

COMMITTEE ON THE JUDICIARY

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a markup on Thursday, April 29, 2004, at 9:30 a.m. in Dirksen Senate Building Room 226.

Agenda

I. Nominations: Henry W. Saad to be U.S. Circuit Judge for the Sixth Circuit; William Duane Benton to be United States Circuit Judge for the Eighth Circuit; Robert Bryan Harwell to be United States District Judge for the District of South Carolina; George P. Schiavelli to be United States District Judge for the Central District of California; and Curtis V. Gomez to be Judge for the District Court of the Virgin Islands.

II. Legislation:

S. 1735. Gang Prevention and Effective Deterrence Act of 2003 [Hatch, Chambliss, Cornyn, Feinstein, Graham, Grassley, Schumer].

S. 2107. A bill to authorize an annual appropriations of \$10,000,000 for mental health courts through fiscal year 2009 [DeWine, Leahy].

S. 2192. Cooperative Research and Technology Enhancement (CREATE) Act of 2004 [Hatch, Feingold, Kohl, Leahy].

S. 1932. Enhancing Federal Obscenity Reporting and Copyright Enforcement (ENFORCE) Act of 2003 [Hatch, Cornyn, Feinstein].

S. 2237. Protecting Intellectual Rights Against Theft and Expropriation (PIRATE) Act of 2004 [Leahy, Hatch].

S. 1932. Artists' Rights and Theft Prevention (ART) Act of 2003 [Cornyn, DeWine, Durbin, Feinstein, Graham, Hatch, Kennedy].

H.R. 1561. United States Patent and Trademark Fee Modernization Act of 2004.

S. 1635. A bill to amend the Immigration and Nationality Act to ensure the integrity of the L-1 visa for intracompany transferees [Chambliss].

S. 1609. Parental Responsibility Obligations Met through Immigration System Enforcement (PROMISE) Act [Hatch, Cornyn].

S. 1129. Unaccompanied Alien Child Protection Act of 2003 [Feinstein, DeWine, Durbin, Edwards, Feingold, Kennedy, Kohl, Leahy, Schumer, Specter].

S. Res. 334. A resolution designating May 2004 as National Electrical Safety Month.

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

COMMITTEE ON INTELLIGENCE

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on April 29, 2004, at 2:30 p.m. to hold a closed mark-up on the fiscal year 2005 Intelligence Authorization Bill.

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

SUBCOMMITTEE ON OCEANS, FISHERIES AND COAST GUARD

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Subcommittee on Oceans, Fisheries, and Coast Guard be authorized to meet on Thursday, April 29, 2004, at 10 a.m. on NOAA Oversight, in SR-253.

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

HIGHWAY BILL EXTENSION

Mr. FRIST. Mr. President, throughout the day we have had discussion regarding the short-term highway extension. My colleague, Senator BOND, has been here throughout the day, working hard and discussing the critical importance of having this body move forward on the 6-year authorization measure on transportation that has passed both Houses.

Obviously, there is a frustration that there has been an objection from the other side to our request to appoint conferees to move this bill to conference. We will do a short-term extension in a moment. However, as majority leader, in the absence of an agreement to move forward on the transportation bill, I am committed, after talking to and working with Senator BOND over the course of the day, to use our procedural options to put the Senate on record next week with regard to going to conference on the highway bill.

The distinguished minority whip is on the floor, and he has been very engaged in this issue as well.

I do thank our colleague, Senator BOND, and all the others involved, for allowing us to move on this short-term extension at this time. Again, I believe it is time for us to follow the regular order and send the 6-year authorization bill to conference.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Mr. President, I also extend my appreciation to Senator BOND. This is not a time to declare winners or losers. This is part of the legislative process. Senator BOND is an experienced legislator. He is a former Governor. He knows the importance of the highway bill. I am confident the resolution of this matter that we have worked out in the last several hours will be good for the country and certainly will be good for the 5,000 people who work at the Department of Transportation.

SURFACE TRANSPORTATION EXTENSION ACT OF 2004, PART II

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of H.R. 4219, a highway program extension bill, which is at the desk. I further ask consent that the bill be read a third time and passed, and the motion to reconsider be laid upon the table.

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

The bill (H.R. 4219) was read the third time and passed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate immediately proceed to executive session to consider the following nominations on today's Executive Calendar: Calendar Nos. 644 through 653, and all nominations on the Secretary's desk.

For the information of Senators, these are military nominations and Foreign Service officers.

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 return to legislative session.

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

The nominations considered and confirmed are as follows:

AIR FORCE

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

To be major general

Brigadier General James B. Armor, Jr., 0000
Brigadier General Curtis M. Bedke, 0000
Brigadier General John T. Brennan, 0000
Brigadier General Roger W. Burg, 0000
Brigadier General John J. Catton, Jr., 0000
Brigadier General Michael A. Collings, 0000
Brigadier General Daniel J. Darnell, 0000
Brigadier General Frank R. Faykes, 0000
Brigadier General Vern M. Findley, II, 0000
Brigadier General Stephen M. Goldfein, 0000
Brigadier General Gilmary M. Hostage, III, 0000
Brigadier General Thomas P. Kane, 0000
Brigadier General Perry L. Lamy, 0000
Brigadier General Roosevelt Mercer, Jr., 0000
Brigadier General Gary L. North, 0000
Brigadier General Anthony F. Przybyslawski, 0000
Brigadier General Loren M. Reno, 0000
Brigadier General Edward A. Rice, Jr., 0000
Brigadier General Marc E. Rogers, 0000
Brigadier General Arthur J. Rooney, Jr., 0000
Brigadier General Stephen T. Sargeant, 0000
Brigadier General Darryl A. Scott, 0000
Brigadier General Winfield W. Scott, III, 0000
Brigadier General Norman R. Seip, 0000
Brigadier General Loyd S. Utterback, 0000
Brigadier General Donald C. Wurster, 0000

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 major general

Brig. Gen. William L. Shelton, 0000

The following 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. Ronnie D. Hawkins, Jr., 0000

The following 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. Danny K. Gardner, 0000

The following officer for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., section 12203:

To be brigadier general

Col. Richard R. Moss, 0000

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. Dan K. McNeill, 0000

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

To be major general

Brigadier General Gary L. Border, 0000

Brigadier General William H. Brandenburg, 0000

Brigadier General Randal R. Castro, 0000

Brigadier General James A. Coggin, 0000

Brigadier General Joseph F. Fil, Jr., 0000

Brigadier General John D. Gardner, 0000

Brigadier General Brian I. Geehan, 0000

Brigadier General Gary L. Harrell, 0000

Brigadier General Janet E. A. Hicks, 0000

Brigadier General Kenneth W. Hunzeker, 0000

Brigadier General James A. Kelley, 0000

Brigadier General Ricky Lynch, 0000

Brigadier General Michael R. Mazzucchi, 0000

Brigadier General Dennis C. Moran, 0000

Brigadier General James H. Pillsbury, 0000

Brigadier General David C. Ralston, 0000

Brigadier General James E. Simmons, 0000

Brigadier General Edgar E. Stanton, III, 0000

Brigadier General Guy C. Swan, III, 0000

Brigadier General David P. Valcourt, 0000

Brigadier General W. Montague Winfield, 0000

Brigadier General John A. Yingling, 0000

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

To be brigadier general

Colonel John C. Adams, 0000

Colonel Charles B. Allen, 0000

Colonel Charles A. Anderson, 0000

Colonel Oscar R. Anderson, 0000

Colonel John R. Bartley, 0000

Colonel Kevin J. Bergner, 0000

Colonel Bruce A. Berwick, 0000

Colonel Nolen V. Bivens, 0000

Colonel Daniel P. Bolger, 0000

Colonel Doyle D. Broome, Jr., 0000

Colonel Albert Bryant, Jr., 0000

Colonel Robert L. Caslen, Jr., 0000

Colonel James E. Chambers, 0000

Colonel Bernard S. Champoux, 0000

Colonel Anthony A. Cucolo, III, 0000

Colonel Michael C. Flowers, 0000

Colonel Jeffrey W. Foley, 0000

Colonel Rebecca S. Halstead, 0000

Colonel Michael D. Jones, 0000

Colonel Purl K. Keen, 0000

Colonel David B. Lacquement, 0000

Colonel Stanley H. Lillie, 0000

Colonel Thomas C. Maffey, 0000

Colonel Frances G. Mahon, 0000

Colonel Joseph E. Martz, 0000

Colonel Raymond V. Mason, 0000

Colonel John F. Mulholland, 0000

Colonel Patrick J. O'Reilly, 0000

Colonel Mark V. Phelan, 0000

Colonel Joseph Schroedel, 0000

Colonel John E. Sterling, Jr., 0000

Colonel Randolph P. Strong, 0000

Colonel James L. Terry, 0000

Colonel William J. Troy, 0000

Colonel Peter M. Vangjel, 0000

Colonel Dennis L. Via, 0000

Colonel Joseph L. Votel, 0000

Colonel Francis J. Wiercinski, 0000

NAVY

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. Richard J. Wallace, 0000

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. Harold L. Robinson, 0000

NOMINATIONS PLACED ON THE SECRETARY'S DESK

AIR FORCE

PN1294 Air Force nominations (7) beginning Dwight R. Braswell, and ending Karen H. Stocks, which nominations were received by the Senate and appeared in the Congressional Record of February 2, 2004

PN1487 Air Force nominations (2) beginning Richard J. Burling, Jr., and ending Robert L. Tullman, which nominations were received by the Senate and appeared in the Congressional Record of April 6, 2004

PN1513 Air Force nomination of Aram M. Donigian, which was received by the Senate and appeared in the Congressional Record of April 8, 2004

PN1514 Air Force nomination of Vincent F. Carr, which was received by the Senate and appeared in the Congressional Record of April 8, 2004

PN1533 Air Force nomination of John D. Adams, which was received by the Senate and appeared in the Congressional Record of April 19, 2004

PN1051 Air Force nominations (17) beginning Elwood M. Barnes, and ending Rex A. Williams, which nominations were received by the Senate and appeared in the Congressional Record of October 16, 2003

PN1515 Air Force nomination of Daniel J. Courtois, which was received by the Senate and appeared in the Congressional Record of April 8, 2004

PN1516 Air Force nomination of Charles G. Stitt, which was received by the Senate and appeared in the Congressional Record of April 8, 2004

PN1517 Air Force nomination of Ronald E. Rikansrud, which was received by the Senate and appeared in the Congressional Record of April 8, 2004

PN1518 Air Force nominations (2) beginning Jeffrey A. Bailey, and ending Terry G. Hoehne, which nominations were received by the Senate and appeared in the Congressional Record of April 8, 2004

PN1519 Air Force nomination of Steven M. Hill, which was received by the Senate and appeared in the Congressional Record of April 8, 2004

PN1520 Air Force nomination of John J. Deresky, which was received by the Senate and appeared in the Congressional Record of April 8, 2004

PN1521 Air Force nominations (9) beginning Heidi C. Bertram, and ending Thomas C. Wisler, Jr., which nominations were received by the Senate and appeared in the Congressional Record of April 8, 2004

ARMY

PN1471 Army nominations (2) beginning Thomas A. Burgess, and ending John R. Stefanovich, which nominations were received by the Senate and appeared in the Congressional Record of March 22, 2004

PN1483 Army nomination of Leo L. Bennett, which was received by the Senate and appeared in the Congressional Record of April 1, 2004

PN1488 Army nomination of Craig D. Hartranft, which was received by the Senate and appeared in the Congressional Record of April 6, 2004

PN1489 Army nomination of Willis C. Hunter, which was received by the Senate and appeared in the Congressional Record of April 6, 2004

PN1490 Army nomination of Dana R. Yetton, which was received by the Senate and appeared in the Congressional Record of April 6, 2004

PN1522 Army nomination of Harold B. Snyder, III, which was received by the Senate and appeared in the Congressional Record of April 8, 2004

PN1534 Army nomination of Jerry M. Brown, which was received by the Senate and appeared in the Congressional Record of April 19, 2004

PN1535 Army nomination of Frank G. Atkins, which was received by the Senate and appeared in the Congressional Record of April 19, 2004

PN1472 Army nominations (2) beginning Timothy J. Callahan, and ending Ronald O. Gienapp, which nominations were received by the Senate and appeared in the Congressional Record of March 22, 2004

PN1484 Army nomination of James D. Jones, which was received by the Senate and appeared in the Congressional Record of April 1, 2004

PN1523 Army nomination of Danny L. McGraw, which was received by the Senate and appeared in the Congressional Record of April 8, 2004

PN1524 Army nomination of Richard A. Stebbins, which was received by the Senate and appeared in the Congressional Record of April 8, 2004

PN1525 Army nomination of Otha Myles, which was received by the Senate and appeared in the Congressional Record of April 8, 2004

PN1485 Army nomination of Jorge L. Romeu, which was received by the Senate and appeared in the Congressional Record of April 1, 2004

PN1526 Army nomination of James R. Vandergrift, which was received by the Senate and appeared in the Congressional Record of April 19, 2004

FOREIGN SERVICE

PN1316 Foreign Service nominations (127) beginning Bruce M. Quinn, and ending Michael W. Liikala, which nominations were received by the Senate and appeared in the Congressional Record of February 5, 2004

PN1376 Foreign Service nominations (186) beginning Christina Jeanne Agor, and ending Ted K. Gong, which nominations were received by the Senate and appeared in the Congressional Record of February 23, 2004

PN1377 Foreign Service nominations (227) beginning Paul Belmont, and ending Joseph D. Stafford, III, which nominations were received by the Senate and appeared in the Congressional Record of February 23, 2004

PN1378 Foreign Service nominations (11) beginning William L. Brant, II, and ending William W. Westman, which nominations were received by the Senate and appeared in the Congressional Record of February 23, 2004

PN1510 Foreign Service nominations (69) beginning Eliza Ferguson Al-Laham, and ending Hugo Yue-Ho Yon, which nominations were received by the Senate and appeared in the Congressional Record of April 8, 2004

MARINE CORPS

PN1273 Marine Corps nominations (137) beginning Matthew T. Ashe, Jr., and ending Jason D. Young, which nominations were received by the Senate and appeared in the Congressional Record of January 28, 2004

PN1283 Marine Corps nominations (12) beginning Andrew T. Fink, and ending Nick Trujillo, which nominations were received by the Senate and appeared in the Congressional Record of January 28, 2004

PN1285 Marine Corps nominations (119) beginning Curtis S. Ames, and ending Steven M. Zotti, which nominations were received

by the Senate and appeared in the Congressional Record of January 28, 2004

PN1254 Marine Corps nominations (263) beginning Mark A. Adams, and ending Erin L. Zellers, which nominations were received by the Senate and appeared in the Congressional Record of January 22, 2004

PN1256 Marine Corps nominations (560) beginning Christopher J. Aaby, and ending Mark W. Zipsie, which nominations were received by the Senate and appeared in the Congressional Record of January 22, 2004

PN1537 Marine Corps nomination of David C. Cox, which was received by the Senate and appeared in the Congressional Record of April 19, 2004

PN1491 Marine Corps nominations (47) beginning Travis R. Avent, and ending Mark B. Windham, which nominations were received by the Senate and appeared in the Congressional Record of April 6, 2004

NAVY

PN1493 Navy nominations (2083) beginning Victoria T. Crescenzi, and ending Joseph Zuliani, which nominations were received by the Senate and appeared in the Congressional Record of April 6, 2004

PN1538 Navy nomination of Scott F. Murray, which was received by the Senate and appeared in the Congressional Record of April 19, 2004

PN1492 Navy nomination of Melissa A. Harvison, which was received by the Senate and appeared in the Congressional Record of April 6, 2004

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now return to legislative session.

WOMEN'S SUSTAINABILITY RECOVERY ACT OF 2004

Mr. FRIST. Mr. President, I ask unanimous consent that the Small Business Committee be discharged from further consideration of S. 2267 and that the Senate proceed to its immediate consideration.

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

The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 2267) to amend section 29(k) of the Small Business Act to establish funding priorities for women's business centers.

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

Mr. SNOWE. Mr. President, I rise to support S. 2267, the "Women's Sustainability Recovery Act of 2004" which I recently introduced. There is today a critical need to preserve the operations of existing the Women's Business Centers currently serving women entrepreneurs in almost every State and territory. I am pleased to be joined in this effort by Senators DOMENICI, CHAFEE, BOND and others. By adopting this bill today, the Senate is signaling its intention to preserve much-needed funding for the business centers currently in operation.

Today, more than 10.6 million women-owned small businesses are helping to fuel our economic recovery: they employ over 19 million Americans and contribute \$2.46 trillion in revenues. In my home State of Maine, there

are more than 63,000 women-owned firms, generating more than \$9 billion in sales. Numbers like these speak for themselves, clear evidence of the success of the Women's Business Centers Program, which helps women achieve their dreams of owning a small business, and other programs like it. As chair of the Small Business Committee, I am committed to a wide range of efforts designed to assist women business owners, so that they, in turn, can continue to make a significant contribution to our economy.

The Women's Business Center program was introduced through the Women's Business Ownership Act of 1988, and it was made permanent in 1997. Congress has demonstrated its support for this program time and time again; its appropriations have grown from \$2 million in 1989 to \$12.5 million in 2004, and the results of this investment have been impressive. In fiscal year 2002, centers reported clients realized a return of \$161 in gross receipts for every dollar invested in the program.

Even more remarkable is the fact that the SBA's Women's Business Center have helped to create or retain almost 7,000 jobs in the United States, a success attributable to the centers' unique training and counseling programs. In fiscal year 2003, the Women's Business Center program increased its expected level of delivered services by 17 percent, providing counseling and assistance to more than 106,600 clients and thereby exceeding its initial goal of 88,540 clients. To a large degree, this increased productivity has been triggered by the success of sustainability grants, which extend funding to eligible women's business centers.

This year, insufficient funding for the sustainability grant program may force 53 Women's Business Centers to close their doors. While current legislation reserves 30.2 percent of the Women's Business Center appropriation for the sustainability grant program, this amount is not enough to support the 53 centers in jeopardy. By supporting this bill, S. 2267, which increases the reserve for sustainability grant program by 48 percent, Congress will ensure that each of the 53 Women's Business Centers eligible for sustainability has the opportunity to compete for a sufficient pool of funding for fiscal year 2004, and that centers will be able to effectively provide valuable technical assistance to women entrepreneurs.

Without this legislation, many of the center may be in jeopardy of closing their doors. This would be a significant loss given that some of these centers have been part of the program for as long as 9 years and, during that time, have proven themselves powerful engines of economic development in communities and States across the Nation.

These centers have been extraordinarily successful in providing assistance to women in all walks of life. Women who once received public assistance are now operating businesses

and creating jobs. Other women are transitioning from employee to small business employer, and established business owners are creating and manufacturing products for sale at home and abroad. The centers nurture women entrepreneurs through business and financial planning and assist women business owners who need help securing funding for startup and expansion. Furthermore, this legislation requires no additional appropriation, just a reallocation of current funds.

I am committed to resolving the women's sustainability funding crisis through this bill, and I will continue to work with my colleagues to ensure the continued success of women-owned businesses.

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

• Mr. KERRY. Mr. President, today I join my colleague, Senator SNOWE, chair of the Senate Committee on Small Business and Entrepreneurship, in passing legislation to safeguard Women's Business Centers funded through the Small Business Administration. This legislation is identical to the Women's Business Center provision I introduced as part of S. 2186, the SBA Emergency Authorization Extension Act of 2004, on March 9, 2004, and it fixes a funding gap that exists for meritorious Women's Business Centers that are graduating from the first stage of the program and entering the sustainability portion.

I would first like to thank Chair SNOWE for working very closely with me on this issue, as we have for the past year and a half. Senator SNOWE has long been an advocate of the Women's Business Centers and was a cosponsor of the original legislation that created the sustainability pilot program in 1999. Now, her support for continuing the nationwide network of Women's Business Centers has been the catalyst for success in the Senate. I commend Chair SNOWE for her strong leadership for women in business across this country. I would also like to thank all of the cosponsors of this legislation and of S. 2266, all of whom have shown resounding support for women entrepreneurs and recognize the positive impact the Women's Business Centers have on promoting and supporting women in business and on strengthening our national economy.

Second, I want to comment on the Bush administration's proposals to eliminate experienced, efficient, and effective Women's Business Centers in favor of new and untested centers. Unless this legislation can be enacted quickly, the administration will move forward with its proposal, which places in jeopardy experienced Women's Business Centers in 39 States and eliminates assistance for thousands of women in business. While, as this bill demonstrates, I support opening new centers to help women entrepreneurs who do not currently have access to this important assistance, this should