

strict party-line vote, our Republican colleagues voted to cut funding for the No Child Left Behind Act by \$200 million. We have raised standards and raised expectations on schoolchildren. We intend to hold schools accountable for better performance. Yet now the Republican majority wants to cut funding for school reform.

President Bush promised that we would "leave no child behind," and that became the title of the landmark school reform bill he signed into law a year and a half ago. But yesterday, behind closed doors, our Republican colleagues approved a budget that leaves 6 million children behind. It underfunds the title I program for needy children by over \$6 billion. Under the Republican education budget, needy children will not get smaller classes, will not get supplemental services, and will not get special attention in reading and mathematics.

In March last year, President Bush promised to support teachers, making sure they "get the training they need to raise educational standards." But yesterday, Republicans on the Appropriations Committees proposed to cut 20,000 teachers from professional development programs. They proposed to eliminate training for teachers in technology.

We need to upgrade teacher quality, not downgrade teacher training. The No Child Left Behind Act requires schools to give every classroom a high quality teacher. They need more resources, not fewer resources, to reach that goal.

President Bush promised that his administration "will promote policies that expand educational opportunities for Americans from all racial, ethnic, and economic backgrounds." But yesterday, our Republican colleagues approved a budget that cuts 32,000 children from education programs in English as a Second Language. They want to eliminate the Thurgood Marshall Scholarship program. They want a zero increase in Pell grants, a zero increase in campus-based financial aid, and a zero increase in College Work Study.

President Bush promised to increase AmeriCorps by 25,000 volunteers. Two weeks ago, the Administration told us that AmeriCorps programs would be cut by 25,000 volunteers.

Clearly, Federal resources are being limited unfairly because of the massive tax breaks already enacted that benefit the wealthy. If we freeze future tax breaks for the wealthy, we can obtain the resources we need for education.

In the Senate and the House, Senator BYRD and Congressman OBEY have shown impressive leadership on this issue. Instead of providing millionaires with an average tax cut of \$88,000 each as the President proposes, they would use the savings to fund the No Child Left Behind Act, invest in teachers, and help students pay for college.

But the Republican majority rejected those amendments. The Republican

majority voted to give \$88,000 to each millionaire and to cut funds for education. These are the wrong priorities for America, and we are going to oppose them on the Senate floor.

Next week on the Fourth of July, we will all celebrate our Nation's founding values, values whose preservation depends heavily on the quality of education of each generation. As Senators go home to their States for the recess, they should ask constituents whether they give higher priority to tax breaks for millionaires or to education. They should ask their constituents if they value investing in school reform and improvement. They should ask teachers what they think of a cut in the No Child Left Behind budget.

If we intend to hold schools and students accountable, Congress has to be accountable, too.

On this Fourth of July, let's reflect on our history, on the need to keep our promises, and on the importance of building a better future.

LOCAL LAW ENFORCEMENT ACT OF 2003

Mr. SMITH. Madam President, I rise today to speak about the need for hate crimes legislation. On May 1, 2003, Senator KENNEDY and I introduced the Local Law Enforcement Act, a bill that would add new categories to current hate crimes law, sending a signal that violence of any kind is unacceptable in our society.

I would like to describe a terrible crime that occurred in New York, NY. On September 12, 2001, a 66-year-old Sikh was savagely attacked by three white teenagers. The man was shot with a pellet gun and chased down by the teens who battered him with a baseball bat. The victim was hospitalized with head, back and wrist injuries.

I believe that Government's first duty is to defend its citizens, to defend them against the harms that come out of hate. The Local Law Enforcement Enhancement Act is a symbol that can become substance. I believe that by passing this legislation and changing current law, we can change hearts and minds as well.

HILARY B. ROSEN, PRESIDENT AND CEO OF THE RECORDING INDUSTRY ASSOCIATION OF AMERICA

Mr. LEAHY. Madam President, I come to the floor today to offer congratulations and heartfelt appreciation for the exceptional work of Hilary Rosen, Chair and CEO of the Recording Industry Association of America. Hilary will step down at the end of this year, after 17 years with the RIAA. She leaves a legacy of remarkable efforts to ensure that innovations are protected while finding legitimate new venues in the Digital Age. She has accomplished a great deal while at the same time ushering the organization, and the music industry, through extremely trying years.

After matriculating at George Washington University and earning a Bachelor of Arts in International Business, Hilary devoted her energies to working for a former Governor of New Jersey in addition to two senatorial transition teams, those of my distinguished colleague and former colleague, DIANNE FEINSTEIN and Bill Bradley. She was an accomplished advocate and began her own consulting firm in 1987. Hilary's hard work and talent were rewarded in 1998 when she assumed the position of Chair and CEO at the RIAA.

She has represented the music industry with both tenacity and good humor. While the Internet has ushered in a new era of information and communication capabilities, we are now well aware of the dangers posed by this innovation. These dangers take many forms: the security issues that result when we have achieved so much interconnectedness, the proliferation of child pornography that seeks to exploit society's most vulnerable, and of course the threat posed to copyright holders by those who distribute, for free, the work products of artists. Hilary has made genuine headway, sometimes single-handedly, in harnessing the power of the Internet to further the goals of the music industry while helping in the fight against the worst abuses of technology.

But her political activities extend well beyond the boundaries of the organization she leads. She was a founding member of Rock the Vote, a group which has successfully sought to reach out to younger Americans, imbuing those coming of age with the belief that they can have a positive impact on our political processes. And she sits on numerous not-for-profit boards including the Human Rights Campaign Foundation, Y.E.S. to Jobs, and the National Cancer Foundation. Looking at the list of groups she is involved with, the variety of causes she champions rivals the diversity of artists and labels she represents.

We know that her partner, Elizabeth Birch, and their twins, Jacob and Anna, will enjoy having more time with Hilary. If past experience is a predictor of future performance, she will shine in whatever endeavor she next chooses.

SUPREME COURT NOMINATIONS

Mr. KENNEDY. Madam President, in considering potential nominees for a possible vacancy on the Supreme Court, I hope President Bush will consider the example of earlier Presidents who followed both the letter and the spirit of the Constitution, and fully respected the role the Framers gave the Senate to share with the President.

The Framers originally rejected a proposal that the President alone appoint judges, and they seriously considered allowing the Senate to exercise that responsibility alone. In the end,

they decided to make that responsibility a shared function of the President and the Senate, through the "advice and consent" mechanism.

There is nothing "novel" or extra-constitutional about Presidents consulting in advance with the Senate before nominating a person to a lifetime position on the Supreme Court. George Washington wanted the Senate to be his own "privy council" and refused to do so, but for the past century many Presidents have taken the opposite course. They have decided not only that such consultation was fully consistent with the Framers' system of checks and balances, but also that their concern for achieving a consensus in the selection of strong and independent Justices could be best achieved by consulting in advance with the Senate.

Presidents who did so often achieved broad Senate and national support for their nominees, avoided divisive and unnecessary battles, and prevented embarrassing rejections of their selections.

President Theodore Roosevelt frequently consulted with Senators before making Supreme Court nominations, including the 1902 nomination of Oliver Wendell Holmes, Jr., who was confirmed the day he was nominated.

In 1932, President Herbert Hoover presented his list of possible nominees to Senator William Borah, a fellow Republican. Benjamin Cardozo, a Democrat, was at the bottom of the President's list, but Senator Borah persuaded the President to nominate Cardozo, who was confirmed nine days after his nomination was sent to the Senate.

President Franklin Roosevelt also shred his list of potential nominees with Senator Borah in advance. Senator Borah expressed his enthusiastic support for William O. Douglas, who was quickly confirmed by a vote of 62-4.

In 1975 President Gerald Ford shared his list of 11 prospective nominees with both the Senate and the American Bar Association. Although there was support for others on the list, his choice, John Paul Stevens, was confirmed in three weeks by a vote of 98-0.

President Bill Clinton consulted with Senators from both parties on each of his two Supreme Court nominees. Senator Dole, Senator HATCH, and others advised him that his favored candidate would be controversial, and supported the nomination of Ruth Bader Ginsburg. Later, Senators from both parties, including Senator HATCH, recommended Stephen Breyer. Both Ginsburg and Breyer were quickly and overwhelmingly confirmed.

Nominations which generated the most controversy were those which had little or no consultation with the Senate, or where the President ignored advice of the Senate.

President Richard Nixon sought little or no direct advice from Senators who were not friends and supporters of

his prospective nominees. He suffered two consecutive defeats, and the opponents included members and party leaders of the President's own party.

President Ronald Reagan's Chief of Staff, former Senator Howard Baker, consulted with leading Senate Democrats, and received strong advice that Robert Bork would have substantial opposition. Bork was nominated nevertheless, and was defeated by a vote of 58-42.

There is no down-side to serious consultation with the Senate. If a well-known prospective nominee has significant bipartisan support, the President will know in advance that he is likely to achieve prompt confirmation of the nominee, without a divisive debate in the Senate that would also be divisive for the country. The selection of a Supreme Court Justice with broad national support would help bring the country together at a time when we are facing many difficult challenges, and I hope very much that the Members of the Senate can work closely with the President and with one another to achieve that goal.

IN REMEMBRANCE OF STROM THURMOND

Mr. HOLLINGS. Madam President, last night with the passing of our revered colleague, Senator Strom Thurmond, I indicated I would have a longer recount of his work. The Nation has lost one of its most distinguished and longest-serving public servants, my State has lost its greatest living legend, and I would like to add to my comments.

By any measure, Senator Thurmond ranks as a giant of modern American politics. Few people in recent memory have had greater influence on the shape and substance of American politics, and few elected officials have shown themselves more devoted to serving the people of their State and nation. There was no more hard-working politician in America than Senator Thurmond. Right up to the day he retired from the Senate, he remained devoted to his constituents.

Of course, any discussion of Senator Thurmond's political and legislative legacy ultimately turns to a discussion of Senator Thurmond the man. He was one of the most amazing men anyone in this Chamber ever has met. He was what we attorneys call "sui generis." When God made Strom, He broke the mold for sure. Merely listing all of Senator Thurmond's "firsts" conveys the prodigious energies and talents of the man.

In 1929, he began his political career by becoming the youngest person ever elected Superintendent of Education in Edgefield County, South Carolina. He entered state-wide politics in 1933, when he was elected to the State Senate. As a South Carolina Senator, he was known for his devotion to improving public education and promoting opportunities for the people of my State.

His concern for the common man motivated many of his legislative efforts, such as writing the act that raised workers' compensation benefits and sponsoring South Carolina's first Rural Electrification Act. Although these efforts may seem far removed from our concerns today, they were crucial to my State at the time.

He left the Senate in 1938 to become Judge Thurmond. Continuing his lifelong love affair with politics and public service, he served as a South Carolina Circuit Judge until the United States entered the Second World War in 1941. Then Judge Thurmond took off his robe and volunteered for active duty. He enlisted despite the fact that, as a 39-year-old Circuit Judge, he was exempt from military service.

He fought in five battles in 4 years, and on D-Day, he rode a glider into Normandy with the 82nd Airborne. For his wartime service, Senator Thurmond was awarded 18 decorations, including the Purple Heart, Bronze Star for Valor, and Legion of Merit with Oak Leaf Cluster. He remained in the Army Reserves after the War and was made Major General in 1959.

After the war, he came home and ran for Governor. He was elected in 1947, and his administration was known for its progressive policies on education and infrastructure. During his tenure, 60,000 new jobs were created in the private sector, teacher pay was boosted to unprecedented levels, and the State Farmers' Market was begun. These initiatives helped start South Carolina on the road to a dynamic, modern economy.

In 1948, Governor Thurmond ran for President on the States' Rights ticket. In 1954, he became the first person ever elected to the Senate as a write-in candidate. That election established him as a force in national politics and a giant in South Carolina.

He was reelected to the Senate eight times, more than any Senator. When he left in January, he was the oldest and longest-serving Senator in U.S. history. He served as chairman of two powerful committees: Judiciary and Armed Services. In those capacities, he played an important role in keeping our national defense strong and ensuring the quality of our Federal judiciary.

He took controversial stands on civil rights and other divisive issues, but over time he changed and ended up garnering the support of many of those whom he opposed. He will go down in history for his devotion to his constituents.

Senator Thurmond also changed the course of politics in the South. His conversion to the Republican party in 1964 heralded a new age in party affiliation in the South and led the way for the region's transformation from a one-party, Democratic stronghold.

Senator Thurmond is gone, but his legacy will live on for many lifetimes. The people of South Carolina loved him as they have loved no other politician.