the answer to the question is no, there are no innate differences between men and women that contribute to the reason why fewer women follow math and science, but I think certainly a faculty member of Harvard or the president of Harvard ought to be free at least to discuss the question without being roundly condemned across the country.

I thank the Senator from Oregon for his thoughtful comments. I would love to talk with him more about whether the application of title IX would actually have some unintended consequences, consequences he might not

intend. I hope on all of our campuses and universities, even presidents are free to ask questions and have a free inquiry. I believe that is why we have those institutions.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, I will not belabor this. I do believe I have to make a couple of responses with respect to the remarks made by the distinguished Senator from Tennessee.

The PRESIDING OFFICER. Does the Senator from Wyoming yield time?

Mr. ENZI. I yield 2 minutes for a quick response. This is a very important topic. Everybody has a common interest in making sure there is a quality in education all the way through. I would appreciate the comments of the Senator from Oregon, briefly.

Mr. WYDEN. I want to say first of all, I am talking about enforcing a law that is on the books. All I am talking about is the original intent of a law that is on the books, which is applied primarily to the academic field—not sports.

I want it understood that I am not talking about anything new. I am talking about enforcing the law that is on the books.

Second, making sure that I am specific with respect to what the Senator from Tennessee has said, all I am talking about is that women would get an equal shot at all of the slots in math and science. We know there can be different results based upon the qualifications of an individual. And universities don't need to have the exact same number of men and women for every position on their faculties. But what I want us to do—and what title IX is all about—is make sure that women have an equal shot at all of the slots that are available. It seems to me, if we don't do that, we are not complying with the law that is on the books.

I will tell you that we are not going to be able to meet the economic and national security needs of our country.

The Senator from Tennessee is always very gracious. I am anxious to work with him in these areas. I want to make sure and emphasize that I am talking about equal opportunity—an equal shot. That is the call that I am making today on the floor of the Senate.

I yield the floor.

Mr. CONRAD. Mr. President, earlier this month, the Senate Health, Education, Labor and Pension Committee reported to the Senate the nomination of Margaret Spellings for confirmation as Secretary of Education. I am very pleased that the nomination was unanimously reported and I intend to vote in support of her confirmation for this important post.

Over the past 4 years since passage of the No Child Left Behind, NCLB, Act, there have been—and continue to be—many questions regarding funding and implementation of the Act. During this period, promises were made to Congress, the education community and

parents that adequate funding would be provided to ensure that the various requirements relating to teacher quality and accountability could be implemented without creating an additional financial burden for States and local communities. Additionally, States were assured that sufficient flexibility would be provided to States for the development and implementation of State plans to meet the requirements under NCLB. Regrettably, these two key goals have not been met.

The nomination of Margate Spellings is an encouraging development regarding our national education policy. Margaret Spellings brings to this office very significant credentials, including her service as the principal education advisor to President Bush during his term as Governor of Texas. She is recognized for her expertise on education reform and has distinguished herself as Assistant to the President for Domestic Policy. Additionally, Margaret Spellings played a key role in development of the No Child Left Behind Act.

Most importantly, Margaret Spellings nomination represents a wonderful opportunity for the Department of Education to work more closely with Congress, States and the education community in a realistic implementation of NCLB. Congress supports the goals of improving teacher quality and ensuring that students are fully prepared upon graduation to meet the challenges of the 21st century. It's absolutely essential, however, that the Department of Education be a strong and realistic partner in the implementation of the Act. State and local officials and educators must also be assured that they will not be saddled with extraordinary unfunded mandates or regulations to comply with the act.

I commend Margaret Spellings for her commitment to education and am pleased to vote in support of her confirmation as Secretary of Education. I look forward to working with her on critical education issues on a national level and to addressing the very real concerns of educators and school officials in North Dakota on teacher quality, especially the issue of highly qualified teachers and education funding. The No Child Left Behind Act must be an initiative of cooperation and partnership among all parties in the education community and the Federal Government if it is to succeed in improving education for our children.

Ms. CANTWELL. Mr. President, today the Senate will consider and vote on the nomination of Margaret Spellings as the new Secretary of Education. I will support her nomination. Ms. Spellings is a capable leader, having been principally involved in shaping education policy on both State and Federal levels for over a decade. Her commitment to working on both sides of the political aisle and alongside our teachers and educators illustrates her dedication to strengthening our schools.

In today's global marketplace, ensuring access to high-quality education—

from a continuum that starts in early childhood to grade school, moving on to college and beyond—is central in maintaining America's competitive edge. To meet this goal, adequate funding of our public schools and post-secondary institutions is necessary to keep our students on the path toward achievement. I am confident that Ms. Spellings will uphold this responsibility as the head of the Department.

Meeting the needs of learners at all ages and targeting approaches that prepare them to be successful is a priority. By investing in education, we are empowering our economy. I am eager to work with Ms. Spellings on strengthening our education system, making sure that every student reach his or her full potential and improving the quality of life for all families.

Mr. DOMENICI. Mr. President, I rise today in strong support of the confirmation of Margaret Spellings to be Secretary of Education. Margaret Spellings has devoted her career to working to improve education for children in Texas and across the Nation. Her experience and dedication make her eminently qualified to serve as Secretary of Education.

Margaret Spellings is the ideal person to work with States and Governors of both parties to achieve the goal of raising student achievement for all students in all schools. As the Assistant to the President for Domestic Policy, Ms. Spellings has been responsible for the development and implementation of White House policy on education, healthcare, labor, housing and many other elements of President Bush's domestic agenda. She has also served with distinction as the senior advisor to then-Governor George W. Bush in Texas with responsibility for State education policy, and as associate executive director of the Texas Association of School Boards.

Throughout her professional career, Margaret Spellings has had in-depth discussions with teachers, administrators and school board members. She understands about school reform and the Federal role in education. In Texas, she was responsible for developing and implementing the State's strong school accountability system, and she was also instrumental in the State's strong reading and charter school efforts. As a top domestic advisor to the President, she was integral to the development of the No Child Left Behind Act, which is producing solid improvements in reading and math for America's students and is helping students by transforming our public education system.

The fact that President Bush has chosen one of his closest and most trusted advisors to become Education Secretary is a clear sign that education will continue to be a top domestic priority for this administration during the next 4 years. I look forward to working with Margaret Spellings in her new role as Education Secretary to help make public schools great for every child.

Mr. FRIST. Mr. President, it is my great pleasure and honor to support the nomination of Margaret Spellings to lead the Department of Education.

Ms. Spellings has been a close and trusted adviser to the President for over a decade. She will bring to the post both local and national experience. In Texas, Ms. Spellings led the Texas Association of School Boards and advised two Governors on education policy, including then-Governor Bush. In Washington, she has served as the top domestic policy advisor to the President and was one of the key architects of the historic No Child Left Behind Act.

Ms. Spellings has earned a solid reputation as one of the sharpest minds in education policy. She is passionate about America's schools, and more importantly, passionate about America's school children. Like all of us in this chamber, she believes that every child has the right to learn. Education is the path to achieving the American dream. As a result of her work on the No Child Left Behind Act, students of every background are making strides.

As the Secretary of Education, Ms. Spellings pledge to improve the No Child Left reforms and extend them to the high school level. She is also committed to enhancing college aid to assist older and disadvantaged students. As she told the HELP committee, reforms to No Child Left Behind need to be sensible and workable.

Ms. Spellings' nomination comes to the Senate floor with strong bipartisan support. She was unanimously voted out of committee. Both sides of the aisle recognize and honor her leadership and experience. In Ms. Spellings, America's education system will have a thoughtful, flexible, and effective leader.

Karl Rove once said that Margaret Spellings is the most powerful woman in Washington, whom no one knows. As a key Cabinet Secretary, she will be one of Washington's most luminous stars.

I am pleased to support her nomination. I expect a swift and overwhelmingly bipartisan vote to make Ms. Spellings America's eighth Secretary of Education.

Mr. ENZI. Mr. President, I yield myself such time as I need to conclude this debate.

We have had a wonderful afternoon talking about some of the basic education policies that we need to be on top of for the kids of this country. I am excited about the bipartisanship that has been shown in this discussion this afternoon.

We have had a pretty good covering of a lot of the different issues that will be coming before the Health, Education, Labor and Pensions Committee. But, of course, the real purpose of this discussion was to have a very brief discussion on the approval of the nomination of Mrs. Spellings to be our Secretary of Education. I am pleased there were no adverse comments during the

entire time that we allowed, and there were none at the hearing we had for her.

During that hearing, we discussed the President's education agenda and the future of the educational system. We asked Mrs. Spellings a lot of questions about her views on these issues and about her plans to continue to improve our schools. We were all impressed with her answers.

It was evident from the comments of the Members there that Mrs. Spellings enjoys strong bipartisan support. I think that has been shown here today, too.

As her record clearly shows, Mrs. Spellings is no stranger to the issues of education that will affect every child and every schoolroom throughout the United States.

As the President's domestic policy adviser, Mrs. Spellings was the key part of the effort to emphasize the accountability and the importance of getting results in the classroom as part of the No Child Left Behind Act.

Thanks to that important legislation, our Nation's classrooms are more effective. They are more efficient. They are places of learning, and our children are benefiting from that.

Mrs. Spellings believes, as I do, that every school can be a good one, and every student can be a star student.

It is no secret that good skills lead to good jobs. Maintaining those skills through a lifetime of learning will lead to a good career.

That has been my experience as a father of three college graduates, and also the husband of a wife who got a college graduate degree on line from the University of Wyoming while we were here in Washington. There is a little time difference between here and Wyoming. A lot of her classes started pretty late at night. But she stuck with it and got a graduate degree. All of us are proud of her for that.

I am proud of all three of my kids who have their degrees. One of them is a teacher. She has gotten a couple of degrees since she became a teacher. One of those got her a certification to be a principal.

I get comments from that lobby very strongly. I am so pleased with the comments I get.

I would also be remiss if I did not mention my sister, who is a business major for the Sheridan School District, which is one of the big school districts in Wyoming. She is actually the smartest of us two children. She is also an accountant and does an outstanding job of keeping track of every dime of education money and informs me of ways we messed up the law when we were doing that. I get a lot of good advice from there.

But it is also my hope as a grandfather of a little boy who looks at me with trusting eyes certain that his grandpa has it under control—and just looking at him, I can tell that he is counting on his grandpa and the other parents and grandparents of this body

to ensure that he receives the kind of education he will need to find a good job, and the constant training and upgrading of skills to ensure that he will be able to keep it.

I was just reading a book called "The Jobs Revolution." A child starting school today probably will not be able to do like his parents or grandparents did, starting one job and continuing that for 30 years and then retiring. The average child starting school today will have 14 different careers. Here is the key part: Ten of those haven't even been invented yet, which means the level of education that we have now has to have the flexibility to teach them to get the continuing education to get the new jobs so that the best jobs are maintained in the United States.

Someday my grandson will take his place in the workplace, and we must make available to him, and to every worker who will give our workforce an advantage, a lifetime of learning to ensure that the United States retains its competitive edge in the global market.

Mrs. Spellings understands this—the fact that the workplace isn't what it used to be.

In this global, technology-driven economy, school can never be out. Today's workplace demands an ever-changing workforce that can adapt to the requirements and skills of the new high-tech jobs that are in such high demand.

Keeping workers' abilities current will be vital if they are to continue to find every job they will need to support their families and maintain consistently higher standards of living.

As chairman of the Committee on Health, Education, Labor and Pensions, I am looking forward to working with Mrs. Spellings on these issues and many more—such as the importance of using advanced technology to improve our rural schools.

As we work to address this and the other challenges of rural school systems, we must continue to be flexible in our approach.

That is the only way we can ensure every child has access to a quality education and that our school systems are run in a manner that makes more sense for the population they serve.

Having spoken with Mrs. Spellings, I am certain she shares my concern about rural education and that she will work together with this Congress to continue to make the changes that will be needed to keep our educational system and the lifetime of learning it must provide moving forward.

As committee chairman, I am honored to be able to join the distinguished ranking member of the committee, Senator KENNEDY, in supporting the confirmation of Mrs. Margaret Spellings to be the next Secretary of Education.

I am extremely pleased that we worked in a bipartisan manner in order to have Mrs. Spellings confirmed by the date of the President's second inauguration.

Today, this body has the opportunity to confirm an excellent nominee with the skills, with the experience, and the character to help bring our students of all ages and backgrounds along the pathway to fulfill their own version of the American dream. I am confident we can do so, and provide our children and students of all ages with an effective advocate at the Department of Education.

Thank you, Mr. President. I think all Members who wish to speak on this have spoken.

I ask unanimous consent that all time remaining on both sides be yielded.

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

Mr. ENZI. I ask the Senate to proceed to the vote.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Margaret Spellings, of Texas, to be Secretary of Education?

The nomination was confirmed.

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

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

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

Mr. DURBIN. Mr. President, if there is no further business under any unanimous consent, I ask to be recognized to speak as if in morning business.

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

Mr. DURBIN. Thank you, Mr. President.

NOMINATIONS

Mr. DURBIN. Mr. President, first, let me congratulate the new chairman of the HELP Committee, the Senator from Wyoming, for his leadership. I wish him the same level of success for everything he brings to the floor—that it be both bipartisan and moved through so quickly. I think our decision to move the Secretary of Education so quickly was the right decision. I was happy to join in that vote.

I wish the chairman the very best in his new assignment on the committee.

There are several nominations that are likely to move through with equal dispatch—if not today, within the next few days.

It has been my honor to meet with the new Secretary of Commerce—Designate, Carlos Gutierrez, who was formerly the CEO of Kellogg, and is now taking on this post. He is new to Government but he brings an amazing perspective to the Department of Commerce. I am certain his nomination will move through very quickly. I am certain he will do a very good job.

The same thing can be said of the Governor of Nebraska, Mike Johanns, who has been tapped by the President to serve as the new Secretary of Agriculture. He and I had a very positive conversation and dialog yesterday. He is from Iowa originally. He went to law school in Nebraska and made it his home. He was elected Governor. Having grown up on a dairy farm in Iowa, he understands farming first hand. We had a very positive conversation. He succeeds an excellent Secretary, Ann Veneman, who now will go on to be the head of UNICEF.

Mike Johanns was an excellent choice by President Bush and was confirmed without any debate or controversy. I say that because many people think when it comes to the Senate floor it is nothing but a fistfight every single day. That is not a fact. We will disagree, but in many instances the President's recommendations are approved without controversy and without debate. Every White House prays that every recommendation, every nomination, and every bill will have the same outcome. That is never the case. We will do our best to work with this President. Coming together today, in this session, immediately after the inauguration, is an indication of our efforts to do so.

INAUGURATION

Mr. DURBIN. Mr. President, I will speak for a moment about the inauguration we just attended. First, I address an issue of style which was brought to my attention earlier this week in Chicago. One of my acquaintances is a columnist for the Chicago Sun-Times. His name is Neil Steinberg. Mr. Steinberg recently wrote "Hatless Jack." It is the story about men wearing hats in America. It was a good conversation we had about his book.

It starts with the premise that some 44 years ago today with the inauguration of John Kennedy, there was a change in fashion in America and men stopped wearing hats. Mr. Steinberg debunks that notion but goes into a very interesting history of not only John Kennedy wearing a hat but also hats in America.

People remember that inauguration 44 years ago. Seven inches of snow fell the day before. Some 3,000 soldiers were on the street overnight shoveling the snow, using flamethrowers to try to melt the snow to make way for the inauguration the next day.

The inauguration started an hour late. Senator Kennedy, of course, became the President and gave his famous speech: Ask not what America can do for you but what you can do for your country. Robert Frost was at that occasion. People seem to remember there were no hats there, that John Kennedy did not wear a hat. They mistakenly blame him for killing an industry.

I wish those same people could have been out today for the inauguration

and seen my colleagues in the House and Senate. There were some amazing hats being worn. There are very few other times my colleagues would wear one. We had Senator BAUCUS and Senator HATCH in cowboy hats, Senator DEWINE in his bowler, Alan Greenspan with his Yankees baseball hat—quite an array, not to mention Justice Scalia's hat, which I cannot describe.

I say this by way of introduction. There is a style issue here that someone should report. I thank Mr. Steinberg for bringing this historical notion to our attention, that the inauguration today raises questions which I am sure an enterprising journalist will follow up on.

Let's go to the substance of the speech and what happened today. Clearly, there were disappointments on the Democratic side of the aisle. Many Members worked long and hard for our colleagues JOHN KERRY and Senator John Edwards on their candidacy. I served as vice chairman of the Democratic National Committee and traveled to many of the battleground States on their behalf. I saw an outpouring of volunteer support for that campaign that I had never seen before in any previous campaign. There was also an outpouring of small donations, an indication of the interest the American people had in that campaign.

Of course, there was a bitter disappointment among those on the Democratic side with the outcome on November 2. I am glad Senator KERRY came forward on November 3 and said, clearly, that he was conceding the election and that America should move on with its new President, President George Bush, who was then reelected.

Many people contacted me and expressed the sadness and bitterness and disappointment, as you might expect, after a hotly contested election. It is a fact of life that America is very closely divided politically. Had one State, the State of Ohio, gone the other way and the electors pledged to JOHN KERRY rather than to President Bush, we would have sworn in JOHN KERRY today as President of the United States. The margin in Ohio was 118,000 votes. So still we see our Nation divided, blue States and red States, though there is a lot of commonality within those States on issues of importance.

I listened to the President's speech today. It was a good one. Many people mistakenly believe the inaugural address is the State of the Union. It is not. Most Presidents use the inaugural address to make a statement that will stand the test of time, that will last through history. It does not address the morning paper so much as the summation of what has happened in America over the last year, two, three, or four. That is what President Bush did in his speech today.

I thought the direction of that speech toward freedom was an important point. It is one that every American and every American President would share—not only that we value our own

freedom but want to see other nations reach that same goal. I agree with the President completely.

He also spoke about what the freedoms would mean to Americans. He is not the first President to address that issue, of course. We can all remember the famous speech by Franklin Roosevelt, the "Four Freedoms" speech, in his address to Congress on January 6, 1941.

Franklin Roosevelt, in that speech, laid out what he considered to be the four essential human freedoms: first, freedom of speech and expression everywhere in the world; second, freedom of every person to worship God in his own way, everywhere in the world; third, freedom from want, which translated into world terms means economic understandings, which will secure to every nation a healthy peacetime life for its inhabitants everywhere in the world; and the fourth, freedom from fear, which translated into world terms means a worldwide reduction of armaments to such a point and in such a thorough fashion that no nation will be in a position to commit an act of physical aggression against any neighbor anywhere in the world.

That speech of the Four Freedoms was given about 12 months before the attack on Pearl Harbor. As we read about the freedom from fear, we put it in the context of what followed: one of the bloodiest wars in the world. What President Bush spoke to was the freedom from fear from terrorism, recounting our tragic national experience on September 11. He also talked about the freedom from want, which President Roosevelt raised, as well. We all want the people of this country to have the best. We all want to do our part to make that happen.

We just heard an extraordinary exchange between Democrats and Republicans in the Senate on the issue of education. What struck me in listening to Senator ALEXANDER of Tennessee, Senator ENZI of Wyoming, Senator KENNEDY of Massachusetts, and Senator WYDEN of Oregon was the commonality, so many things they agreed on, the importance of education. We will see in a few weeks how important education really is. This administration will present to Congress its budget resolution. We can give a lot of speeches in the Senate, we can pledge that we have great interest in issues, but the real test is if we put our resources and our energy behind those interests.

The budget resolution is the first test. We can look to that budget resolution to see if the values of the inaugural address are expressed in the budget of the President. It is one thing to speak of those values on January 20; it is quite another to present a budget resolution which meets that test.

We can look to several items. First, will there be more money for No Child Left Behind? This is a program I voted for, a program of accountability in schools to make certain that the kids are progressing. But there has been a

real complaint from local school administrators, Governors, that we have created a Federal mandate for testing and accountability but no resources to take care of the problems. When we identify special ed students or students from struggling families or disadvantaged households who are not doing well on tests, what do we do as a Federal Government to help the school district?

In my home State of Illinois, we are in a desperate situation. School districts are bankrupt all over the State. We have had a terrible time because of the turn down in the economy. Our Governor is struggling to balance his budget. The amount of money for education certainly should be increased. Instead, the Federal Government identifies problems, creates this category of so-called failing schools, and then does not provide the resources to take care of the problem.

In a few weeks we are going to see a budget resolution from this administration. When it comes to education and all that we have heard on the Senate floor and the President's speech, the real test is, will we put the resources there? Will we put the money there?

Secondly, there is the whole question of health care. If you want to talk about what most families and individuals need in America, it comes down to basic health care. Ask any Governor in this Nation the importance of Medicaid. That is the program, of course, the Federal and State program, to provide health care to people who are disabled or in lower income categories. Ask them what their concern is. Their concern is that the cost of Medicaid is going up substantially and that the Federal Government is not providing the resources. As a result, many of these Governors worry that people today depending on Medicaid will not have the Federal funds to match the State funds to make certain that Medicaid is viable.

Seventy percent of all Americans in nursing homes today depend on Medicaid—70 percent. A substantial number of our children depend on Medicaid for their health care, and a substantial number of pregnant mothers about to deliver depend on that same Medicaid program.

Watch carefully when the President's budget comes forward. See what the funding for Medicaid is. See if the President's budget will also address this aspiration of freedom from want when it comes to health care.

Another issue that is very timely in the news is the future of Social Security. We are still waiting. We have heard some generalities from the President, his general goals, his general aspirations when it comes to Social Security reform. There is an ad playing on Washington, DC, television that shows Franklin Roosevelt signing the bill into law to create Social Security in the 1930s and then quickly switches to a color photo of President Bush

working at his desk saying we need his leadership to make certain Social Security will last into the future.

Well, that is a good thing. Each President should address that. But we need to see the particulars, and we need to ask ourselves, is this President proposing a privatization, even a partial privatization, of Social Security which will in fact cause a cut in benefits to Social Security recipients? If that is the President's proposal, I think he is in for a struggle.

Many of us view Social Security differently than some on the other side of the aisle. We understand there is a challenge in Social Security. But keep this in mind: If we do nothing on Capitol Hill in Congress about Social Security, absolutely nothing, Social Security will continue to make every single payment every year with a cost of living adjustment until at least 2042, 37 years from now, and perhaps 2052, 47 years from now. Those are the estimates from the experts. So we have between 40 and 50 years of Social Security making every payment if we do nothing today.

I believe, and many share it, that we can do something today. We can make commonsense changes in Social Security that are modest, which would, when played out over 40 or 50 years, much like the miracle of compound interest, make Social Security strong, not just for 40 or 50 years but 60 or 70 years or beyond. That is what I believe we should do.

The reason I believe it will work is I have seen it work. I served in the House of Representatives in the 1980s. President Ronald Reagan, a Republican, came to Tip O'Neill, the quintessential Democratic leader, and said: We have a problem. All of the babies born after World War II, the baby boomer generation, will show up for Social Security, and we will not have the resources. We need to make changes today in the mid-1980s to take care of a problem we can foresee in 2010, far into the future. And we did it on a bipartisan basis. We made changes, some popular, some not, some very modest in nature, and look what happened: Social Security bought more longevity and more stability because of those changes.

If President Bush is coming to us and saying, make the modest changes so that Social Security can be strong in the future, then I will sign up for that. On a bipartisan basis, we owe that not only to those who are to retire, working today, but to future generations. But if the goal here is to privatize Social Security, is to take from the Social Security trust fund resources we are already counting on to pay to retirees and to put it into the stock market, which some are suggesting, I think the President is in for a battle because if we are going to privatize Social Security at the expense of cutting benefits to Social Security recipients, then I am afraid there is going to be a great resistance on both sides of the aisle.

Wait for the President's State of the Union, wait for his budget resolution, wait to see if the promise in values that were articulated in the inaugural address will be played out in the actual budget presented to Congress in the future. That is what we have to do.

There are a lot of hungry people in America today. There are a lot of families anxious to find work. There are a lot of people who have jobs today that are not quite what they were a year ago. We have lost manufacturing jobs across this country. We have health insurance costs going up dramatically, not only hurting businesses but labor unions as well. Schools are struggling to do their job. We are in a much more competitive world.

But I think what the President said today was a message of hope; that if we can come together as a nation, regardless of our political persuasion, that if we can be honest about the challenges, and if we can give a little on both sides to work out compromises, the country can, in the future, as it has in the past, rise to the occasion. I look forward to being a part of that process.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

A CALL FOR UNIFICATION

Mr. REID. Mr. President, every 4 years, at the time of the inauguration, it is a festive time in America. It certainly is a time of celebration in Washington, DC. I have had the good fortune of being able to be here on a number of occasions.

As I look back, the thing that stands out—Democrat and Republican—is how cold the weather is. It is always cold. It is always a question of how cold it is going to be. I had the good fortune, historically, of being able to serve here in the Senate when we canceled an outdoor inauguration ceremony for President Reagan. It was so cold it simply could not be held outside, and the crowd had to be thinned down by thousands and thousands, and people jammed into the Rotunda behind us. Even though it was cold outside, it was still warm inside at the second inauguration of President Reagan. It is a time when we put political differences aside and honor the American presidency.

I have had a lot of microphones shoved in my direction today. Each of those times I tried to recognize the day. The day is to honor our system of Government.

If we look back 4 years ago, there was a situation where the man who was elected President received fewer votes than the person he beat. We had the

tremendous problems with the electoral system in Florida, and then we had the race decided by the U.S. Supreme Court. But America being as it is, the minute the Supreme Court made their decision, Vice President Gore and the rest of the country recognized that the election was over. There wasn't a window broken; there were no riots; no one was hurt. The inauguration went forward as if President Bush had won by 10 million votes. That is what our country is all about. We are a nation of laws, not a nation of men.

It is my hope that today will usher in a new beginning in Washington. I say that because we have had a lot of partisan rancor and squabbling. I hope that now gives way to a spirit of bipartisanship. Frankly, we didn't get much in the last 4 years with the new tone. The President said he wanted to be a uniter and not a divider. For reasons I don't fully understand, that never took place.

I spoke to the President the day after the election, and it was a pleasant conversation. He clearly indicated at that time that he wanted to reach out. He said: I haven't another election, and I want to do my best to get along. That is my take on what he said to me. I hope we are able to go forward on the message the President delivered to me. This country needs unification. We have been divided too long.

Today we had a little lunch after the inauguration ceremony. Of all the speeches the President has given, his speech there, which took less than 5 minutes, was the best he has ever delivered. I commented on that. It was because he delivered the speech recognizing the tremendous responsibilities he has as President of the United States. You could tell by listening to and watching him the emotion that he felt. I was very impressed with that.

I trust and hope that the President's expressed feelings today go forward in the months and years to come. I say that because the American people are counting on us. People from Rhode Island, people from Illinois, people from Nevada, people from all over the country are depending on us to work together to tackle the immense problems facing this Nation.

We on this side of the aisle—the aisle that we talk about so much is right here—all 45 of us have stated privately and publicly, we will work with the President. But I do say this: We will not shy away from living up to the values and priorities we believe are important in our country. We are serious in tone and in context. We will work with the President.

He took an oath of office today. We all saw that on national television. People don't often see us every 6 years when we take the oath of office. During his remarks following taking the oath of office, he praised the wisdom contained in the document we call the Constitution. That document lays forth the separation of powers within our Government, the three separate

but equal branches of Government. I take my constitutional responsibility just as does the President of the United States.

We as Senators have constitutional obligations to which we swear every 6 years when we take our oath of office and fulfill our contract with the people of our respective States. Speaking for those on this side of the aisle, we are going to work as hard as we can to live up to the expectations the American people have in us. We may be elected as Democrats and Republicans, but we don't serve as Democrats and Republicans. We serve ultimately as Americans. There are so many areas where we can find common ground, we need not look to areas where we can squabble and be partisan. If we work together on the areas where we have common ground, it would take every waking minute the Senate has.

I look forward to being the new Democratic leader, working with this caucus and working with the President and my Republican colleagues to find ways that we can keep our commitments to the armed services, those serving in uniform in Iraq, Afghanistan, Korea, the Balkans, all over the world, as they are serving to keep Americans safe. The war on terror is a war for which we must be vigilant, and we will do everything we can to support the armed services of our country.

One of our immediate tasks must be to put our Nation's fiscal house in order. There can be no question about the need to do that. We are spending more money than we are taking in as a government. We are spending in excess of our resources by far too much. There is much work to be done to strengthen education, expand access to quality, affordable health care.

I don't talk about bipartisanship just in theory. I have had the good fortune to work with Senator JOHN ENSIGN, a Republican. JOHN ENSIGN and I are from the State of Nevada. Six years ago we were in one of the most difficult, bitter races, not only in the history of the State of Nevada but the history of our country. That race was ultimately decided by 428 votes. Here it is 6 years later, and JOHN ENSIGN is now a member of the Senate.

JOHN ENSIGN is a loyal Republican, and I do my very best to represent the Democratic Party. But because of our work together, the work of Senator REID and Senator ENSIGN, we have worked on that which is important to the State of Nevada and, we believe, to the country. We have worked together in a bipartisan basis. That work has been beneficial to our country.

With the spirit of the inauguration close to our hearts today, I look forward to the great debates ahead in the great debating society we call the Senate. I am optimistic and confident that today could be a new beginning. But it will only be a new beginning if the tone that is set today is carried forward in the years to come in making our country the country it has the potential to be.

COMMITTEE FUNDING LEVELS

Mr. FRIST. On January 6, I engaged in a colloquy with the distinguished Democratic Leader, Senator REID, concerning the budget assumptions for the next committee funding biennial period, subject to appropriations. I stated that the committee funding budget assumes 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 in early January; 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.

Based on preliminary calculations, both Senator REID and I assumed certain funding levels, subject to appropriations. We have now received final financial calculations for an across-the-board freeze including the previously identified COLAs. To achieve our fiscal goal, aggregate funding levels would be: March 1, 2005–September 30, 2005: \$51,783,793; October 1, 2005–September 30, 2006: \$90,923,102; and October 1, 2006–February 28, 2007: \$38,704,409. These funding levels include, but do not separately allocate, the additional 10 percent allocated to the committees in the 108th Congress. I believe this reflects the intent of the negotiation between the Democratic leader and myself.

Mr. REID. The majority leader is correct. The preliminary calculations that we were provided did not accurately reflect our goal of an across-the-board freeze including the COLAs. The aggregate funding levels identified today by the majority leader accurately reflect the intent of our agreement.

Mr. FRIST. I thank the Democratic leader for his comments.

TRIBUTE TO DAVE DISPONETT

Mr. MCCONNELL. Mr. President, I rise today as our Nation celebrates the 55th Presidential Inauguration to pay tribute to Mr. Dave Disponett, a fellow Kentuckian who is in Washington, DC to attend his sixth inauguration.

Dave is a dedicated member of the Republican Party—a man I am glad to have on my team. He has been a witness to history with the swearing in of President Richard Nixon in 1969, President Ronald Reagan in 1981 and 1985, President George H.W. Bush in 1989, President George W. Bush in 2001 and again today, January 20, 2005.

Dave is in the Nation's capital today with his wife, daughter, son-in-law and 10-year old granddaughter—who is already following in her grandfather's footsteps by attending her second Presidential Inauguration.

Earlier this week USA Today published a story about Dave and his family, "Kentucky Family Hears Inaugural Call." I ask unanimous consent that the full article be included in the CONGRESSIONAL RECORD.

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

[From USA Today, January 17, 2005]

KENTUCKY FAMILY HEARS INAUGURAL CALL

(By Bill Nichols)

LAWRENCEBURG, KY.—When Franklin Roosevelt was sworn in as president for the third time in 1941 under the shadow of potential U.S. entry into world war, the program read: "Inaugurals take their drama from the temper of the times."

Dave Disponett, a builder and passionate Republican activist in this traditionally Democratic city of just under 10,000, agrees.

On Thursday, when President Bush takes the oath of office for a second term, Disponett, 69, will attend his sixth inauguration with his wife, daughter, son-in-law and 10-year-old granddaughter—who is on inauguration No. 2.

The Disponett clan, like thousands of other visitors who are descending on Washington, are bracing for a very different inauguration this year. "I imagine there are going to be lines everywhere, but what can you do?" Disponett says. It is the nation's first since the Sept. 11 attacks, and extraordinary security precautions are in place.

But as demonstrated by the treasure trove of inaugural memories and memorabilia—ball tickets, programs and photographs—that Disponett has saved, this mix of pageantry and politics always manages, for good or bad, to reflect the mood of the nation. Spectators seem to come for a party but end up with a little piece of time.

In 1969, Disponett watched friends climb a light pole on a Washington street to avoid Vietnam protesters who had thronged to Richard Nixon's inauguration. The trip marked Disponett's first time on an airplane; he was 33.

Twelve years later, he was moved to tears as crowds listened to transistor radios to hear news of the release of the U.S. hostages in Iran as Ronald Reagan was sworn in 1981.

"That was the most exciting day of my life," Disponett remembers. His daughter Lois Ann, 47, who attended her first inauguration at the age of 10, says the experiences she had were almost impossible to explain to her schoolmates back in Lawrenceburg. "Most people couldn't grasp it," she says of the celebrities and dazzling gowns. "It was just a world totally beyond their comprehension." She felt, she says, like a real-life Cinderella.

SECURITY CONCERNS

Inaugural historian Jerry Wallace, retired from the National Archives, points out that heightened security for the ceremony is not new. Both of Abraham Lincoln's inaugurations found troops on Washington's streets, and the 1861 event was held under threat of assassination. Woodrow Wilson's 1917 inauguration, held as the United States considered entering the First World War, also was marked by a show of force.

Wallace worries, however, that precautions for this year's event could dampen the ability of average Americans to enjoy the day.

At least 6,000 police officers—some of them heavily armed—will patrol Washington's streets, searching ticket holders and onlookers as F-16s, F-15s and military helicopters patrol the skies.

"I find all this security just very oppressive," Wallace says. "The whole dynamic behind an inaugural is not to be exclusive at all."

Charlie Brotman, a 77-year-old Washington public relations executive who has been the Inaugural Parade announcer for the past 48 years, says security for the presidential viewing stands on the stretch of Pennsylvania Avenue in front of the White House will be tighter than any he has experienced. Brotman believes, however, that earlier

stretches of the parade will still be quite accessible to the public.

Phyllis Clark, school services coordinator for Flowing Wells School District in Tucson, will be bringing several dozen eighth-graders to the inauguration for the second time. She worries that her kids won't be able to tour the White House because of the security. "This year I told the kids that I really don't think we'll get to go in," she says.

But Clark also says the event is also an opportunity to show young people that they have to live their lives to the fullest, even in an age of terrorism. "We'll still go. And if something happens, we'll look after each other and take care of each other," Clark says. "We can't be so afraid that we don't go anywhere."

NOT GIVING IN TO TERROR

The Disponetts couldn't agree more. Last week, they were busy preparing for their trip to Washington. Ten-year-old Anna-Marie, the daughter of Lois Ann Disponett and husband Todd Hyatt, recently found her coveted \$80 ball gown on sale for \$20 at a Louisville department store.

Dave Disponett's rising influence as a GOP activist and fundraiser in Kentucky has given his family increasingly better inaugural access since their first trip in 1969, which Dave and his wife, Brenda, believe was their first trip outside Kentucky. Campaign finance records show Disponett gave \$2,000 to the Bush re-election campaign last year, while Brenda gave \$2,750 to the National Federation of Republican women.

Disponett's life as a Republican began in 1953, when he went to register to vote and was told by an Anderson County clerk that there was no point in registering as a Republican since no Republican candidates could get elected in Lawrenceburg. That struck Disponett as not exactly in the democratic spirit, so he registered Republican. In 1967, he helped elect Louis Nunn as Kentucky's first Republican governor in 24 years. That began Disponett's side career as a Republican Party power broker, which facilitated his family's ritual of watching a president get sworn in.

RICH MEMORIES

That first year, in 1969, the Disponetts didn't go to Inaugural Balls, because, they recall, they couldn't afford the \$100 tickets. They were also fairly dazzled by the Washington scene.

The family didn't go attend Nixon's second-term inauguration in 1973 because of financial reasons, but headed back in 1981 for Reagan's first inauguration. They remember the excitement of the crowd when the 52 U.S. hostages were released by Iran, and that the National Christmas Tree—kept dark because of the hostage crisis—was turned on at last. "I get goose bumps just thinking about it," Lois Ann says.

By 1981, Dave Disponett also was on his way to becoming a GOP insider. He has a signed photograph of Reagan from the occasion, on the back of which is a note from the late Lee Atwater, Reagan's political director. In 1985, the Disponetts were connected enough to have been invited to attend balls, though Lois Ann says she was surprised that they were so crowded and featured so little dancing. From George H.W. Bush's inauguration in 1989, Dave Disponett proudly shows an unopened commemorative bottle of Korbel champagne, which he bought for \$25. After eight years of Democratic rule, the family returned to their inaugural haunts in 2001, where they had the pick of events because Sen. Mitch McConnell, a Kentucky Republican, was a key inaugural organizer.

That year also marked Anna-Marie's inaugural debut. And while she fell asleep in her father's arms during President Bush's inaugural address, the experience does seem to

have had an effect. She recently asked her grandfather how old he would be in 2030, when she will be 35 and old enough to run for governor in Kentucky. Dave Disponett now says he has a compelling reason to live to be 94.

Charlie Brotman, the Inaugural Parade announcer, says that despite the security and exclusivity now associated with inaugurations, the event remains a moment of national ceremony that touches even the most cynical Americans. "Fathers and mothers tell me they want to take their children, so their kids can tell their kids that they were there. It's all about the memories."

For the Disponetts, it certainly is. Their job now is to try to keep Anna-Marie from becoming too nonchalant about going to the inaugurations. When her mother told her recently that this year, she'll actually get to dance at a ball, Anna-Marie answered, "Well, what else would you do?"

TRIBUTE TO SAMANTHA LOUISE

Mr. LEVIN. Mr. President, as I was sitting at the West Front of the Capitol on this Inauguration Day listening to the speech of the President and the hopes of all the speakers for a fresh beginning, I kept thinking of another fresh beginning that occurred yesterday when our daughter Kate presented her husband Howard with a second daughter and her daughter Bess with a sister, Samantha Louise.

While the hopes for a new beginning of an administration are always tempered by time and reality, the hopes which spring from a new baby are boundless.

And so, at the inaugural lunch today in Statuary Hall, Senator WARNER and his wife Jeanne and General Myers and Mrs. Myers, as well as our other lunch partners, raised our glasses in congratulations and best wishes to the President and Vice President, but also graciously and gleefully raised their glasses with my wife Barb and me in salute to the birth of our granddaughter Samantha Louise.

I know my colleagues will forgive this burst of a grandfather's pride as we undertake the serious business before us.

TRIBUTE TO JAN SOELTER

Mr. BURNS. Mr. President, it is my privilege to honor a very special woman for her nearly 25 years of service with the Social Security Administration. Jan Soelter was raised in Billings, MT, and was a Billings Senior High School graduate. Jan furthered her education at Eastern Montana College, now MSU-Billings, and graduated with honors, obtaining a combination of degrees with a major in psychology and a minor in art.

Ms. Soelter was hired as a Service Representative at the Billings Social Security Administration in January of 1980. She was rapidly promoted to data review technician in 1981, claims representative in Bozeman, MT, in 1982, and transferred back to Billings as a field representative in 1985. Jan found her true calling when she was pro-

moted, in 2002, to her present position as public affairs specialist.

Ms. Soelter served on the Board of Directors: in the early 1970's for the Billings Multiple Sclerosis Society, Helping Hands from 1991 through 1993, and from 1994 to 2000 for the Billings Community Center.

Jan has participated in local, regional and national workshops and conferences. She has also received many local, regional, and national awards and recognition for her employment with the Social Security Administration.

When Jan Soelter retired on December 31, 2004, we lost a very dedicated and caring public servant. She is an inspiration to us all, and a tireless worker for the cause of Senior Citizens. I have personal knowledge of Jan's dedication, drive and commitment, not only to her profession, but more importantly to the people she worked with, and the citizens she worked for. Thank you, Jan, for your service to our country.

THE COLLEGE OF ST. CATHERINE

Mr. DAYTON. Mr. president, I rise today to offer my heartfelt congratulations to the College of St. Catherine, in St. Paul, MN, on the celebration of its centennial year. St. Catherine is our country's largest Catholic college for women. Its numerous academic achievements would be impressive for a college of any size, but for an institution with fewer than 5,000 students, such accomplishments are downright spectacular.

Since its founding 100 years ago, the College of St. Catherine has expanded its student body from high school and lower division college students to include associate, bachelor's and graduate degree candidates in more than 60 fields. In 1937, St. Catherine became the first Catholic college to be awarded a chapter of the national honor society, Phi Beta Kappa.

Today, the College of St. Catherine continues to distinguish itself as a leading institution for women's education. Its Women of Substance series features lectures and performances of theater, music, and dance by female speakers and artists from around the world. In the classroom, the college's new Centers for Excellence focus on the role of women in such diverse fields as public policy, spirituality, and health.

Annually, the College of St. Catherine graduates more nurses than any other college or university in Minnesota. It is second only to the much larger University of Minnesota in the number of public school teachers it has educated and placed in the State's capital city of St. Paul.

Along with all of the Minnesotans whose lives have benefited from the talents, professionalism, and leadership of St. Catherine's outstanding graduates, I would like to say thank you. The College of St. Catherine's commitment to the highest standards

of academic excellence and social responsibility have enriched the lives of its students and its state's citizens for a century. I congratulate the faculty, staff, alumnae, and students of the College of St. Catherine on their 100 years of excellence. I know that they will continue their great tradition for the next 100 years.

ADDITIONAL STATEMENTS

IN RECOGNITION OF GEOFFREY "ROCKY" MYERS, RECIPIENT OF THE 2004 GAGLIARDI TROPHY

• Mr. CARPER. Mr. President. I rise today to recognize and congratulate Geoffrey "Rocky" Myers, the senior strong safety at Wesley College in Dover, DE, who has been named the recipient of the 12th annual Gagliardi Trophy. This award is given annually to the outstanding football player in the NCAA Division III and is the Division III equivalent of the Heisman Trophy. His recognition demonstrates the success that comes from hard work, perseverance, and the experience of a remarkable team as well as a dedicated coach, and the support of an outstanding college.

The Gagliardi Trophy was presented to Rocky on December 16, 2004, in Salem, VA, in the presence of his proud parents, Gilbert and Cheryl. Unlike the Heisman, this trophy, sponsored by Jostens, Inc. and administered by the SJU J-Club, recognizes excellence in academics and community service, as well as athletics.

A native of Bowers Beach, DE, Rocky attended W.T. Chipman Middle School and Lake Forest High School through his sophomore year and finished his high school career, graduating second in his class, at Caesar Rodney High School in Camden, DE. At Wesley, Rocky played in all 10 games of the 2004 season for the 8-2 Wesley College Wolverines and totaled 124 tackles, 62 of which were solo tackles, along with 62 assists. Rocky also had 6.5 tackles for a loss of 20 yards and five interceptions for 84 yards. A "Football Gazette" National Player of the Week, ECAC Co-Defensive Player of the Week and three-time ACFC Defensive Player of the Week, Rocky ranks 11th nationally with 12.4 total tackles per game, 13th with 1.7 passes defended per game and 30th with 6.1 solo tackles per game this season.

Rocky was named to the All-ACFC and All-ACFC Academic Team for all four years of his college career. One of only three Division III players and 15 total scholar-athletes, Rocky was named to the National Football Foundation and College Hall of Fame's 2004 National Scholar-Athlete Class. He is the only wolverine to be named a team captain three consecutive years.

In addition to his expertise and agility on the football field, Rocky is a 4.0 academic record student who is majoring in biology with a minor in chemistry. He was selected for his academic

achievements and leadership on campus and in the neighboring communities. Rocky has done volunteer work with the youth reading program at North Dover Elementary and in the Guidance Office of the Dover Central Middle School. He has also spent time helping the senior citizens of Frederica, DE, relocate to their new senior facility and was a camp counselor at the St. Thomas More Middle School Youth Basketball Camp.

At Wesley, Rocky was a member of the Student-Athlete Advisory Committee for the past three years, as well as a Wesley College tutor for four years. Rocky's academic achievements include a nomination to the "USA Today" Academic All-American, National Dean's List and U.S. Achievement Academy College All-American Scholar.

The Gagliardi Trophy is named for John Gagliardi, legendary head coach at St. John's University (SJU) in Collegeville, Minnesota, where he became the most successful coach in college football history with 409 wins on November 8, 2003. Gagliardi currently has 421 career victories in his 56 years of coaching, 52 of those being at SJU. College Presidents nominate their top student-athletes for this award. The J-Club Board of Directors narrows the field to 10 finalists and a national selection committee selects the winner. Dr. Scott Miller, President of Wesley College, nominated Rocky. In the words of Dr. Miller, "Rocky is a student-leader of significant note. Students like him emerge only once in a generation. The fact that he is an athlete makes his accomplishments even more noteworthy."

Today, I rise to extend congratulations and best wishes to Rocky Myers and his family and all of the fine students, athletes, coaches and faculty at Wesley College that helped to make this award possible. We wish him fun times relaxing in the California sun this summer and the best of luck as he pursues graduate school in the fall.●

RETIREMENT OF JESSE L. POOR

● Mr. SESSIONS. Mr. President, I rise today to pay tribute to Jesse L. Poor, Deputy to the Commander, Anniston Army Depot, United States Army Tank-Automotive and Armaments Command upon his retirement from Anniston Army Depot and a life of service to the Nation. Born in Crestview, FL, Mr. Poor earned an associate of applied science degree in personnel management and supervision from Gadsden State College, a bachelor of arts degree in history and human resource management from the University of Alabama, and he is also a graduate of the Harvard University Program for Senior Executive Fellows.

The work that Jesse Poor did during his tenure at the Anniston Army Depot has been exemplary. His dedication is evidenced by the number of awards he has received in recognition of his out-

standing work and service to the men and women of the U.S. Army. Under Jesse's leadership, the Anniston Army Depot's revenue more than tripled and the direct labor hour execution more than doubled, all in a recent 3-year span.

Jesse has been a catalyst in business development and partnering efforts that have established Anniston Army Depot as a leader within DOD in such efforts. In November 2000, he was instrumental in partnering efforts between Anniston Army Depot and General Dynamics for the production of the Army's Stryker vehicle to support brigade combat teams. As a result of his efforts, the partnership developed production capabilities and began actual production within a few months at Anniston with the first Stryker produced in March 2002. The result was fielding the vehicle on time in spite of a nearly 1-year delay to the contract award due to protests from other bidders. As of November 2004, 625 Strykers have been produced.

Jesse L. Poor is to be commended for his exemplary achievements and service to the Nation. Jesse's steady, calm, and visionary presence has fostered the successful melding of the 5,600 civilians, military and contractor members of Anniston Army Depot into a cohesive force supporting the Army's readiness. His vast expertise in depot maintenance, focus on production and efficiency, coupled with high quality standards, set the stage for an improved financial posture. Jesse's commitment to the goals and ideals of the Army is without equal and reflects great credit upon himself, the U.S. Army Materiel Command and the U.S. Army.

I wish Jesse and his family the best now and into the future.●

RETIREMENT OF LLOYD H. ROSS

● Mr. CARPER. Mr. President, I rise today in recognition of Lloyd H. Ross upon his retirement from Newark High School in Newark, DE, after more than 34 years of dedicated service. He is a man with a kind heart, diverse interests and great abilities. Lloyd embodies the best of Delaware.

Lloyd was born on August 25, 1948 in Nicholson, PA. He graduated from Susquehanna University in Pennsylvania with a B.S. in Music Education in 1970. He then went on to complete his Master's in Music Education at West Chester University in 1974. Lloyd has also done postgraduate work at Peabody Conservatory, Berklee College of Music, University of Delaware, Ithaca University and Villanova University.

During the last year of his Master's program at West Chester University, Lloyd received a job offer from Newark High School. He commuted from West Chester to Newark for the year, and then moved to Newark. The rest, as they say, is history. Lloyd has been a fixture at Newark High School ever since and became an institution there over time.

Lloyd met his wife Joan while in college at Susquehanna University. They married on June 14, 1970 and now have two children, Sharon and Jeff, and one grandchild, Ashley.

Over the past 3 decades, Lloyd has taken the jazz ensemble at Newark High School to national competitions including the Mobile Jazz Festival in Alabama, the Berklee Jazz Festival in Boston, and the All-American Jazz Festival in Orlando, as well as numerous jazz festivals in the tri-state area.

Lloyd and the Newark High School band have performed in 105 field show festivals, 107 parades, 385 football games, 148 concerts, 193 jazz festivals, 158 pep assemblies, 144 special performances and 34 graduations. The music department has won over 925 trophies. From 1978 to 1988, Lloyd directed the First State Symphonic Band in over 110 concerts and 500 rehearsals.●

Lloyd's memberships have included: Delaware Music Educators Association, National Band Association, International Association of Jazz Educators and the Music Education National Conference.

Described by his friend of over 30 years, Jonathan Wittman, Lloyd is a jovial, friendly kind-hearted man. He always looks for the humor in life, and finds a way to use humor positively and as a way to get his point across when teaching. He is personable and easy-going man who enjoys life to the fullest.

Lloyd plans to work part-time after his retirement with students and teachers at the University of Delaware. He also plans to spend time on his hobbies, which include travel, photography, and woodworking.

Through his tireless efforts, Lloyd has made a profound difference in the lives of thousands of students, while enriching and enhancing countless lives in the first State. Upon his retirement, he will leave behind a legacy of commitment to public service for both his children and grandchildren and for the generations that will follow. It is my privilege to congratulate Lloyd on a truly remarkable and distinguished career. I wish him and his family only the very best in all that lies ahead for each of them.●

TRIBUTE TO ORLAND BERGENE

● Mr. BURNS. Mr. President, it is my privilege to honor a very special man for his 43½ years of service with the Social Security Administration. Mr. Orland Bergene was raised in Circle, MT, graduating from Circle High School in 1955. He graduated in 1960, with a degree in Business Administration, from Rocky Mountain College in Billings, MT. Mr. Bergene and his wife, Judy, were married in 1965 and have two children, Steven and Jana.

Mr. Bergene has helped citizens obtain disability benefits and information through the Social Security Administration, by beginning his career as a Claims Representative in Billings,

MT, in June 1961. Realizing his potential, Orland was promoted to Field Representative in 1965, Operations Supervisor in Grand Forks, ND, in 1971, and Staff Officer at the Denver Regional Office in 1973.

Mr. Bergen was selected for the Staff Development Program in January of 1975 and became the Public Affairs Assistant in the Regional Office in Denver, CO, in August of that same year. He moved to Pueblo, CO, in 1978 as Assistant District Manager and was reassigned as branch manager in LaJunta, CO, in January of 1993. Orland served on a variety of details in the Denver regional office and the Colorado Disability Determination Services, until being reassigned in January 1994 and coming home to Montana to his present position as district manager in the Social Security Administration's Billings District Office, as their district manager.

When Mr. Bergene retired January 3, 2005, we lost a very dedicated and caring public servant. He is an inspiration to us all, and a great teacher to many who have worked for and with the Social Security Administration. I have personal knowledge of Orland's dedication, and commitment, not only to his profession, but more importantly to the people he worked with, and the citizens he worked for. Thank you, Orland, for your service to our country.●

RETIREMENT OF JAMES W. EVATT

● Mr. SESSIONS. Mr. President, today I take the opportunity to note the impending retirement of James W. Evatt from The Boeing Company and congratulate him for his 4 decades of service to our country.

In all the debates over defense programs we often forget the human dimensions of these issues. It is all too easy to think of programs by their names and forget that real people work hard every day to make a difference in the defense of our country.

Jim Evatt has been one these people for the past 40 years, first during 22 years of service in the Air Force and then these last 18 years with Boeing. To day that the emergence of our Nation has been a remarkable success, one we can be so proud of, is due in no small measure to the fact that we can claim remarkable people like Jim Evatt among our most devoted citizens.

Jim was born in Norman, OK, less than 6 months before the United States entered World War II. Jim attended the University of Oklahoma for a year before deciding that the Air Force Academy was the right place to be. After graduation he served with distinction in the Air Force in Viet Nam, first flying B-52 missions and then flying the O-2 aircraft as a forward air controller. He held positions in a variety of assignments as a pilot in both the Strategic and Tactical Air Commands. Jim was part of the B-1 Joint Test Force, was

the special assistant for the B-1B program to the deputy chief of staff for research, development, and acquisition, and from 1983-1985 commanded the 2nd Bombardment Wing, the Strategic Air Command's largest operational unit. In his last Government assignment he held the dual positions of Director of Special Programs for the deputy chief of staff for research, development, and acquisition and Director of Low Observable Technology for the Defense Department.

Our Nation owes Jim Evatt a debt of gratitude just for his Air Force service, from his combat assignments in Viet Nam to his intimate involvement in the development of stealth technology.

When Jim retired from the Air Force he went right to work at Boeing, intent upon continuing to contribute to our Nation's defense. He has held numerous positions over his 18 years at Boeing, to include President of the Information and Communication Systems Groups; Executive Vice President of the Defense and Space Group; Vice President of Marketing and Strategic Analysis; Director of Strategic Analysis and Advanced Development; Program Manager for the Grumman/Boeing/Lockheed AX fighter aircraft team for the Military Airplanes Division; Director of Advanced Product Development; and Director of Preliminary Design.

Jim Evatt's contributions to our Nation's defense over the last 5 years are particularly noteworthy, during which time he has been indispensable to the progress of America's missile defense program. Jim became the program manager of the Groundbased Midcourse Defense program, or GMD as it is now known, shortly after Integrated Flight Test-5 ended in a failure.

First he led Boeing's examination of that failure, and then was rewarded with the opportunity to lead GMD's industry team. In combination with Major General Bill Nance, now retired, Jim focused the GMD program on those activities which were necessary to evolve the program from what was essentially a demonstration to a deployed system. That they did this during a period of time in which the executive branch was focused more on preserving the ABM Treaty as the so-called "cornerstone of strategic stability" than it was on protecting America, Americans, and American interests from the threat of missile attack is truly remarkable and something for which future generations will be grateful.

In the year prior to fielding ground-based interceptions at Ft. Greely, AK, Jim again assumed direct responsibility for industry's conduct of the GMD program. I am confident that our Nation's deployment of interceptors is due in no small measure to the leadership and dedication of Jim Evatt.

I could go on at some length, but to do that would only embarrass this humble, God-fearing patriot. We sometimes wonder how our Nation came to be so great, where we find Americans

so willing to put their country before themselves. The answer is that we find these people in places like Norman, OK, where service to our country is an honor beyond all others and its own reward.

I offer my gratitude and congratulations to Jim for all he has done in 40 years of service to our Nation, and wish him and his wife Tammy my very best wishes in their well-deserved retirement.●

MESSAGE FROM THE HOUSE DURING ADJOURNMENT

ENROLLED BILL SIGNED

Under authority of the order of the Senate of January 6, 2005, the Secretary of the Senate, on January 6, 2005, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker has signed the following enrolled bill:

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.

Under the authority of the order of January 6, 2005, the enrolled bill was signed by the President pro tempore (Mr. STEVENS) during the adjournment of the Senate, on January 6, 2005.

EXECUTIVE REPORT OF COMMITTEE

The following executive report of committee was submitted:

By Mr. LUGAR for the Committee on Foreign Relations.

*Condoleezza Rice, of California, to be Secretary of State.

*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.

ORDER FOR PRINTING OF INAUGURAL CEREMONY

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the proceedings from today's inaugural ceremony be printed in today's CONGRESSIONAL RECORD.

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

INAUGURAL PROCEEDINGS

Inauguration of George W. Bush, Thursday, January 20, 2005, 11:30 a.m.

The Joint Chiefs of Staff assembled on the President's platform.

The Diplomatic Corps assembled on the President's platform.

Members of the House of Representatives of the United States, led by the majority whip, ROY BLUNT, and the minority whip, STENY HOYER, assembled on the President's platform.

Members of the Senate of the United States, escorted by Senate secretary for the majority, David Schiappa, and Senate secretary for the minority, Martin Paone, assembled on the President's platform.

Former Speaker of the House of Representatives, Newt Gingrich, accompanied by Mrs. Gingrich; former Vice President and Mrs. Dan Quayle; the Governors of the United States and its territories; the President's Cabinet, and the Supreme Court of the United States assembled on the President's platform.

The 42nd President of the United States, William Jefferson Clinton, and Senator Hillary Clinton, and the 39th President of the United States, Jimmy Carter, and Mrs. Rosalynn Carter assembled on the President's platform.

(Performance by Mr. Wintley Phipps.)

The daughters of the Vice President, Elizabeth Cheney Perry and Mary Cheney; the 41st President of the United States, George Bush, and Barbara Bush, and Mrs. Jenna Welch, accompanied by the daughters of President George W. Bush, Jenna and Barbara Bush, assembled on the President's platform.

(Performance by Mr. Guy Hovis.)

Accompanying the wife of the Vice President, Lynne Cheney, Chief Administrative Officer of the House, Jay Eagen; Assistant Secretary of the Senate, Mary Suit Jones; Mrs. Tom DeLay, and Mr. Paul Pelosi assembled on the President's platform.

Accompanying the First Lady, Mrs. Laura Bush, Secretary of the Senate, Emily Reynolds; Clerk of the House, Jeff Trandahl; Mrs. Trent Lott; Mrs. J. Dennis Hastert, and Mrs. William H. Frist assembled on the President's platform.

Inaugural coordinator for the Joint Congressional Committee on Inaugural Ceremonies, Lura Nell Mitchell; Senate Deputy Sergeant at Arms, Keith Kennedy; House Deputy Sergeant at Arms, Kerri Hanley; Senator WILLIAM H. FRIST, and Representative TOM DELAY escorted Vice President RICHARD CHENEY to the President's platform.

Staff director for the Joint Congressional Committee on Inaugural Ceremonies, Susan Wells; the Sergeant at Arms, Bill Pickle; the House Sergeant at Arms, Bill Livingood; chairman of the Joint Congressional Committee on Inaugural Ceremonies, Senator TRENT LOTT; Senator CHRISTOPHER DODD; the Speaker of the House, J. DENNIS HASTERT; Senate Majority Leader WILLIAM H. FRIST; Representative TOM DELAY, and Representative NANCY PELOSI escorted President George W. Bush to the President's platform.

Mr. LOTT. Mr. President, Mr. Vice President, Mr. Speaker, Members of the U.S. Congress, Reverend Clergy, fellow Americans, welcome to the U.S. Capitol and the 55th Presidential Inauguration, where in a few moments President George W. Bush and Vice President RICHARD B. CHENEY will reaffirm their solemn oath of obligation to support and defend the Constitution.

firm their solemn oath of obligation to support and defend the Constitution.

The inaugural ceremony is a seminal moment in our Nation's history. It is the culmination of a triumphant democratic process that for centuries has placed power in the will of the people, and a unique moment when our leaders stand before the Nation and take an oath to uphold a set of principles chosen by those people. It is a time when all Americans can unite in appreciation of our great Republic, while looking to the future with confidence and vision.

This ceremony, like the shining dome of the Capitol above us, is an enduring symbol of America's strength and stability in both challenging and prosperous times. As President Ronald Reagan said in his first inaugural address, "Freedom and the dignity of the individual have been more available here than any other place on Earth." The price of this freedom at times has been high, but we have never been unwilling to pay that price.

Since we last met here, America has been challenged and it has responded to those great tests with strength and steadfast courage of conviction. We responded by continuing to be a beacon of hope that has led so many from the shadow of tyranny into the light of freedom.

Today, we honor America. Today, we celebrate the ever expanding opportunities of her people. And today we also honor the brave men and women of our Armed Forces who have sacrificed to guarantee our freedom.

(Applause.)

They are standing vigil today to spread peace and freedom throughout the world. Since 1789, Americans have gathered in peaceful, dignified ceremonies to reaffirm the authority of our chief executives. So it is in that tradition that we gather here again today looking out over the expanse of greatness that is America to celebrate our Nation, to commemorate its rich history of achievement, to advance the intrepid hopes that reside in the hearts of our citizens, and to give thanks to God for his blessings upon us all.

In that spirit, I call now on the Reverend Doctor Luis Leon, who will deliver the invocation. Dr. Leon.

Rev. LEON. Let us pray.

Most gracious and eternal God, we gather today as a grateful people to enjoy the many blessings You have bestowed on this Nation.

We are grateful for Your vision which inspired the Founders of our Nation to create this democratic experiment as one nation under God, indivisible, with liberty and justice for all.

We are grateful to You that You have brought to these shores a multitude of peoples of many ethnic, religious, and language backgrounds, and yet have fashioned one nation out of so many cultures and traditions.

Even as we celebrate this great moment, we remember before You the members of our Armed Forces. We

commend them to Your care. Give them courage to carry out their duties and courage to face the perils which beset them and grant them always a sense of Your presence in all that they do.

Finally, today, we are especially grateful for this inauguration which marks a new beginning in our journey as a people and a nation. We pray that You will shower the elected leaders of this land, and especially George, our President, and Richard, our Vice President, with Your lifegiving spirit. Fill them with the love of truth and righteousness that they may serve You and this Nation ably and be glad to do Your will. Endow their hearts with Your spirit of wisdom that they may lead us in reviewing the ties of mutual respect which form our civic life so that peace may prevail with righteousness and justice with order.

We pray that You will strengthen their resolve as they lead our Nation seeking to serve You in this world, and that this good and generous country may be a blessing to the nations of the world. And may they lead us to become, in the words of Martin Luther King, members of a beloved community, loving our neighbors as ourselves so that all of us may more closely come to fulfill the promise of our Founding Fathers: one nation under God, indivisible, with liberty and justice for all. All this we ask in Your most holy name. Amen.

Mr. LOTT. Ladies and gentlemen, please welcome the Chief Justice of the Supreme Court of the United States, the Honorable William H. Rehnquist.

(Applause.)

Ladies and gentlemen, it is my pleasure to introduce one of today's most popularly acclaimed mezzo-sopranos, Ms. Susan Graham of Texas, to sing "Bless This House."

(Performance by Ms. Susan Graham.)

Mr. LOTT. Thank you, Susan.

Ladies and gentlemen, please join me now in welcoming the senior Senator from Connecticut, the Honorable CHRISTOPHER J. DODD.

(Applause.)

Mr. DODD. Thank you, Senator LOTT. President and Mrs. Bush, Vice President and Mrs. Cheney, fellow citizens, the Vice President of the United States will now take the oath of office. His wife, Lynne, and their daughters, Elizabeth Cheney Perry and Mary Cheney, will hold the family Bible. I now have the honor to present the Speaker of the House of Representatives, the Honorable J. DENNIS HASTERT, to administer the oath of office to Vice President RICHARD BRUCE CHENEY. Mr. Speaker.

(Applause.)

Mr. HASTERT. Mr. Vice President, please raise your right hand and repeat after me.

The Speaker of the House of Representatives, J. DENNIS HASTERT, administered to the Vice President the oath of office prescribed by the Constitution, which he repeated, as follows:

"I, RICHARD BRUCE CHENEY, do solemnly swear that I will support and defend the Constitution of the United States against all enemies foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion, and that I will well and faithfully discharge the duties of my office of which I am about to enter. So help me God."

Mr. LOTT. Ladies and gentlemen, please welcome internationally acclaimed mezzo-soprano, Ms. Denyce Graves, to perform "American Anthem."

(Performance by Ms. Denyce Graves.)

Mr. LOTT. That sets the tone for what we are about to do.

Ladies and gentlemen, it gives me great pleasure to introduce the Chief Justice of the Supreme Court of the United States, the Honorable William H. Rehnquist, who will administer the Presidential oath of office. Justice Rehnquist.

The CHIEF JUSTICE. Raise your right hand, Mr. President, and repeat after me.

The Chief Justice of the United States, William H. Rehnquist, administered to the President the oath of office prescribed by the Constitution, which he repeated, as follows:

"I, George Walker Bush, do solemnly swear that I will faithfully execute the office of President of the United States and will, to the best of my ability, preserve, protect, and defend the Constitution of the United States. So help me God."

(Applause.)

The PRESIDENT. Vice President CHENEY, Mr. Chief Justice, President Carter, President Bush, President Clinton, Members of the United States Congress, Reverend Clergy, distinguished guests, fellow citizens.

(Applause.)

On this day, prescribed by law and marked by ceremony, we celebrate the durable wisdom of our Constitution and recall the deep commitments that unite our country. I am grateful for the honor of this hour, mindful of the consequential times in which we live, and determined to fulfill the oath that I have sworn and you have witnessed.

At this second gathering, our duties are defined not by the words I use, but by the history we have seen together. For a half century, America defended its own freedom by standing watch on distant borders. After the shipwreck of communism came years of relative quiet, years of repose, years of sabbatical—and then there came a day of fire.

We have seen our vulnerability and we have seen its deepest source. For as long as whole regions of the world simmer in resentment and tyranny, prone to ideologies that feed hatred and excuse murder, violence will gather and multiply in destructive power and cross the most defended borders and raise a mortal threat. There is only one

force of history that can break the reign of hatred and resentment and expose the pretensions of tyrants and reward the hopes of the decent and tolerant, and that is the force of human freedom.

(Applause.)

We are led, by events and common sense, to one conclusion: The survival of liberty in our land increasingly depends on the success of liberty in other lands.

(Applause.)

The best hope for peace in our world is the expansion of freedom in all the world.

(Applause.)

America's vital interests and our deepest beliefs are now one. From the day of our founding, we have proclaimed that every man and woman on this Earth has rights and dignity and matchless value because they bear the image of the Maker of heaven and Earth.

(Applause.)

Across the generations we have proclaimed the imperative of self-government, because no one is fit to be a master, and no one deserves to be a slave.

(Applause.)

Advancing these ideals is the mission that created our Nation. It is the honorable achievement of our fathers. Now it is the urgent requirement of our Nation's security, and the calling of our time. So it is the policy of the United States to seek and support the growth of democratic movements and institutions in every nation and culture, with the ultimate goal of ending tyranny in our world.

(Applause.)

This is not primarily the task of arms, though we will defend ourselves and our friends by force of arms when necessary. Freedom, by its nature, must be chosen and defended by citizens, and sustained by the rule of law and the protection of minorities. And when the soul of a nation finally speaks, the institutions that arise may reflect customs and traditions very different from our own. America will not impose its own style of government on the unwilling. Our goal instead is to help others find their own voice, attain their own freedom, and make their own way.

The great objective of ending tyranny is the concentrated work of generations. The difficulty of the task is no excuse for avoiding it. America's influence is not unlimited, but fortunately for the oppressed, America's influence is considerable, and we will use it confidently in freedom's cause.

(Applause.)

My most solemn duty is to protect this Nation and its people from further attacks and emerging threats. Some have unwisely chosen to test America's resolve, and have found it firm.

(Applause.)

We will persistently clarify the choice before every ruler and every nation: The moral choice between oppression, which is always wrong, and freedom, which is eternally right.

(Applause.)

America will not pretend that jailed dissidents prefer their chains, or that women welcome humiliation and servitude, or that any human being aspires to live at the mercy of bullies.

We will encourage reform in other governments by making clear that success in our relations will require the decent treatment of their own people.

(Applause.)

America's belief in human dignity will guide our policies, yet rights must be more than the grudging concessions of dictators; they are secured by free dissent and the participation of the governed. In the long run, there is no justice without freedom, and there can be no human rights without human liberty.

(Applause.)

Some, I know, have questioned the global appeal of liberty—although this time in history, four decades defined by the swiftest advance of freedom ever seen, is an odd time for doubt. Americans, of all people, should never be surprised by the power of our ideals. Eventually, the call of freedom comes to every mind and every soul. We do not accept the existence of permanent tyranny because we do not accept the possibility of permanent slavery.

(Applause.)

Liberty will come to those who love it.

Today, America speaks anew to the peoples of the world. All who live in tyranny and hopelessness can know the United States will not ignore your oppression, or excuse your oppressors. When you stand for your liberty, we will stand with you.

(Applause.)

Democratic reformers facing repression, prison, or exile can know America sees you for who you are, the future leaders of your free country.

The rulers of outlaw regimes can know that we still believe as Abraham Lincoln did: "Those who deny freedom to others deserve it not for themselves; and, under the rule of a just God, cannot long retain it."

The leaders of governments with long habits of control need to know: To serve your people you must learn to trust them. Start on this journey of progress and justice, and America will walk at your side.

(Applause.)

All the allies of the United States can know we honor your friendship, we rely on your counsel, and we depend on your help. Division among free nations is a primary goal of freedom's enemies. The concerted effort of free nations to promote democracy is a prelude to our enemies' defeat.

Today, I also speak anew to my fellow citizens. From all of you, I have asked patience in the hard task of securing America, which you have granted in good measure. Our country has accepted obligations that are difficult to fulfill, and would be dishonorable to abandon. Yet because we have acted in the great liberating tradition of this

Nation, tens of millions have achieved their freedom.

(Applause.)

As hope kindles hope, millions more will find it. By our efforts, we have lit a fire as well—a fire in the minds of men. It warms those who feel its power, it burns those who fight its progress, and one day this untamed fire of freedom will reach the darkest corners of our world.

A few Americans have accepted the hardest duties in this cause—in the quiet work of intelligence and diplomacy; the idealistic work of helping raise up free governments; the dangerous and necessary work of fighting our enemies. Some have shown their devotion to our country in deaths that honored their whole lives, and we will always honor their names and their sacrifice.

(Applause.)

All Americans have witnessed this idealism, and some for the first time. I ask our youngest citizens to believe the evidence of your eyes. You have seen duty and allegiance in the determined faces of our soldiers. You have seen that life is fragile, evil is real, and courage triumphs. Make the choice to serve in a cause larger than your wants, larger than yourself, and in your days you will add not just to the wealth of our country, but to its character.

(Applause.)

America has need of idealism and courage, because we have essential work at home—the unfinished work of American freedom. In a world moving toward liberty, we are determined to show the meaning and promise of liberty. In America's ideal of freedom, citizens find the dignity and security of economic independence, instead of laboring on the edge of subsistence. This is the broader definition of liberty that motivated the Homestead Act, the Social Security Act, and the G.I. Bill of Rights. And now we will extend this vision by reforming great institutions to serve the needs of our time. To give every American a stake in the promise and future of our country, we will bring the highest standards to our schools, and build an ownership society.

(Applause.)

We will widen the ownership of homes and businesses, retirement savings, and health insurance, preparing our people for the challenge of life in a free society. By making every citizen an agent of his or her own destiny, we will give our fellow Americans greater freedom from want and fear, and make our society more prosperous and just and equal.

In America's ideal of freedom, the public interest depends on private character—on integrity, and tolerance towards others, and the rule of conscience in our own lives. Self-government relies, in the end, on the governing of the self. That edifice of character is built in families, supported by communities with standards, and sus-

tained in our national life by the truths of Sinai, the Sermon on the Mount, the words of the Koran, and the varied faiths of our people. Americans move forward in every generation by reaffirming all that is good and true that came before—ideals of justice and conduct that are the same yesterday, today, and forever.

(Applause.)

In America's ideal of freedom, the exercise of rights is ennobled by service, mercy, and a heart for the weak. Liberty for all does not mean independence from one another. Our Nation relies on men and women who look after a neighbor and surround the loss with love. Americans, at our best, value the life we see in one another, and must always remember that even the unwanted have worth.

(Applause.)

Our country must abandon all the habits of racism because we cannot carry the message of freedom and the baggage of bigotry at the same time.

(Applause.)

From the perspective of a single day, including this day of dedication, the issues and questions before our country are many. From the viewpoint of centuries, the questions that come to us are narrowed and few. Did our generations advance the cause of freedom? And did our character bring credit to that cause?

These questions that judge us also unite us, because Americans of every party and background, Americans by choice and by birth, are bound to one another in the cause of freedom. We have known divisions which must be healed to move forward in great purposes, and I will strive in good faith to heal them. Yet those divisions do not define America. We felt the unity and fellowship of our Nation when freedom came under attack, and our response came like a single hand over a single heart. We can feel that same unity and pride whenever America acts for good, and the victims of disaster are given hope, and the unjust encounter justice, and the captives are set free.

(Applause.)

We go forward with complete confidence in the eventual triumph of freedom. Not because history runs on the wheels of inevitability; it is human choices that move events. Not because we consider ourselves a chosen nation; God moves and chooses as He wills. We have confidence because freedom is the permanent hope of mankind, the hunger and dark places, the longing of the soul. When our Founders declared a new order of the ages, when soldiers died in wave upon wave for a union based on liberty, when citizens marched in peaceful outrage under the banner "Freedom Now," they were acting on ancient hope that is meant to be fulfilled. History has an ebb and flow of justice, but history also has a visible direction, set by liberty and the Author of Liberty.

(Applause.)

When the Declaration of Independence was first read in public and the

Liberty Bell was sounded in celebration, a witness said, "It rang as if it meant something." In our time, it means something still. America, in this young century, proclaims liberty throughout the world, and to all the inhabitants thereof. Renewed in our strength—tested but not weary—we are ready for the greatest achievements in the history of freedom.

(Applause.)

May God bless you, and may He watch over the United States of America.

(Applause.)

Mr. LOTT. At this time, I would like to present a unique performance combining the U.S. Marine Band, the Navy Sea Chanters, and the Army of Herald Trumpets, performing "God of our Fathers."

(Musical performance.)

Mr. LOTT. Please stand as Pastor KirbyJon Caldwell will deliver the benediction, and then please remain standing for the national anthem, which will be led by TSgt Bradley Bennett from the U.S. Air Force Band. Following the national anthem, please remain in place while the official party departs the platform. Pastor Caldwell.

Rev. CALDWELL. Thank you, Senator LOTT. Let us pray, please.

O Lord God Almighty, the supply and supplier of faith and freedom, how excellent is Your name in all the Earth. You are great and gratefully to be praised. O God, as we conclude this 55th inaugural ceremony, we conclude it with an attitude of thanksgiving. Thank You for protecting America's borders. After all, as the Psalmist reminds us, unless You, O God, guard the territory, our efforts will be in vain.

Thank You for our armed service personnel. And it is with unswerving thanksgiving that we pause to remember the persons who have made the ultimate sacrifice to help ensure America's safety. Thank You, O God, for surrounding our personnel, their families, their friends, and our allies with Your favor and Your faithfulness. Deploy Your host from Heaven so that Your will for America will be performed on Earth as it is already perfected in Heaven.

I confess that Your face will shine upon the United States of America, granting us social peace and economic prosperity, particularly for the weary and the poor.

I also confess, O God, that each American's latter days will be better than their former days. Let it be unto us according to Your words. Rally the Republicans, the Democrats, and the Independents around Your common good so that America will truly become one nation under God, indivisible, with liberty, justice, and equal opportunity for all, including the least, the last, and the lost.

Bless every elected official right now. O God, I declare Your blessings to shower upon our President, George W. Bush. Bless him, his family, and his administration. I once again declare that

no weapon against them shall prosper. God, forgive us for becoming so ensnared in petty partisan politics that we miss Your glory and forget our purpose. Deliver us from the evil one, from evil itself, and from the mere appearance of evil. Give us clean hearts so that we might have clean agendas, clean priorities and programs, and even clean financial statements.

And now unto You, O God, the one who always has been and always will be the one King of Kings and the true power broker, we glorify and honor You. Respecting persons of all faiths, I humbly submit this prayer in the name of Jesus Christ. Amen.

UNANIMOUS CONSENT AGREE- MENT—EXECUTIVE NOMINA- TIONS

Mr. McCONNELL. As in executive session, I ask unanimous consent that the nominations to the Office of Inspector General, except the Office of Inspector General of the Central Intelligence Agency, be referred in each case to the committee having primary jurisdiction over the department, agency, or entity, and if and when reported in each case, then to the Committee on Homeland Security and Governmental Affairs for not to exceed 20 calendar days, except in cases when the 20-day period expires while the Senate is in recess, the committee shall have 5 additional calendar days after the Senate reconvenes to report the nomination, and that if the nomination is not reported after the expiration of that period, the nomination be automatically discharged and placed on the executive calendar.

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

APPOINTMENT

The PRESIDING OFFICER. The Chair announces, on behalf of the Majority Leader, pursuant to the provi-

sions of S. Res. 105 (adopted April 13, 1989), as amended by S. Res. 149 (adopted October 5, 1993), as amended by Public Law 105-275, further amended by S. Res. 75 (adopted March 25, 1999), and S. Res. 383 (adopted October 27, 2000) the appointment of the following Senator to serve as a member of the Senate National Security Working Group for the 109th Congress: Senator WILLIAM H. FRIST of Tennessee (Majority Administrative Co-Chairman).

APPOINTMENT

The PRESIDING OFFICER. The Chair, on behalf of the Vice President, pursuant to Public Law 94-304, as amended by Public Law 99-7, appoints the following Senator as Chairman of the Commission on Security and Cooperation in Europe (Helsinki) during the 109th Congress: Senator SAM BROWNBACK of Kansas.

ORDERS FOR MONDAY, JANUARY 24, 2005

Mr. McCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 2 p.m. on Monday, January 24; I further ask that following the prayer and the pledge the morning hour be deemed to have expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved, and there then be a period of morning business until 3 p.m., with the first half of that time under the control of the majority leader or his designee, and the remaining time under the control of the Democratic leader or his designee; provided that at 3 p.m. the Senate proceed to executive session, as provided under the previous order.

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

PROGRAM

Mr. McCONNELL. On Monday, following morning business, the Senate will begin debate on the nomination of Carlos Gutierrez to be Secretary of Commerce. We have not received any requests for a rollcall vote on the Gutierrez nomination and it is expected we will be able to dispose of that nomination on a voice vote. Therefore, no rollcall votes are expected during Monday's session. We will continue to work through the President's nominations as they become available. We will have more to say with respect to the voting schedule next week.

I also remind all of my colleagues that we were able to lock in a time agreement on the nomination of Condoleezza Rice to be Secretary of State. We will debate the Rice nomination throughout the day Tuesday and vote on that nomination on Wednesday of next week.

ADJOURNMENT UNTIL MONDAY, JANUARY 24, 2005, AT 2 P.M.

Mr. McCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 5:09 p.m., adjourned until January 24, 2005, at 2 p.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate Thursday, January 20, 2005:

DEPARTMENT OF EDUCATION

MARGARET SPELLINGS, OF TEXAS, TO BE SECRETARY OF EDUCATION.

DEPARTMENT OF AGRICULTURE

MIKE JOHANNIS, OF NEBRASKA, TO BE SECRETARY OF AGRICULTURE.

THE ABOVE NOMINATION WAS APPROVED SUBJECT TO THE NOMINEE'S COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.

EXTENSIONS OF REMARKS

TRIBUTE TO RETIRING WYANDOTTE COUNTY, KANSAS, DISTRICT ATTORNEY NICK TOMASIC

HON. DENNIS MOORE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 20, 2005

Mr. MOORE of Kansas. Mr. Speaker, I rise today to pay tribute to a tireless, dedicated public servant of long standing, who recently stepped down as District Attorney of Wyandotte County, Kansas, after 32 years of service in that office.

As a former District Attorney of neighboring Johnson County, Kansas for only 12 years—from 1977 to 1989—I worked closely with, and got to know well; Nick Tomasic. First elected in 1972 and re-elected seven times, Nick Tomasic retires as the longest serving district attorney in the history of Kansas. More importantly, however, he leaves a legacy of incorruptible dedication to public service and to the rule of law in our society. As the Kansas City Star article I include with this statement details, Nick Tomasic served the public with integrity and determination, in an environment where holding to such standards was often difficult. As his friend and former colleague, I congratulate him on his well-earned retirement and wish him well in his future endeavors with family and friends. As a fellow former prosecutor, in particular, I commend him on his outstanding record of accomplishment as Wyandotte County District Attorney. He leaves a legacy which I am confident will never be equaled by his successors.

[From the Kansas City Star, Jan. 8, 2005]

TOMASIC IS PRAISED FOR 32 YEARS OF SERVICE

(By Robert A. Cronkleton)

Wyandotte County District Attorney Nick Tomasic pulled out one of several scrapbooks of newspaper clippings that he has kept over the years.

Thumbing through the pages on Friday, he recalled facts of cases he prosecuted decades ago. The details are as fresh as if he had been in court the previous day. In one book he paused at a picture of himself and ran his fingers over it.

"That's the day I was first sworn in as district attorney," Tomasic said, chuckling at his horn-rimmed glasses and youthful appearance.

On Monday, Tomasic's reign as the county's first and only district attorney will end. He has held that position for 32 years. His successor, Assistant District Attorney Jerome A. Gorman, will be sworn in at 10 a.m. in Division 1 at the courthouse. Gorman, a Democrat like Tomasic, was unopposed in the November general election.

"When you look ahead, 32 years is a long time," Tomasic said. "But when you are looking back, it doesn't seem that long."

Tomasic, 72, was first elected in 1972 and re-elected seven times. He is the longest-serving district attorney in Kansas history, dating to when the post was created in the early 1970s. Before being elected to the post, he had served six years as an assistant county attorney.

Tomasic came to the position when machine politicians held sway at the courthouse and Kansas City, Kan., City Hall. He said he tried to be apolitical and rid his office of special-interest influences.

He recalled that early on, people with political ties would send hams, turkeys, whiskey and beer to the district attorney's office around Christmas time. He put an end to that.

"It was not right to do it," Tomasic said. "The right thing was to stay out of politics."

But that didn't mean he wasn't willing to take on political corruption. In an early skirmish, Tomasic ousted two Board of Public Utilities members after a state investigation revealed widespread corruption.

One of the most difficult cases he faced was the prosecution of former Kansas City, Kan., Police Officer John Cheek, who was convicted of voluntary manslaughter in the 1994 shooting death of Milton Foster Jr.

One exception to his rule of keeping the district attorney's office out of politics came in the mid-1990s when he strongly urged voters to approve the consolidation of the Wyandotte County and Kansas City, Kan., governments.

Tomasic announced in 2003 he would not run for re-election to the post.

"I think he has been a great district attorney," said Wyandotte County District Judge Thomas L. Boeding. He said Tomasic established himself early on as a district attorney who intended to do what he believed was right.

"He sometimes filed cases that raised eyebrows in people's eyes," Boeding said. "He was determined that he was going to do what the rule of law required and not be fixed on favoritism."

Kansas City, Kan., Police Chief Ron Miller said Tomasic is well respected in the community, including among law enforcement.

"He represents the public very well, and he supports law enforcement," Miller said. "He has had, unfortunately, to prosecute police officers for criminal conduct in his tenure, but those were decisions he had to make, and he made the tough decision."

Tomasic, who lives on Strawberry Hill in Kansas City, Kan., said he doesn't have much planned yet, except to spend time with his family, including 12 grandchildren and two more on the way. He expects to do volunteer work.

He will miss his staff as well as the job.

"I never had a day where I hated to come to work," Tomasic said. "Not one day. There might have been days where I was not particularly happy about something, but I never hated to come to work."

THE HON. ROSA L. DELAURO OF CONNECTICUT HONORS ELIZABETH A. DEMIR FOR HER OUTSTANDING SERVICE TO THE COMMUNITY

HON. ROSA L. DELAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 20, 2005

Ms. DELAURO. Mr. Speaker, it is with great pleasure that I rise today to join family,

friends, colleagues, and the Yale-New Haven Children's Hospital in recognizing an outstanding member of our community, Elizabeth A. Demir. After more than a decade of leadership, Ms. Demir will step down as chair of the Parenting Support Programs at the Children's Hospital.

Too often, young pregnant women are alone and have very little support. Through the Friends of Yale-New Haven Children's Hospital, Ms. Demir founded the "Bright Beginnings" program as a way to reach out to these young women to ensure that they stayed in school, held onto jobs, had a safe home environment, were protective of their health care, and developed good parenting skills. "Bright Beginnings" is a volunteer-based program which pairs young pregnant women with mentors who can help them share their concerns about parenthood. While its primary goal is to make sure that the women and babies receive regular medical care, it also includes education about how to detect and prevent health problems and childhood accidents as well as the importance of early intellectual stimulation of infants and toddlers. The program also teaches young mothers how to set personal goals and increase confidence. It has been an invaluable tool to many young women facing the often daunting challenges of becoming a parent.

Building on the "Bright Beginnings" program, Ms. Demir is also responsible for its expansion into three additional parenting programs—Home Visiting, Nurturing Connections, and Parenting Group. Each of these programs is uniquely designed to meet the needs of young, under-served families—making a real difference in the lives of both mother and child. Ms. Demir has long been the driving force behind the success of these programs. Her enthusiasm and energy is unparalleled. Program developer, chief photographer, truck driver or board chair, Ms. Demir has done anything and everything to ensure that each of these invaluable programs are available to those in need.

From leading a board meeting to getting down on the floor with a room full of six-month old children dressed like pumpkins, her deep commitment to young mothers and their children has left an indelible mark on our community. In recognition of her tireless efforts, generosity, and compassion, I am proud to stand today and extend my sincere thanks and appreciation to Elizabeth A. Demir. Though her departure marks the end of her tenure as chair of the Parenting Support Programs, I have little doubt that Ms. Demir will continue to make a difference in our community.

PERSONAL EXPLANATION

HON. TIMOTHY V. JOHNSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 20, 2005

Mr. JOHNSON of Illinois. Mr. Speaker, I rise today to state that it was my intention to vote

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

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

against the objection raised against the electoral vote count in Ohio. Unfortunately, due to the timing of the vote, the short notice of the vote, and various weather related issues, I was unable to fly back to Washington, DC in time to cast my vote in the afternoon of January 6th. I am however, hand-delivering this message to the Clerk of the House in Washington, DC, today January 7th, in order to make my voice heard and to explain my absence. I wholeheartedly support the election results of 2004 and do not believe that this objection was the right course of action. Congress has repeatedly looked at the issue of election practices and fairness and has taken action where it sees fit; most recently with the Help America Vote Act. We will continue to look at these issues from the 2004 election and take necessary steps to ensure that our election process is a free, fair, and open one. I regret the fact that I was unable to cast my official vote, but it is my hope that these words will convey my strong beliefs on this issue and that by hand-delivering this message, my intent to personally partake in this debate will be reflected.

TRIBUTE TO BARNEY KARBANK

HON. DENNIS MOORE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 20, 2005

Mr. MOORE of Kansas. Mr. Speaker, earlier this week, the Kansas City metropolitan area lost one of its leading entrepreneurs and supporters of community development with the death of Barney Karbank. And I lost a friend. One of Kansas City's premier industrial developers, he helped assemble the ground for the Truman Sports Complex and developed more than 100 Kansas City area properties, mostly warehouses and production plants that he rented to other companies.

As a 2000 Kansas City Star profile of Barney Karbank noted: "For five decades, Karbank has survived the booms and busts of real estate with a simple strategy: build and hold. Karbank occasionally buys a building, rarely sells and never refinances a property once it's paid off. He has never lost a parcel to foreclosure, he said, nor has he sold one to avoid a creditor's noose. . . . 'He's at the top of the industrial real estate market heap in Kansas City', said Roger Cohen, a former Karbank partner who now heads his own firm."

A dedicated participant in the civic life of our community, Barney Karbank was always active in local charitable, religious and service organizations. But most important to him were the relationships he developed throughout the community in his business activities: as the Star quoted him in 2000: "'Instead of lending people dollars, we're lending bricks and mortar,' Karbank said. While other developers borrow money against properties, Karbank has used his leverage to build relationships with tenants. 'We're not merchant builders,' Karbank said. 'If you're going to come to the dance with us, you're going to leave the dance with us.'"

Mr. Speaker, I join with all of Kansas City in mourning the passing of this giant among our

community who literally changed its skyline. I was privileged to call him my friend and supporter, and our family shares the sense of loss that I know his family now feels. I am placing into the RECORD a profile of Barney Karbank carried by the Kansas City Star in recognition of his death.

[From the Kansas City Star, Jan. 18, 2005]

BARNEY KARBANK DIES AT 80—LEADING DEVELOPER LEFT HIS MARK ON KC REAL ESTATE

(By Dan Margolies)

Barney Karbank, one of Kansas City's premier industrial and commercial developers, died Sunday after a long illness. He was 80.

Karbank, chairman of B.A. Karbank & Co., developed more than 100 properties in the area, mostly warehouses and production plants he rented to other companies.

"It's a real changing of the guard," said Olen Monsees, president of B.A. Karbank. "He was just such a legend in this business. The world will go on, but we'll miss him."

The son of a fish-market operator, Karbank walked with a cane all his life following a childhood bout with polio. He started out as an unpaid clerk for James B. Welsh Realty in 1946 before joining Charles F. Curry Co. the following year. Deciding that pushing brooms, running errands and selling houses wasn't for him, he began B.A. Karbank & Co. as a real estate brokerage firm in 1950 at the age of 26.

He constructed his first building, at 2615 Holmes St., for Borg-Warner Corp. after paying a cold call on Borg-Warner. More than five decades later, his company controls more than 5 million square feet of industrial and commercial space in the metropolitan area, as well as buildings in other cities.

Settling for a build-and-hold strategy, Karbank described his business in a 2000 interview with The Star as lending people bricks and mortar instead of money.

Karbank rarely sold the projects he developed, focusing instead on ownership. Among his major projects in Kansas City and elsewhere were buildings for dozens of companies, including General Electric Co., Sunkist Growers Inc., the U.S. Postal Service, Southwestern Bell, Chevron Chemical Co., Westinghouse Electric Co., Whirlpool Corp. and General Motors Corp.

"He took great pride in never defaulting on a loan, never giving property back to a lender, never putting a project in bankruptcy, never asking for a loan workout and never refinancing a property," said his son, Steven Karbank, president of Karbank Development Co., the operation's development arm.

Barney Karbank left his mark on almost every major industrial park in the area. He also assembled a major portion of the land for the Truman Sports Complex and undertook land assemblages for other clients, including sites for the area's first cellular phone system.

A Kansas City native, he attended Paseo High School and Kansas City Junior College. Outspoken in his views, he resigned in 1969 from the City Plan Commission after criticizing it for doing "practically no planning as such." For years, he inveighed against Missouri's redevelopment laws, which he said gave private developers too much power to subvert public purposes.

"The survival of the city is in direct proportion to its ability to rebuild itself," he told The Star in a 1969 interview. "Everyone is for new development and new buildings and growth. But in what way should it come?"

Barney Karbank served on the boards of numerous business and professional organi-

zations, including First Federal Bank, Mercantile Bank and La Petite Academy Inc. He was treasurer for the Committee for County Progress in the 1960s and a member of both the City Plan Commission and the Jackson County Board of Zoning Adjustment.

He was a director of many civic and charitable organizations, including the Jewish Federation of Greater Kansas City, the Jewish Community Foundation, Congregation Beth Shalom and Menorah Medical Center.

Barney Karbank is survived by his wife of 55 years, Rose Karbank; their four children, Marcia Karbank, Diane Davidner, Neil Karbank and Steven Karbank, and their spouses; his brother Joe Karbank; 15 grandchildren; and four great-grandchildren.

FREEDOM FOR ALFREDO RODOLFO DOMÍNGUEZ BATISTA

HON. LINCOLN DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 20, 2005

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I rise today to speak about Alfredo Rodolfo Domínguez Batista, a political prisoner in totalitarian Cuba.

Mr. Domínguez Batista is a member of the Christian Liberation Movement and a peaceful pro-democracy activist attempting to liberate the people of Cuba. Because of his actions to bring freedom and democracy to Cuba, Mr. Domínguez Batista was targeted by the tyrant's machinery of repression. In March 2003, as part of the despicable crackdown on peaceful pro-democracy activists, he was arrested. In a sham trial, Mr. Domínguez Batista was sentenced to 14 years in the totalitarian gulag.

Despite the depraved conditions and the threat of confinement in punishment cells, described by the U.S. Department of State as "semi-dark all the time, had no water available in the cell, and had a hole for a toilet," Mr. Domínguez Batista has continued to fight for basic human rights. According to Amnesty International, he has bravely participated in multiple hunger strikes to protest the abhorrent conditions in the gulag and the depraved treatment of fellow political prisoners.

Today, January 20, 2005, marks another milestone in the peaceful continuation of representative democracy in the United States of America. President George W. Bush was elected in free and fair elections that were conducted with transparency and guided by the rule of law. On a day that celebrates the freedoms enshrined in our national documents and imbedded in the national character of the United States, we should never forget those brave men and women, like Mr. Domínguez Batista, who languish in hellish gulags because they believe in the same freedoms that we celebrate today.

Mr. Speaker, on this day of commemoration, let us not forget those who yearn to celebrate political and human rights in their own countries. My Colleagues, we must demand the immediate release of Alfredo Rodolfo Domínguez Batista and every prisoner of conscience languishing in the dungeons of tyrants.

THE HON. ROSA L. DeLAURO OF CONNECTICUT HONORS LOUISE AMATO ON THE OCCASION OF HER RETIREMENT

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 20, 2005

Ms. DeLAURO. Mr. Speaker, it is with great pleasure that I rise today to join family, friends, and colleagues in congratulating Louise Amato as she celebrates her retirement after twenty-six dedicated years at Area Cooperative Educational Services (ACES). For me, Louise is more than just a dear friend—she is my cousin. I am honored to have this opportunity to pay tribute to all of the good work she has done throughout her professional career.

Education is the cornerstone of success and the most critical link between our young people and their futures. Throughout our country, we look to our towns and cities to provide these invaluable skills to our children. ACES is one of six educational service centers that were formed under Connecticut State Statute in 1970. A result of recognizing that school districts must work together to meet the ever changing needs of local education systems, these centers provide an environment where quality programs can be planned, developed and implemented—giving our young people access to the best educational opportunities possible.

The real success behind ACES can be attributed to the unparalleled dedication and commitment of its administration and its staff. I have often spoke of our nation's need for talented, creative educators ready to help our children learn and grow. In her twenty-six years with ACES, Louise has been just that kind of teacher. She has spent her career working with special needs students to develop the life skills they would need to live and work in the community. She went even further, helping graduating seniors to develop plans for their future after high school, helping others with job placement, bringing students to visit job and community sites, and even taking some to visit colleges.

Louise was always looking for different ways to get her students excited about their futures. She has taken her students to New York City and one of my fondest memories of my congressional career was when she brought a group of seniors to Washington, DC, where I had the opportunity to meet with them. Her unique approach to helping these young people develop important skills made a real difference in their lives because she opened the doors of opportunity to them. Louise gave a very special gift to all her students—the promise of a meaningful and productive future.

Through her generosity and kindness, Louise has touched the lives of all who know her—though none know more so than her students. In recognition of her many years of outstanding service, I am proud to stand today to join her husband, Gabe; her children, Cheryl, Laurie, and Mark; family, friends, and colleagues in congratulating Louise Amato on the occasion of her retirement. Our thanks and appreciation will never match the gifts of friendship and inspiration she has given to all of those who have had the opportunity to know her.

TRIBUTE TO JOE TILGHMAN, RETIRING REGIONAL ADMINISTRATOR FOR THE KANSAS CITY OFFICE OF THE CENTERS FOR MEDICARE AND MEDICAID SERVICES

HON. DENNIS MOORE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 20, 2005

Mr. Moore of Kansas. Mr. Speaker, Joe Tilghman has served the Centers for Medicare and Medicaid Services (CMS) in a senior field leadership position in a career spanning nearly the entire period of enactment of the Medicare and Medicaid programs. Mr. Tilghman is retiring on January 3, 2005, after 37 years of distinguished federal service and I welcome this opportunity to publicly pay tribute to this outstanding public servant.

Joe Tilghman assumed leadership of CMS' Kansas City Regional Office in 1994 following nearly fifteen years as the Deputy Regional Administrator. As Regional Administrator, he has been responsible for the federal administration of the Medicare and Medicaid programs to approximately 4 million beneficiaries residing in Iowa, Kansas, Missouri and Nebraska. Prior to joining CMS (then the Health Care Financing Administration) in 1978 he worked in Social and Rehabilitative Services and the Bureau of Health Insurance.

During Mr. Tilghman's tenure as Regional Administrator he led many CMS efforts that impacted the lives of Medicare and Medicaid beneficiaries nationwide. Of particular note, Mr. Tilghman:

Lead CMS' Flu 2000 Campaign from 1993 to 1999. He brought together a coalition including CMS, the Centers for Disease Control and Prevention, and the National Coalition for Adult Immunization. This coalition was devoted to reaching the Healthy People 2000 adult immunization goals. During his leadership, influenza immunization of persons age 65 and over increased from 50.4% to 65.5% and met the Healthy People 2000 goal of 60% three years early in 1997.

Lead CMS' Screening Mammography Campaign from 1999 to the present, exceeding Government Performance and Results Act (GPRA) targets in each of these years.

Established the CMS field National Medicare Education Program (NMEP) operation, providing the inspiration and garnering financial and human resources support for all regional offices to develop creative education and outreach programs. As a result of his work, effective community coalitions and partnerships among the aging network are in place in all states.

Enforced the Health Insurance Portability and Accountability Act (HIPAA) insurance provisions nationally in all states that are not in substantial compliance.

Mr. Speaker, I am pleased to have this opportunity to publicly commend this selfless and dedicated public servant on the occasion of his retirement. Joe Tilghman embodies the work done so well by millions of American public servants on behalf of our nation on a daily basis, with little hope of public appreciation or appropriate tangible reward. On behalf of the people of Kansas' Third District, I thank Joe Tilghman for his lifetime of public service and wish him well on his well-earned retirement.

EXPRESSING DEEPEST SYMPATHIES TO FAMILY AND FRIENDS OF WILLIAM SMITH CLOUD

HON. GENE GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 20, 2005

Mr. Green of Texas. Mr. Speaker, I rise today to extend my deepest sympathies to the family and friends of William Smith Cloud, a constituent and trusted personal friend who passed away January 16, 2005, at the age of 82.

A Galena Park resident since the age of 8, Bill was a positive force in his community for all of his long life. He was a football player for the Fighting Yellow Jackets before his graduation from Galena Park High School in 1941. He then served his country in World War II in the Pacific theater of operations, as a United States Air Force B-29 Bomber turret gunner.

After the war he went to work as a pipefitter, eventually receiving his 50-year commemorative watch from Local 211. He also contributed to the Galena Park community by serving as Co-Captain for the Galena Park Volunteer Fire Department, and as a Commander of the Galena Park American Legion.

As important as these contributions are, none is more important than Bill's devotion to his family, as his wife of 58 years, Robbie Craddock Cloud, and his children, grandchildren, and great grandchildren can attest.

His loss will be felt greatly by all of Galena Park, and all those who knew him, and I ask that you remember the Cloud family in your thoughts and prayers.

RECOGNIZING MARTY RALSTON ON HER RETIREMENT

HON. BART GORDON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 20, 2005

Mr. Gordon. Mr. Speaker, I rise today to recognize a valued staff member—Marty Ralston—who has announced her retirement and will be leaving us at the end of this month. She is one of the longest serving Democratic staff members in the history of the Committee on Science, and will be greatly missed.

Marty came to the committee in the 95th Congress and for more than 27 years, has carried out her duties during the tenure of seven different chairmen and eight different ranking minority members. Marty initially served on the staff of the Science, Research, and Technology subcommittee, but eventually moved to the staff of Natural Resources and Environment subcommittee and then to that of the full committee.

In addition to her current work as the staff assistant of the Environment, Technology, and Standards Subcommittee, Marty organizes the Committee's legislative hearings. It is commonly acknowledged that Marty has staffed more hearings than anyone else in the history of the Committee on Science. One former subcommittee staff director described her as "marvelous" and Marty is widely known for her warmth, kindness, and unflagging dedication to both the Committee and its staff. Others describe her as a "life-saver" whose attention to

detail and proven experience has helped countless fellow staffers go the extra mile in their work each day.

Marty has persevered in the face of personal trials and family challenges. Her dedication to our team is eclipsed only by her dedication to her son Sean, daughter-in-law Julie, and the pending arrival of her first grandchild.

Marty is an important part of the Committee's institutional memory whose welcoming demeanor and ready answers are tools our staff has come to expect and rely on. The Science Committee's Members and staff wish Marty well as she moves on to new endeavors, a relaxing retirement and life as a devoted grandmother. Thank you, Marty, for your many years of dedicated and loyal service.

TRIBUTE TO RETIRING FOOD AND
DRUG ADMINISTRATION KANSAS
CITY DISTRICT DIRECTOR BILL
SEDGWICK

HON. DENNIS MOORE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 20, 2005

Mr. MOORE of Kansas. Mr. Speaker, Charles W. (Bill) Sedgwick is retiring after

more than 40 years of distinguished service with the Food and Drug Administration. His career began on June 7, 1964, as an investigator for the Kansas City District. From beginning to end, Bill sharpened his skills through work performed in a variety of locations; Kansas City, Omaha, Washington, D.C., Dallas, and Cincinnati. His dream was fulfilled, with the help of countless mentors and friends, as he began service as the Kansas City District Director in June of 2000.

Highlights of his work include cases involved with filth and quack drugs; instruction presented on law and evidence to the Southwest and Southeast Regions; work on criminal cases involving illegal distribution of steroids and other enhancement drugs; work with other federal agents and the U.S. Attorney to prepare search warrants and collect undercover evidence for presentation to a grand jury; development of significant case law which permitted not just the FDA, but other federal agencies, to charge defendants with defrauding the government; a commissioner's commendation for critical work performed with state partners to improve the FDA's relationship, working particularly in Texas and New Mexico; criminal investigative work in Cincinnati that resulted in the indictment, prosecution and prison terms of seven defendants in-

involved in a major criminal enterprise which produced over 200 million pounds of phony orange juice; receipt of the FDA Award of Merit (2002) and the ORA Quality of Worklife Award (2003) for his leadership in Kansas City.

After his retirement, Bill intends to spend time with his family, doing anything his wife, Suzanne, tells him to do. He plans to oversee church construction projects, remodel old houses and travel with his wife. I am pleased to have this opportunity to publicly commend this selfless and dedicated public servant on the occasion of his retirement. Bill Sedgwick embodies the work done so well by millions of American public servants on behalf of our nation on a daily basis, with little hope of public appreciation or appropriate tangible reward. On behalf of the people of Kansas' Third District, I thank Bill Sedgwick for his lifetime of public service and wish him well on his well-earned retirement.

Daily Digest

HIGHLIGHTS

The House and Senate met for the Inauguration of President George Walker Bush and Vice President Richard Bruce Cheney.

Senate confirmed the nominations of Mike Johanns, of Nebraska, to be Secretary of Agriculture and Margaret Spellings, of Texas, to be Secretary of Education.

Senate

Chamber Action

Routine Proceedings, pages S77–S105

Nomination—Agreement: A unanimous-consent-time agreement was reached providing for consideration of the nomination of Carlos M. Gutierrez, of Michigan, to be Secretary of Commerce at 3 p.m., on Monday, January 24, 2005, with a vote on confirmation of the nomination to occur following 2 hours of debate.

Page S78

Nomination—Agreement: A unanimous-consent-time agreement was reached providing for consideration of the nomination of Condoleezza Rice, of California, to be Secretary of State at a time to be announced on Tuesday, January 25, 2005, with 9 hours for debate; following which, when the Senate resumes consideration of the nomination on Wednesday, January 26, 2005, a vote on confirmation of the nomination will occur following 40 additional minutes for closing remarks.

Page S78

Nominations—Agreement: A unanimous-consent agreement was reached providing that nominations to the Office of Inspector General, except the Office of Inspector General of the Central Intelligence Agency, be referred in each case to the committee having primary jurisdiction over the department, agency, or entity, and if and when reported in each case, then to the Committee on Homeland Security and Governmental Affairs for not to exceed 20 calendar days, except in cases when the 20-day period expires while the Senate is in recess, the committee shall have 5 additional calendar days after the Senate reconvenes to report the nomination, and that if the nomination is not reported after the expiration of

that period, the nomination be automatically discharged and placed on the Executive Calendar.

Page S105

Inaugural Ceremony—Agreement: A unanimous-consent agreement was reached providing that the proceedings from today's inaugural ceremony be printed in today's Congressional Record.

Page S101

Appointments:

Senate National Security Working Group: The Chair announced, on behalf of the Majority Leader, pursuant to the provisions of S. Res. 105 (adopted April 13, 1989), as amended by S. Res. 149 (adopted October 5, 1993), as amended by Public Law 105–275, further amended by S. Res. 75 (adopted March 25, 1999), and S. Res. 383 (adopted October 27, 2000), the appointment of the following Senator to serve as a member of the Senate National Security Working Group for the 109th Congress: Senator Frist.

Page S105

Commission on Security and Cooperation in Europe (Helsinki): The Chair, on behalf of the Vice President, pursuant to Public Law 94–304, as amended by Public Law 99–7, appointed the following Senator as Chairman of the Commission on Security and Cooperation in Europe (Helsinki) during the 109th Congress: Senator Brownback.

Page S105

Nominations Confirmed: Senate confirmed the following nominations:

Mike Johanns, of Nebraska, to be Secretary of Agriculture.

Margaret Spellings, of Texas, to be Secretary of Education.

Page S105

Messages From the House:

Page S101

Executive Reports of Committees:

Page S101

Additional Statements: Pages S99–S101

Adjournment: Senate convened at 3 p.m., and adjourned at 5:09 p.m., until 2 p.m., on Monday, January 24, 2005. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S105.)

Committee Meetings

(Committees not listed did not meet)

NOMINATION

Committee on Energy and Natural Resources: On Wednesday, January 19, Committee concluded a hearing on the nomination of Samuel W. Bodman, of Massachusetts, to be Secretary of Energy, after the nominee testified and answered questions in his own behalf.

NOMINATION

Committee on Finance: On Wednesday, January 19, Committee concluded a hearing on the nomination of Michael O. Leavitt, of Utah, to be Secretary of Health and Human Services, after the nominee testified and answered questions in his own behalf.

NOMINATION

Committee on Foreign Relations: On Wednesday, January 19, committee concluded hearings and ordered favorably reported the nomination of Condoleezza Rice, of California, to be Secretary of State.

On Tuesday, January 18, Committee began hearings on the nomination of Condoleezza Rice, after the nominee, who was introduced by Senator Fein-

stein, testified and answered questions in her own behalf.

NOMINATION

Committee on Health, Education, Labor, and Pensions: On Tuesday, January 18, Committee concluded a hearing on the nomination of Michael O. Leavitt, of Utah, to be Secretary of Health and Human Services, after the nominee testified and answered questions in his own behalf.

ASBESTOS CLAIMS RESOLUTION

Committee on the Judiciary: On Tuesday, January 11, Committee concluded a hearing to examine proposed legislation to create a fair and efficient system to resolve claims of victims for bodily injury caused by asbestos exposure, after receiving testimony from Judge Edward Becker, Third Circuit Court of Appeals, Philadelphia, Pennsylvania; John Engler, National Association of Manufacturers, Margaret Seminario, Department of Occupational Safety and Health, AFL–CIO, Craig Berrington, American Insurance Association, Michael Forscey, American Trial Lawyers Association, and Jeffrey D. Robinson, Baach, Robinson & Lewis, all of Washington, DC; Mary Lou Keener, McLean, Virginia; and Billie Joe Speicher, Ontario, Canada.

BUSINESS MEETING

Committee on the Judiciary: On Wednesday, January 19, Committee began consideration of the nomination of Alberto R. Gonzales, of Texas, to be Attorney General, Department of Justice, but did not complete action thereon, and will meet again on Wednesday, January 26.

House of Representatives

Chamber Action

Measures Introduced: 3 public bills, H.R. 292–294; 1 private bill, H.R. 295; and; 1 resolution, H. Con. Res. 19 were introduced. Page H141

Additional Cosponsors: Page H142

Reports Filed: Reports were filed today as follows:
Report on the Activities of the House Committee on Government Reform for the 108th Congress (H. Rept. 108–815);

Report on the Activities of the Committee on House Administration during the 108th Congress (H. Rept. 108–816);

Summary of Activities of the Committee on Science for the 108th Congress (H. Rept. 108–817); and

Activities and Summary Report of the Committee on Budget, 108th Congress (H. Rept. 108–818).

Page H141

Speaker: Read a letter from the Speaker wherein he appointed Representative Simpson to act as Speaker Pro Tempore for today.

Page H139

Joint Economic Committee Appointment: The Chair announced the Speaker's appointment of Representative Saxton to the Joint Economic Committee.

Page H139

Public Interest Declassification Board appointment: Read a letter from the Minority Leader wherein she appointed David Skaggs of Colorado to the Public Interest Declassification Board for an initial 2-year term.

Page H139

Order of Members to act as Speaker Pro Tempore: The Chair announced that on January 19, 2005, the Speaker delivered a letter to the Clerk listing Members in the order in which each shall act as Speaker pro tempore under clause 8(b)(3) of rule 1.

Page H139

Succession of the Speaker of the House: Read a letter from the Speaker wherein he designated Representative DeLay to act jointly with the Majority Leader of the Senate or his designee in the event of the death or inability of the Speaker, to notify Members of the House and Senate of any reassembly.

Page H139

Recess: The House recessed at 10:08 a.m. and reconvened at 10:20 a.m.

Page H140

Inauguration Ceremonies: Pursuant to H. Res. 9, the House proceeded in a body led by the Dean of the House of Representatives, Representative John Dingell, to the Inauguration Ceremony for President George Walker Bush and Vice President Richard Bruce Cheney. Upon completion of the ceremony, the House adjourned until 2 p.m. on Tuesday, January 25.

Page H140

Quorum Calls—Votes: There were no votes or quorum calls.

Adjournment: The House met at 10 a.m. and at 12:33 p.m. pursuant to the provisions of H. Res 9, it stands adjourned until 2 p.m. on Tuesday, January 25.

Committee Meetings

No Committee meetings were held.

NEW PRIVATE LAWS

(For last listing of Private Laws, see DAILY DIGEST, p. D1124)

H.R. 530, for the relief of Tanya Andrea Goudeau. Signed on December 23, 2004. (Private Law 108–6)

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, p. D6)

H.R. 241, to accelerate the income tax benefits for charitable cash contributions for the relief of victims of the Indian Ocean tsunami. Signed on January 7, 2005. (Public Law 109–1)

COMMITTEE MEETINGS FOR FRIDAY, JANUARY 21, 2005

(Committee meetings are open unless otherwise indicated)

Senate

No meetings/hearings scheduled.

House

No committee meetings are scheduled.

CONGRESSIONAL PROGRAM AHEAD

Week of January 24 through January 29, 2005

Senate Chamber

On *Monday*, at 3 p.m., Senate will consider the nomination of Carlos M. Gutierrez, of Michigan, to be Secretary of Commerce, with a vote on confirmation of the nomination to occur after 2 hours of debate.

On *Tuesday*, Senate will begin consideration of the nomination of Condoleezza Rice, of California, to be Secretary of State, with 9 hours for debate.

On *Wednesday*, Senate will continue consideration of the nomination of Condoleezza Rice, of California, to be Secretary of State, with a vote on confirmation of the nomination to occur following 40 minutes for closing remarks.

Senate Committees

(Committee meetings are open unless otherwise indicated)

Committee on Agriculture, Nutrition, and Forestry: January 26, organizational business meeting to consider an original resolution authorizing expenditures for committee operations, committee's rules of procedure for the 109th Congress, and subcommittee assignments, 10 a.m., SD–332.

Committee on Banking, Housing, and Urban Affairs: January 26, organizational business meeting to consider an original resolution authorizing expenditures for committee operations, committee's rules of procedure for the 109th Congress, and subcommittee assignments, 10 a.m., SD–538.

Committee on Energy and Natural Resources: January 26, business meeting to consider pending Calendar business, 9:30 a.m., SD–366.

Committee on Homeland Security and Governmental Affairs: January 26, to hold hearings to examine the Department of Homeland Security, 10 a.m., SD–342.

Committee on the Judiciary: January 26, business meeting to continue consideration of the nomination of Alberto R. Gonzales, of Texas, to be Attorney General, 9:30 a.m., SD–226.

Committee on Veterans' Affairs: January 24, to hold hearings to examine the nomination of Jim Nicholson, of Colorado, to be Secretary of Veterans Affairs, 10 a.m., SR–418.

Special Committee on Aging: January 26, to hold hearings to examine the risks and benefits associated with Internet pharmacy and importation, 10 a.m., SD-628.

House Committees

Committee on Armed Services, January 26, to hold an organizational meeting, 2 p.m., 2118 Rayburn.

Committee on Energy and Commerce, January 26, hearing on Combating Spyware: H.R. 29, Spy Act, 10 a.m., and to hold an organizational meeting, 1:30 p.m., 2123 Rayburn.

Committee on International Relations, January 26, briefing on The Tsunami Tragedy: How the U.S. is Responding and Providing Relief, 1:30 p.m., 2172 Rayburn.

Committee on the Judiciary, January 26, to hold an organizational meeting, 3 p.m., 2141 Rayburn.

Committee on Rules, January 25, to hold an organizational meeting, and to consider H.R. 54, Congressional Gold Medal Enhancement Act of 2005, 5 p.m., H-313 Capitol.

Committee on Science, January 26, hearing on Tsunamis: Is the U.S. Prepared?, 10 a.m., 2318 Rayburn.

Next Meeting of the SENATE

2 p.m., Monday, January 24

Next Meeting of the HOUSE OF REPRESENTATIVES

2 p.m., Tuesday, January 25

Senate Chamber

Program for Monday: After the transaction of any morning business (not to extend beyond 3 p.m.), Senate will consider the nomination of Carlos M. Gutierrez, of Michigan, to be Secretary of Commerce, with a vote on confirmation of the nomination to occur following 2 hours of debate.

House Chamber

Program for Tuesday: To be announced.

Extensions of Remarks, as inserted in this issue

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