

on Section 529 College Savings Plans: High Fees, Inadequate Disclosure, Disparate State Tax Treatment and Questionable Broker Sales Practices.’’

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

PRIVILEGE OF THE FLOOR

Mr. LIEBERMAN. Mr. President, I ask unanimous consent that Dr. Jonathan Epstein, who is a legislative fellow in Senator BINGAMAN’s office, be granted the privilege of the floor during the pendency of S. 2845 and any votes thereon.

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

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. INHOFE. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following nominations on the Executive Calendar, and for the information of Members, these are uniformed military promotions that were reported today by the Armed Services Committee: 867 through 900, and all nominations on the Secretary’s desk in the Air Force, Army, Marine Corps, and Navy.

I further ask unanimous consent that the nominations be confirmed, the motions to reconsider be laid upon the table, the President be immediately notified of the Senate’s action, and the Senate then resume legislative session.

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

The nominations were considered and confirmed, as follows:

IN THE AIR FORCE

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be general

Lt. Gen. Bruce A. Carlson

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Dennis R. Larsen

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. William M. Fraser, III

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Lt. Gen. Carrol H. Chandler

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position

of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Stephen G. Wood

The following Air National Guard of the United States officers for appointment in the Reserve of the Air Force to the grades indicated under title 10, U.S.C., section 12203:

To be brigadier general

Colonel Robert A. Knauff

The following named officer for appointment to the grade indicated in the United States Air Force under title 10, United States Code, section 9335:

To be brigadier general

Col. Dana H. Born

The following named officer for appointment in the United States Air Force to the grade indicated under title 10, U.S.C., section 624:

To be brigadier general

Col. Marshall K. Sabol

IN THE ARMY

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be general

Lt. Gen. Benjamin S. Griffin

The following named officer for appointment as The Surgeon General, United States Army, and appointment to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., sections 601 and 3036:

To be lieutenant general

Maj. Gen. Kevin C. Kiley

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Lt. Gen. James J. Lovelace, Jr.

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. James M. Dubik

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Robert T. Dail

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. David F. Melcher

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. R. Steven Whitcomb

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Lt. Gen. David D. McKiernan

The following named officer for appointment in the Reserve of the Army to the grades indicated under title 10, U.S.C., section 12203:

To be major general

Brig. Gen. James E. Archer

Brig. Gen. Steven P. Best

Brig. Gen. Jack C. Stultz

To be brigadier general

Col. Edward L. Arntson, II

Col. Gregory A. Schumacher

Col. Maynard J. Sanders

Col. Jack F. Nevin

Col. Adolph McQueen, Jr.

Col. Glenn J. Lesniak

Col. Margrit M. Farmer

Col. Norman H. Andersson

To be major general

Brig. Gen. Peter S. Cooke

The following named officer for appointment in the United States Army to the grade indicated under title 10, U.S.C., section 624:

To be brigadier general

Col. Karl R. Horst

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 12203:

To be brigadier general

Col. Dana D. Batey

The following named officer for appointment to the grade indicated in the United States Army Veterinary Corps under title 10, U.S.C., sections 3064 and 3084:

To be brigadier general

Col. Michael B. Cates

IN THE MARINE CORPS

The following named officer for appointment in the United States Marine Corps to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. James N. Mattis

The following named officer for appointment in the United States Marine Corps to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Lt. Gen. Edward Hanlon, Jr.

IN THE NAVY

The following named officer for appointment to the grade of Admiral in the United States Navy while assigned to a position of importance and responsibility under title 10, U.S.C., section 601 and title 50, U.S.C., section 2406:

To be admiral

Vice Adm. Kirkland H. Donald

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

Rear Adm. Charles L. Munns

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

Rear Adm. James K. Moran

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

Rear Adm. Joseph A. Sestak, Jr.

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

Rear Adm. Mark P. Fitzgerald

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. Gary Roughead

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

Rear Adm. Lewis W. Crenshaw, Jr.

The following named officer for appointment as Deputy Judge Advocate General of the Navy in the grade indicated under title 10, U.S.C., section 5149:

To be rear admiral

Capt. Bruce E. MacDonald

The following named officer for appointment as Judge Advocate General of the Navy in the grade indicated under title 10, U.S.C., section 5149:

To be rear admiral

Rear Adm. James E. McPherson

The following named officer for appointment in the United States Naval Reserve to the grade indicated under title 10, U.S.C., section 12203:

To be rear admiral (lower half)

Capt. Norton C. Joerg

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 (lower half)

Captain Gerald R. Beaman
 Captain Mark S. Boensel
 Captain John H. Bowling, II
 Captain Mark H. Buzby
 Captain Dan W. Davenport
 Captain William E. Gortney
 Captain Michael R. Grothausen
 Captain Victor Guillory
 Captain Cecil E. Haney
 Captain Harry B. Harris, Jr.
 Captain James M. Hart
 Captain Ronald H. Henderson, Jr.
 Captain Joseph D. Kernan
 Captain Raymond M. Klein
 Captain Charles J. Leidig, Jr.
 Captain Archer M. Macy, Jr.
 Captain Michael K. Mahon
 Captain Chalres W. Martoglio
 Captain Walter M. Skinner
 Captain Scott R. Vanbuskirk
 Captain Michael C. Vitale
 Captain Richard B. Wren

The following named officer for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

To be read admiral (lower half)

Capt. Christine S. Hunter

NOMINATIONS PLACED ON THE SECRETARY'S
 DESK

IN THE AIR FORCE

PN1848 AIR FORCE nomination of Marjorie B. Medina, which was received by the Senate and appeared in the Congressional Record of July 22, 2004.

PN1849 AIR FORCE nomination of Henry Lee Einsel Jr., which was received by the

Senate and appeared in the Congressional Record of July 22, 2004.

PN1850 AIR FORCE nomination of Robert L. Munson, which was received by the Senate and appeared in the Congressional Record of July 22, 2004.

PN1882 AIR FORCE nomination of James Miller, which was received by the Senate and appeared in the Congressional Record of September 8, 2004.

PN1883 AIR FORCE nomination (9) beginning MICHAEL M. HARTING, and ending JOEL C. WRIGHT, which was received by the Senate and appeared in the Congressional Record of September 8, 2004.

PN1884 AIR FORCE nomination of Dana J. Nelson, which was received by the Senate and appeared in the Congressional Record of September 8, 2004.

PN1885 AIR FORCE nomination of William E. Lindsey, which was received by the Senate and appeared in the Congressional Record of September 8, 2004.

PN1886 AIR FORCE nomination of Martin S. Fass, which was received by the Senate and appeared in the Congressional Record of September 8, 2004.

PN1923 AIR FORCE nomination of Frank A. Posey, which was received by the Senate and appeared in the Congressional Record of September 10, 2004.

PN1924 AIR FORCE nomination of Tracey R.* Rockenbach, which was received by the Senate and appeared in the Congressional Record of September 10, 2004.

PN1925 AIR FORCE nominations (2) beginning SHANNON D.* HAILES, and ending MICHAEL F. LAMB, which was received by the Senate and appeared in the Congressional Record of September 10, 2004.

PN1926 AIR FORCE nominations (4) beginning TOMMY D.* BOUIE, and ending JENNIFER L.* LUCE, which was received by the Senate and appeared in the Congressional Record of September 10, 2004.

PN1954 AIR FORCE nominations (3) beginning NOEL D. MONTGOMERY and ending ALEXANDER V.* SERVINO, which was received by the Senate and appeared in the Congressional Record of September 13, 2004.

PN1981 AIR FORCE nominations (2) beginning KATHLEEN HARRINGTON, and ending PAUL E. PIROG, which was received by the Senate and appeared in the Congressional Record of September 21, 2004.

PN1982 AIR FORCE nomination of George J. Krakie, which was received by the Senate and appeared in the Congressional Record of September 21, 2004.

PN1983 AIR FORCE nominations (2) beginning DAVID A. LUJAN, and ending MICHAEL C. SCHRAMM, which was received by the Senate and appeared in the Congressional Record of September 21, 2004.

PN1984 AIR FORCE nominations (5) beginning DOUGLAS A. HABERMAN, and ending MATTHEW S. WARNER, which nominations were received by the Senate and appeared in the Congressional Record of September 21, 2004.

PN1985 AIR FORCE nomination of Martin J. Towey, which was received by the Senate and appeared in the Congressional Record of September 21, 2004.

IN THE ARMY

PN1887 ARMY nominations (34) beginning JUAN H. BANKS, and ending LISA N. YARBROUGH, which nominations were received by the Senate and appeared in the Congressional Record of September 8, 2004.

PN1927 ARMY nominations (9) beginning MICHAEL J. BLACHURA, and ending RONALD P. WELCH, which nominations were received by the Senate and appeared in the Congressional Record of September 10, 2004.

PN1928 ARMY nominations (6) beginning SCOTT A. AYRES, and ending GERALD I.

WALTER, which nominations were received by the Senate and appeared in the Congressional Record of September 10, 2004.

PN1929 ARMY nominations (6) beginning MARK A. COSGROVE, and ending RONNIE J. WESTMAN, which nominations were received by the Senate and appeared in the Congressional Record of September 10, 2004.

PN1930 ARMY nominations (11) beginning STEVEN H. BULLOCK, and ending JOHN M. STANG, which nominations were received by the Senate and appeared in the Congressional Record of September 10, 2004.

PN1931 ARMY nominations (119) beginning MICHAEL N. ALBERTSON, and ending WILLIAM S. WOESSNER, which nominations were received by the Senate and appeared in the Congressional Record of September 10, 2004.

PN1932 ARMY nominations (91) beginning JOHN W. AMBERG II, and ending RICHARD G. ZOLLER, which nominations were received by the Senate and appeared in the Congressional Record of September 10, 2004.

PN1933 ARMY nominations (176) beginning GILBERT ADAMS, and ending SCOTT W. ZURSCHMIT, which nominations were received by the Senate and appeared in the Congressional Record of September 10, 2004.

PN1934 ARMY nominations (75) beginning CELETHIA M. ABNER, and ending CHERUB I.* WILLIAMSON, which nominations were received by the Senate and appeared in the Congressional Record of September 10, 2004.

PN1936 ARMY nominations (292) beginning THOMAS L.* ADAMS JR., and ending KATHRYN M.* ZAMBONICUTTER, which nominations were received by the Senate and appeared in the Congressional Record of September 10, 2004.

PN1955 ARMY nomination of Raymond L. Naworol, which was received by the Senate and appeared in the Congressional Record of September 13, 2004.

PN1956 ARMY nomination of Keith A. George, which was received by the Senate and appeared in the Congressional Record of September 13, 2004.

PN1957 ARMY nomination of Curtis L. Beck, which was received by the Senate and appeared in the Congressional Record of September 13, 2004.

PN1958 ARMY nomination of Rex A. Harrison, which was received by the Senate and appeared in the Congressional Record of September 13, 2004.

PN1959 ARMY nominations (2) beginning KEVIN HAMMOND, and ending MICHAEL KNIPPEL, which nominations were received by the Senate and appeared in the Congressional Record of September 13, 2004.

PN1960 ARMY nominations (14) beginning JAIME B.* ANDERSON, and ending JOSEPH G.* WILLIAMSON, which nominations were received by the Senate and appeared in the Congressional Record of September 13, 2004.

PN1961 ARMY nominations (102) beginning JAMES R. ANDREWS, and ending SHANDA M. ZUGNER, which nominations were received by the Senate and appeared in the Congressional Record of September 13, 2004.

PN1962 ARMY nominations (880) beginning MICHAEL C. AARON, and ending X4130, which nominations were received by the Senate and appeared in the Congressional Record of September 13, 2004.

PN1963 ARMY nominations (1830) beginning CHRISTOPHER W.* ABBOTT, and ending X3181, which nominations were received by the Senate and appeared in the Congressional Record of September 13, 2004.

PN1986 ARMY nomination of John R. Peloquin, which was received by the Senate and appeared in the Congressional Record of September 21, 2004.

IN THE MARINE CORPS

PN1361 MARINE CORPS nomination of John T. Brower, which was received by the

Senate and appeared in the Congressional Record of February 11, 2004.

PN1888 MARINE CORPS nomination of John M. Sessoms, which was received by the Senate and appeared in the Congressional Record of September 8, 2004.

PN1987 MARINE CORPS nomination of Randy O. Carter, which was received by the Senate and appeared in the Congressional Record of September 21, 2004.

IN THE NAVY

PN1889 NAVY nominations (146) beginning ANDREW M ARCHILLA, and ending RICHARD G ZEBER, which nominations were received by the Senate and appeared in the Congressional Record of September 8, 2004.

PN1890 NAVY nominations (22) beginning RAY A BAILEY, and ending DAVID A STROUD, which nominations were received by the Senate and appeared in the Congressional Record of September 8, 2004.

PN1891 NAVY nominations (87) beginning RAYMOND ALEXANDER, and ending MARK A ZIEGLER, which nominations were received by the Senate and appeared in the Congressional Record of September 8, 2004.

PN1892 NAVY nominations (52) beginning STEVEN W ASHTON, and ending JASON D ZEDA, which nominations were received by the Senate and appeared in the Congressional Record of September 8, 2004.

PN1893 NAVY nominations (140) beginning TAMMERA L ACKISS, and ending KATHLEEN L YUHAS, which nominations were received by the Senate and appeared in the Congressional Record of September 8, 2004.

PN1894 NAVY nominations (243) beginning IK J AHN, and ending SARA B ZIMMER, which nominations were received by the Senate and appeared in the Congressional Record of September 8, 2004.

PN1895 NAVY nominations (40) beginning KERRY L ABRAMSON, and ending ANDRUE E WALL, which nominations were received by the Senate and appeared in the Congressional Record of September 8, 2004.

PN1937 NAVY nomination of Arthur B. Short, which was received by the Senate and appeared in the Congressional Record of September 10, 2004.

PN1938 NAVY nomination of Scott Drayton, which was received by the Senate and appeared in the Congressional Record of September 10, 2004.

PN1939 NAVY nomination of Cipriano Pineda Jr., which was received by the Senate and appeared in the Congressional Record of September 10, 2004.

PN1940 NAVY nominations (25) beginning MICHAEL P AMSTUTZ JR, and ending JAMES J WOJTOWICZ, which nominations were received by the Senate and appeared in the Congressional Record of September 10, 2004.

PN1941 NAVY nominations (31) beginning JERRY L ALEXANDER, and ending LORI C WORKS, which nominations were received by the Senate and appeared in the Congressional Record of September 10, 2004.

PN1942 NAVY nominations (41) beginning PATRICK L BENNETT, and ending ERNEST C WOODWARD, which nominations were received by the Senate and appeared in the Congressional Record of September 10, 2004.

PN1943 NAVY nominations (19) beginning CLAUDE W ARNOLD JR, and ending STEVEN M WENDELIN, which nominations were received by the Senate and appeared in the Congressional Record of September 10, 2004.

PN1944 NAVY nominations (31) beginning CHRISTOPHER L BOWEN, and ending WILLIAM L WOOD, which nominations were received by the Senate and appeared in the Congressional Record of September 10, 2004.

PN1945 NAVY nominations (63) beginning JULIE M ALFIERI, and ending DONNA I YACOVONI, which nominations were re-

ceived by the Senate and appeared in the Congressional Record of September 10, 2004.

PN1946 NAVY nominations (21) beginning MARIANIE O BALOLONG, and ending KAREN M WINGEART, which nominations were received by the Senate and appeared in the Congressional Record of September 10, 2004.

PN1947 NAVY nominations (239) beginning THOMAS G ALFORD, and ending KENDAL T ZAMZOW, which nominations were received by the Senate and appeared in the Congressional Record of September 10, 2004.

PN1948 NAVY nominations (809) beginning RYAN D AARON, and ending DAVID G ZOOK, which nominations were received by the Senate and appeared in the Congressional Record of September 10, 2004.

PN1964 NAVY nominations (5) beginning GLENN A. JETT, and ending MATTHEW WILLIAMS, which nominations were received by the Senate and appeared in the Congressional Record of September 13, 2004.

PN1965 NAVY nominations (65) beginning RICHARD S ADCOOK, and ending JEFFREY G ZELLER, which nominations were received by the Senate and appeared in the Congressional Record of September 13, 2004.

PN1966 NAVY nomination of Daniel C. Ritenburg, which was received by the Senate and appeared in the Congressional Record of September 13, 2004.

PN1988 NAVY nomination of Dwayne Banks, which was received by the Senate and appeared in the Congressional Record of September 21, 2004.

PN1989 NAVY nominations (8) beginning BILLY R. DAVIS, and ending WILLIAM H. SPEAKS, which nominations were received by the Senate and appeared in the Congressional Record of September 21, 2004.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will now return to legislative session.

WELFARE REFORM EXTENSION ACT, PART VIII

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate now proceed to consideration of H.R. 5149, which is at the desk.

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

The assistant legislative clerk read as follows:

A bill (H.R. 5149) to reauthorize the Temporary Assistance for Needy Families block grant program through March 31, 2005, and for other purposes.

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

Mr. GRASSLEY. Mr. President, the state of children's health insurance program, or SCHIP, is one of the largest and most successful expansion of public health insurance for children since the creation of Medicaid. This vitally important program was created through a bipartisan commitment to expanding health coverage for children. Because today is the last day of the fiscal year for the Federal Government, \$1.1 billion in unspent SCHIP funds are set to expire. These are funds that have been reallocated and then subsequently have had their availability extended several times over the past few years. In addition approximately \$660 million

in unspent 2002 state allotments are available to Secretary Thompson to redistribute to states that have spent their 2002 allotments.

I want to go on the record to say that I am absolutely committed to finding a bipartisan solution that will keep the \$1.1 billion in the SCHIP program. Congress can, and should, address this issue before recessing in October, but if not, certainly before the close of the session. I want to work together with my colleagues in both parties toward a productive approach. The SCHIP program was created when people reached across the aisle and joined together to do the right thing to get kids health coverage. Today we need to move forward with this same spirit of cooperation and commitment.

We can also improve the SCHIP program to get more kids covered. In 2003, SCHIP covered 5.8 million targeted low-income individuals. However, a substantial number of children who are eligible for health coverage through SCHIP are not enrolled. This is a serious issue that deserves our thoughtful attention. We can do better.

The Federal Government should commit itself to getting more of these kids enrolled. They are entitled to health coverage under this vitally important program, yet billions of SCHIP dollars lie unspent. These unspent dollars are not helping any children today. I would hope that we can work out a plan to target a portion of the \$1.1 billion in expiring SCHIP funding towards a coordinated SCHIP outreach plan so that as many eligible children as possible receive the coverage they deserve.

Of course, I am aware that there are fiscal concerns from states that can impede their ability to use State dollars to match Federal SCHIP dollars. Some are also concerned that increased enrollment will place a burden on states already struggling with the rising cost of health care. I really believe, however, that we can find a way to get more kids covered and provide states incentives to do so.

The fact that these funds are expiring does not mean that the SCHIP program is in danger of imminent collapse. That is not the case. While I am informed by CMS that six States face potential SCHIP shortfalls in FY05, Secretary Thompson has indicated that, unless Congress passes legislation to address these shortfalls, he will redistribute the approximately \$660 million in 2002 allotments, which is more than enough to make up for these shortfalls in 2005.

Working together, Congress can reallocate the expiring \$1.1 billion after tomorrow with no impact on the SCHIP program. In fact, in the past, Congress has acted months later to reallocate expired SCHIP funds back into the program. So it is not the case that September 30th is the "drop dead date" for action. In fact, when the FY1998 and FY1999 reallocations expired at the close of FY2002, Congress acted in 2003 to "reinstate" these funds through