

their heart-wrenching stories with me about the death of their son or daughter. I have heard heroic stories of kids battling cancer or diabetes, and tragic stories of car accidents and drownings. Each of these families has had their own experience, but they must all continue with their lives and deal with the incredible pain of losing a child. By establishing a day to remember children that have passed away, bereaved families from all over the country will be encouraged and supported in working through their grief. It is important to families who have suffered such loss to know that they are not alone.

In addition, this year, I have added a provision to designate the fourth Friday in April as "National Children's Memorial Flag Day" in recognition of children who have died as a result of violence. April has been designated as National Child Abuse Prevention Month, an annual tradition started by President Jimmy Carter in 1979. Many State and local governmental agencies and private organizations already fly the Children's Memorial Flag on the fourth Friday in April to remember children lost to violence. Recognizing this day is another way we can commemorate the lives of children.

#### AMENDMENTS SUBMITTED AND PROPOSED

**SA 797.** Mr. HAGEL (for himself, Mr. CAMPBELL, and Mr. KYL) proposed an amendment to amendment SA 358 submitted by Mr. JEFFORDS and intended to be proposed to the bill (S. 1) to extend programs and activities under the Elementary and Secondary Education Act of 1965.

**SA 798.** Mr. HOLLINGS proposed an amendment to amendment SA 358 submitted by Mr. JEFFORDS and intended to be proposed to the bill (S. 1) *supra*.

**SA 799.** Mr. GREGG (for Mr. SANTORUM) proposed an amendment to amendment SA 358 submitted by Mr. JEFFORDS and intended to be proposed to the bill (S. 1) *supra*.

#### TEXT OF AMENDMENTS

**SA 797.** Mr. HAGEL (for himself, Mr. CAMPBELL, and Mr. KYL) proposed an amendment to amendment SA 358 submitted by Mr. JEFFORDS and intended to be proposed to the bill (S. 1) to extend programs and activities under the Elementary and Secondary Education Act of 1965; as follows:

At the appropriate place, insert the following:

#### “5—FEDERAL PRIORITIES FOR SCHOOL REPAIR AND RENOVATION.

#### “SEC. 5351. REQUIREMENT RELATING TO SCHOOL CONSTRUCTION ASSISTANCE.

“(a) FINDINGS.—Congress makes the following findings:

“(1) The Federal Government's unique and continuing trust relationship with and responsibility to the Indian people includes the education of Indian Children.

“(2) Since 1950, the Federal Government has also recognized an obligation to support the education of children whose parents serve our Nation in the military and with other Federal agencies.

“(3) The Federal Government has responsibility for the operation and financial support

of the Bureau of Indian Affairs funded school system that the Federal Government has established on or near reservations and Indian trust lands throughout the Nation for Indian children.

“(4) The Federal Government has responsibility for providing financial support for Federally Impacted schools throughout the Nation.

“(5) The Federal Government is the sole funding source of 185 elementary and secondary schools operated by the Bureau of Indian Affairs for the education of American Indian children on reservations throughout the United States.

“(6) The Federal Government is a significant source of funding for the elementary and secondary schools that receive Impact Aid.

“(7) Over several decades, Bureau of Indian Affairs and Impact Aid schools have suffered from neglect and disrepair, which has had a direct impact on student learning and safety.

“(8) As of January 2001, the repair, rehabilitation, and renovation backlog for Bureau of Indian Affairs and heavily impacted Impact Aid education facilities and quarters was over \$2,000,000,000.

“(b) REQUIREMENT.—Notwithstanding any other provision of law (including the provisions of this Act), in administering any Federal program to provide assistance for school construction or renovation, the Secretary of Education shall ensure that assistance under such program is provided to meet the construction or renovation needs of schools receiving Impact Aid, schools under the jurisdiction of the Department of Defense, and Indian and Bureau of Indian Affairs funded schools prior to making any such assistance available under such program to other schools.

“(c) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to apply to—

“(1) school construction bond programs or school renovation bond programs; or

“(2) amounts provided for school construction or renovation under—

“(A) title VIII of the Elementary and Secondary Education Act of 1965;

“(B) any program administered by the Bureau of Indian Affairs, or the Secretary of the Interior for the benefit of Indians; or

“(C) any program administered by the Secretary of Defense with respect to schools within the jurisdiction of the Department of Defense.”.

**SA 798.** Mr. HOLLINGS proposed an amendment to amendment SA 358 submitted by Mr. JEFFORDS and intended to be proposed to the bill (S. 1) to extend programs and activities under the Elementary and Secondary Education Act of 1965; as follows:

On page 47, after line 12, insert the following: “(i)(I) a State may elect, in accordance with this clause, to waive the application of the requirements of this subparagraph if—

“(aa) the State determines that alternative public elementary and secondary educational investments will produce a greater increase in student achievement; or

“(bb) the State can demonstrate the presence of a comparable assessment system;

“(II) a waiver under subclause (I) shall be for a period of 1 year;

“(III) a State with a waiver in effect under this clause may utilize Federal funds appropriated to carry out activities in schools that fail to make yearly progress, as defined in the plan of the State under section 1111(b)(2)(B), to—

“(aa) increase teacher pay;

“(bb) implement teacher recruitment and retention programs;

“(cc) reduce class size;

“(dd) hire additional teachers to reduce class sizes;

“(ee) improve school facilities;

“(ff) provide afterschool programs;

“(gg) tutor students;

“(hh) increase the access of students to technology;

“(ii) improve school safety; or

“(jj) carry out any other activity that the State educational agency determines necessary to improve the education of public elementary and secondary school students; and

“(IV) a State shall ensure that funds to which this clause applies will not be used to pay the cost of tuition, room, or board at a private school or a charter school;”.

**SA 799.** Mr. GREGG (for Mr. SANTORUM) proposed an amendment to amendment SA 358 submitted by Mr. JEFFORDS and intended to be proposed to the bill (S. 1) to extend programs and activities under the Elementary and Secondary Education Act of 1965; as follows:

At the appropriate place, insert the following: “SEC.

#### SENSE OF THE SENATE.

“It is the sense of the Senate that—

“(1) good science education should prepare students to distinguish the data or testable theories of science from philosophical or religious claims that are made in the name of science; and

“(2) where biological evolution is taught, the curriculum should help students to understand why this subject generates so much continuing controversy, and should prepare the students to be informed participants in public discussions regarding the subject.

#### NOTICES OF HEARINGS

##### COMMITTEE ON ENERGY AND NATURAL RESOURCES

**Mr. BINGAMAN.** Mr. President, I would like to announce for the information of the Senate and the public that the hearing previously scheduled for Thursday, June 14, at 9:30 a.m., in SD-106, has been postponed. The purpose of the hearing was to receive testimony on potential problems in the gasoline markets this summer. The hearing has not been rescheduled at this time.

For further information, please call Shirley Neff at 202/224-4103.

#### AUTHORITY FOR COMMITTEES TO MEET

##### COMMITTEE ON FINANCE

**Mr. KENNEDY.** Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on Tuesday, June 12, 2001, to hear testimony on Preserving and Protecting our Natural Resources.

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

#### PRIVILEGE OF THE FLOOR

**Mr. HUTCHINSON.** Mr. President, I ask unanimous consent that Jonathan McIllwain and Brittni Aldridge, summer interns in my office, be granted

the privilege of the floor for the remainder of today's debate on S. 1.

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

### ORDERS FOR WEDNESDAY, JUNE 13, 2001

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until the hour of 9 a.m., Wednesday, June 13. I further ask unanimous consent that on Wednesday, immediately following the prayer and the pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and the Senate resume consideration of S. 1, the education authorization bill.

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

### PROGRAM

Mr. REID. Mr. President, on Wednesday the Senate will convene at 9 a.m. and resume consideration of the education authorization bill. There will be 40 minutes of debate on the Santorum and Hollings amendments concurrently. Therefore, there will be two rollcall votes beginning at approximately 9:40 a.m. Additional rollcall votes are expected as the Senate works to complete action on the education bill this week.

I further state, as I did a short time ago, that we are working to complete this bill on Thursday. If we do, there will be no votes, I am told by Leader Daschle, on Friday. If we are not able to complete this bill on Thursday, we will complete work on it when we do; that is, it may be Friday or Saturday.

### ADJOURNMENT UNTIL 9 A.M. TOMORROW

Mr. REID. Mr. President, if there is no further business to come before the Senate tonight, I ask unanimous consent that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 8:54 p.m., adjourned until Wednesday, June 13, 2001, at 9 a.m.

### NOMINATIONS

Executive nominations received by the Senate June 12, 2001:

#### DEPARTMENT OF DEFENSE

MICHAEL MONTELONGO, OF GEORGIA, TO BE AN ASSISTANT SECRETARY OF THE AIR FORCE, VICE ROBERT F. HALE.

REGINALD JUDE BROWN, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF THE ARMY, VICE PATRICK T. HENRY.

JOHN J. YOUNG, JR., OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF THE NAVY, VICE HERBERT LEE BUCHANAN III.

ALBERTO JOSE MORA, OF VIRGINIA, TO BE GENERAL COUNSEL OF THE DEPARTMENT OF THE NAVY, VICE STEPHEN W. PRESTON.

STEPHEN A. CAMBONE, OF VIRGINIA, TO BE DEPUTY UNDER SECRETARY OF DEFENSE FOR POLICY, VICE JAMES M. BODNER.

MICHAEL W. WYNNE, OF FLORIDA, TO BE DEPUTY UNDER SECRETARY OF DEFENSE FOR ACQUISITION AND TECHNOLOGY, VICE DAVID R. OLIVER.

DIONEL M. AVILES, OF MARYLAND, TO BE AN ASSISTANT SECRETARY OF THE NAVY, VICE DEBORAH P. CHRISTIE, RESIGNED.

#### DEPARTMENT OF TRANSPORTATION

KIRK VAN TINE, OF VIRGINIA, TO BE GENERAL COUNSEL OF THE DEPARTMENT OF TRANSPORTATION, VICE NANCY E. MCFADDEN.

#### DEPARTMENT OF STATE

AUBREY HOOKS, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE DEMOCRATIC REPUBLIC OF THE CONGO.

DONALD J. MCCONNELL, OF OHIO, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE STATE OF ERITREA.

DOUGLAS ALAN HARTWICK, OF WASHINGTON, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE LAO PEOPLE'S DEMOCRATIC REPUBLIC.

#### FOREIGN SERVICE

THE FOLLOWING-NAMED PERSONS OF THE AGENCIES INDICATED FOR APPOINTMENT AS FOREIGN SERVICE OFFICERS OF THE CLASS STATED, AND ALSO FOR THE OTHER APPOINTMENTS INDICATED HEREWITHE: FOR APPOINTMENT AS FOREIGN SERVICE OFFICER OF CLASS ONE, CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

#### DEPARTMENT OF COMMERCE

STEPHEN K. MORRISON, OF CALIFORNIA

#### AGENCY OF INTERNATIONAL DEVELOPMENT

WILLIAM MICHAEL CARTER, OF MAINE

FOR APPOINTMENT AS FOREIGN SERVICE OFFICERS OF CLASS TWO, CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

#### DEPARTMENT OF COMMERCE

NASIR ABBASI, OF MARYLAND

JOHN T. LANCIA, OF PENNSYLVANIA

ELLEN D. LENNY-PESSAGNO, OF TEXAS

JOHN M. MCCASLIN, OF OHIO

DAVID R. MCNEILL, OF TENNESSEE

DAVID B. PONSAR, OF CALIFORNIA

FOR APPOINTMENT AS FOREIGN SERVICE OFFICERS OF CLASS THREE, CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

#### DEPARTMENT OF COMMERCE

CHRISTOPHER B. ADAMS, OF CALIFORNIA

REBECCA K. P. ARMAND, OF FLORIDA

SCOTT A. SHAW, OF ILLINOIS

#### DEPARTMENT OF STATE

JILL AHEARN SYKES, OF FLORIDA

FOR APPOINTMENT AS FOREIGN SERVICE OFFICERS OF CLASS FOUR, CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

#### DEPARTMENT OF STATE

KELLY ADAMS-SMITH, OF NEW JERSEY

STEVEN P. ADAMS-SMITH, OF NEW JERSEY

STEPHEN J. AKARD, OF INDIANA

SALVATORE ANTONIO AMODEO, OF VIRGINIA

ROXANNE CABRAL, OF VIRGINIA

MARK MINGE CAMERON, OF ALABAMA

ANGELA COLYVAS, OF PENNSYLVANIA

R. SEAN COOPER, OF CALIFORNIA

SUSANNAH E. COOPER, OF MAINE

COLIN THOMAS ROBERT CROSBY, OF OHIO

CYNTHIA C. ECHEVERRIA, OF ILLINOIS

ALAN EYRE, OF VIRGINIA

ANTHONY C. FERNANDES, OF MASSACHUSETTS

ERIC A. FICHTE, OF VIRGINIA

KATHRYN LAURA FLACHSBART, OF CALIFORNIA

KIM M. GENDIN, OF FLORIDA

ALI JALILI, OF VIRGINIA

DANIEL P. JASSEM, OF COLORADO

THOMAS TAN JUNG, OF WASHINGTON

DAVID JOSEPH JURAS, OF KENTUCKY

KIMBERLY A. KARSIAN, OF COLORADO

ALEXANDER I. KASANOF, OF NEW YORK

RIMA KOYLER, OF PENNSYLVANIA

MICHAEL J. MA, OF VIRGINIA

LAURA A. MALENAS, OF MARYLAND

PETER G. MARTIN, OF MASSACHUSETTS

DANA CHRISTIAN MURRAY, OF FLORIDA

KIRBY D. NELSON, OF IDAHO

MAI-THAO T. NGUYEN, OF TEXAS

QUI NGUYEN, OF CALIFORNIA

GEORGE ARTHUR NOLL, OF RHODE ISLAND

BRIAN JAY O'ROURKE, OF NEW MEXICO

BARTON J. PUTNEY, OF WISCONSIN

LYNGRID SMITH RAWLINGS, OF THE DISTRICT OF COLUMBIA

MICHAEL R. SCOGGINS, OF NORTH CAROLINA

KIRK G. SMITH, OF WASHINGTON

WILLIAM A. TARVER, OF LOUISIANA

MARC HERVERT WILLIAMS, OF NEVADA

THE FOLLOWING-NAMED MEMBERS OF THE FOREIGN SERVICE OF THE DEPARTMENT OF STATE TO BE CON-

SULAR OFFICERS AND/OR SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA, AS INDICATED: CONSULAR OFFICERS AND SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

NANCY ELIZABETH ABELLA, OF VIRGINIA

LANE DARNELL BAHL, OF WASHINGTON

KAY GILBRECH BARTON, OF TEXAS

KRISTIN BONGIOVANNI, OF WASHINGTON

DENA D. BROWNLOW, OF CALIFORNIA

ERIN M. BUTLER, OF WASHINGTON

CAROL-LANNE CHANG, OF VIRGINIA

DARYL L. CHERNOFF, OF MARYLAND

DWAYNE L. CLINE, OF THE DISTRICT OF COLUMBIA

CHRISTOPHER M. CUMMINGS, OF VIRGINIA

PETER N. D'AMICO, OF MAINE

JAMES G. DAVIDSON, OF MARYLAND

JACK DOUTRICH, OF WASHINGTON

LAWRENCE E. DUCKETT, OF MARYLAND

DIANA J. ELLIOTT, OF NEVADA

AARON P. FORSBERG, OF OREGON

STEPHEN J. GEE, OF OHIO

KAREN ELIZABETH GRISSETTE, OF CALIFORNIA

KEVIN A. HAINES, OF VIRGINIA

BRYCE A. ISHAM, OF WASHINGTON

MANAV JAIN, OF CALIFORNIA

OMID KHONSARI, OF VIRGINIA

MICHELLE KRAMER, OF VIRGINIA

PAUL WILLIAM KREUTZER, OF MARYLAND

CYNTHIA Z. LAO, OF THE DISTRICT OF COLUMBIA

GONG LI, OF VIRGINIA

MATTHEW WILLIAM LONG, OF MASSACHUSETTS

STELLA C. LUTTER, OF FLORIDA

KATHERINE M. MCGOWEN, OF ALASKA

MARLENE MARIE MCBRARD, OF TEXAS

MATTHEW CHRISTIAN MILLER, OF VIRGINIA

HECTOR NAVA, OF TEXAS

TODD NICHOLSON, OF VIRGINIA

HEATHER L. NOSS, OF CALIFORNIA

MATTHEW O'CONNOR, OF VIRGINIA

CRAIG OLSON, OF VIRGINIA

SAPNA J. PATEL, OF CALIFORNIA

DEBORAH A. PLUNKETT, OF MASSACHUSETTS

FRANCES J. PULEO, OF VIRGINIA

ANNELEISE LOUISE REINEMEYER, OF TEXAS

HUGO F. RODRIGUEZ JR., OF TEXAS

CLAUDIA RODRIGUEZ-HALL, OF VIRGINIA

KAMANA MATHUR ROMERO, OF TEXAS

LORIE A. ROULE, OF THE DISTRICT OF COLUMBIA

AMY B. SCANLON, OF VERMONT

LORELEI G. SCHWEICKERT, OF CALIFORNIA

NOMI E. SELTZER, OF NEW YORK

JANINE SHORS, OF CALIFORNIA

BRIAN LEROY SIMMONS, OF NEVADA

SCOTT ANDREW STEPIEN, OF NEW YORK

JULIE A. STINEHART, OF WYOMING

DOUGLAS LEE SUN, OF MASSACHUSETTS

MICHAEL D. SWEENEY, OF CALIFORNIA

CATHERINE ELIZABETH SWEET, OF CALIFORNIA

LAWRENCE A. THOMAS, OF VIRGINIA

MICHAEL DAVID TOYRYLA, OF CALIFORNIA

LUCIA CLELIA VERRIER, OF NEW HAMPSHIRE

ELIZABETH ELLEN WILSON, OF NEW JERSEY

DONNA LURLINE WOOLF, OF THE DISTRICT OF COLUMBIA

JOSEPH LAURENCE WRIGHT II, OF FLORIDA

#### GENERAL SERVICES ADMINISTRATION

DANIEL R. LEVINSON, OF MARYLAND, TO BE INSPECTOR GENERAL, GENERAL SERVICES ADMINISTRATION, VICE WILLIAM R. BARTON, RESIGNED.

#### DEPARTMENT OF LABOR

JOHN LESTER HENSHAW, OF MISSOURI, TO BE AN ASSISTANT SECRETARY OF LABOR, VICE CHARLES N. JEFFRESS.

#### DEPARTMENT OF EDUCATION

LAURIE RICH, OF TEXAS, TO BE ASSISTANT SECRETARY FOR INTERGOVERNMENTAL AND INTERAGENCY AFFAIRS, DEPARTMENT OF EDUCATION, VICE G. MARIO MORENO, RESIGNED.

#### DEPARTMENT OF JUSTICE

JAMES W. ZIGLAR, OF MISSISSIPPI, TO BE COMMISSIONER OF IMMIGRATION AND NATURALIZATION, VICE DORIS MEISSNER, RESIGNED.

ASA HUTCHINSON, OF ARKANSAS, TO BE ADMINISTRATOR OF DRUG ENFORCEMENT, VICE DONNIE R. MARSHALL, RESIGNED.

#### IN THE ARMY

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 1203:

#### To be major general

BRIG. GEN. EDWARD L. CORREA JR., 0000

#### IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

#### To be vice admiral

VICE ADM. PATRICIA A. TRACEY, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

#### To be rear admiral

REAR ADM. (LH) DAVID ARCHITZEL, 0000