

Whereas, according to the World Food Program, more than 2,900,000 people in Southern Sudan have been severely affected by the civil war;

Whereas the people of Southern Sudan are in desperate need of reconstruction assistance to build and improve vital infrastructure components, such as an education system, a health care system, and a transportation system, that are nearly nonexistent in Southern Sudan;

Whereas the current humanitarian crisis in Southern Sudan is considered 1 of the worst in decades; and

Whereas the reconstruction process in Southern Sudan is vital to delivering the benefits of peace to the people of Southern Sudan and stability to the region: Now, therefore, be it

Resolved, That the Senate—

(1) strongly urges the new Government of National Unity of Sudan to implement fully the Comprehensive Peace Agreement in a timely manner consistent with the letter, spirit, and intent of the agreement;

(2) calls on the Government of National Unity to meet the terms of the Comprehensive Peace Agreement to achieve an equitable distribution of wealth and resources between the North and the South and to provide a full and transparent accounting of Sudan's oil revenues;

(3) urges the United States Government—

(A) to maintain appropriate pressure on the Government of National Unity to implement fully the Comprehensive Peace Agreement;

(B) to maintain sanctions and pressure on the Government of National Unity until the Comprehensive Peace Agreement has been fully implemented and the crisis in Darfur has been resolved; and

(C) to address, as appropriate, any legal barriers which prevent humanitarian and reconstruction operations in Southern Sudan;

(4) supports the continued provision of humanitarian and reconstruction assistance from the United States to the people of Southern Sudan, in addition to the assistance allocated for the people of Darfur, so that the people of Sudan may experience and appreciate the benefits of peace;

(5) strongly urges the Government of National Unity to use the Comprehensive Peace Agreement as the basis for negotiation of a peaceful resolution of the conflicts in Darfur and other areas of Sudan; and

(6) strongly urges all countries in the region and the international community to support actively the full implementation of the Comprehensive Peace Agreement.

TO IMPROVE THE SECURITY SITUATION IN DARFUR, SUDAN

Mr. FRIST. Mr. President, I ask unanimous consent that the Foreign Relations Committee be discharged from further consideration of and the Senate now proceed to S. Res. 383.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 383) calling on the President to take immediate steps to help improve the security situation in Darfur, Sudan, with an emphasis on civilian protection.

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

Mr. FRIST. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motion to reconsider be laid upon the table.

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

The resolution (S. Res. 383) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 383

Whereas, the April 8, 2004, N'Djamena Ceasefire Agreement, calling for an end to hostilities in Darfur, Sudan, has been flagrantly violated by all parties to the agreement;

Whereas the Government of Sudan continues to commit crimes against humanity and engage in genocidal acts in Darfur;

Whereas the signing of the Comprehensive Peace Agreement between the Government of Sudan and the Sudan People's Liberation Movement/Sudan People's Liberation Army (SPLM/SPLA) on January 9, 2005, has not resulted in an improvement of the security situation in Darfur;

Whereas United Nations Secretary-General Kofi Annan has indicated that, "People in many parts of Darfur continue to be killed, raped, and driven from their homes by the thousands.;"

Whereas United Nations officials have stated that at least 70,000 people have died due to violence and insecurity in Darfur, but that the total may be as high as 400,000 people;

Whereas nearly 2,000,000 people have been internally displaced, 3,000,000 people are dependant on international assistance to survive, and over 200,000 people are refugees in neighboring Chad due to the conflict in Darfur;

Whereas escalating tensions along the border between Chad and Sudan have increased instability in Darfur;

Whereas neither the mandate nor the troop strength of the African Union Mission in Sudan (AMIS) is adequate to protect civilians in Darfur;

Whereas the United States has demonstrated leadership on the Sudan issue by having United States Permanent Representative to the United Nations John Bolton, in his first action as President of the United Nations Security Council, request in February 2006 that Secretary-General Annan initiate contingency planning for a transition from AMIS to a United Nations peacekeeping operation;

Whereas, although the United Nations Security Council has concurred with this recommendation and taken steps toward establishing a United Nations peacekeeping mission for Darfur, it could take up to a year for such a mission to deploy fully;

Whereas, as the deteriorating security situation in Darfur indicates, the people of Darfur cannot wait that long for security to be reestablished;

Whereas the international community currently has no plan to address the immediate security needs of the people of Darfur; and

Whereas all members of the international community must participate in efforts to stop genocide, war crimes, and crimes against humanity in Darfur: Now, therefore, be it

Resolved, That the Senate—

(1) strongly condemns—

(A) the continued attacks on civilians in Darfur by the Government of Sudan and Government-sponsored militias; and

(B) the continued violations of the N'Djamena Ceasefire Agreement by the Government of Sudan and rebels in Darfur, particularly the Sudan Liberation Army;

(2) commends the Africa Union Mission in Sudan (AMIS) for its actions in monitoring the N'Djamena Ceasefire Agreement in Darfur and its role in diminishing some acts of violence;

(3) calls upon all parties to the N'Djamena Ceasefire Agreement—

(A) to abide by the terms of the N'Djamena Ceasefire Agreement; and

(B) to engage in good-faith negotiations to end the conflict in Darfur;

(4) calls upon the Government of Sudan immediately—

(A) to withdraw all military aircraft from the region;

(B) to cease all support for the Janjaweed militia and rebels from Chad; and

(C) to disarm the Janjaweed;

(5) calls on the African Union to request assistance from the United Nations and NATO to strengthen its capacity to deter violence and instability until a United Nations peacekeeping force is fully deployed in Darfur;

(6) calls upon the United Nations Security Council to approve as soon as possible, pursuant to Chapter VII of the Charter of the United Nations, a peacekeeping force for Darfur that is well trained and equipped and has an adequate troop strength;

(7) urges the President to take steps immediately to help improve the security situation in Darfur, including by—

(A) proposing that NATO—

(i) consider how to implement and enforce a declared no-fly zone in Darfur; and

(ii) deploy troops to Darfur to support the African Union Mission in Sudan (AMIS) until a United Nations peacekeeping mission is fully deployed in the region; and

(B) requesting supplemental funding to support a NATO mission in Darfur and the African Union Mission in Sudan (AMIS);

(8) calls upon NATO allies, led by the United States, to support such a mission; and

(9) calls upon NATO headquarters staff to begin prudent planning in advance of such a mission.

Mr. FRIST. Mr. President, both of these resolutions have to do with the Sudan, a country where for the last really 23 years there has been real turmoil in terms of a civil war underway that is addressed in part under S. Res. 388, the Sudan Peace Agreement, and then, more recently, over the last 3 years, in a western part of Sudan, the Darfur region, where we have seen genocide underway, as we have spelled out on the floor over the last year and talked about.

Both of these resolutions address a human tragedy that has played out over the last several years. The first, the Sudan Peace Agreement, is a reaffirmation of a peace agreement which has been made that we need to support. And it is probably the only way we can reverse what has been a tragedy that has killed about 2 million people and caused 5 million people to be displaced from their homes throughout Sudan over the last 23, 24 years.

The Darfur crisis is one that we have described on this floor many times. And as we have followed it, since February a year and a half ago, things have gotten better and worse and better and worse. Right now they are not going very well. So I appreciate Senators BIDEN and LUGAR putting forth that resolution.

EXTENDING THE EDUCATIONAL FLEXIBILITY PROGRAM OF THE EDUCATION FLEXIBILITY PARTNERSHIP ACT OF 1999

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 2363, introduced earlier today.

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

The legislative clerk read as follows:

A bill (S. 2363) to extend the educational flexibility program under section 4 of the Education Flexibility Partnership Act of 1999.

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

Mr. FRIST. Mr. President, I rise today to express my strong support for the extension we are passing tonight of the Education Flexibility Partnership Act.

I authored the original legislation to create Ed-Flex, as it is more commonly known, back in 1999 after learning through my chairmanship of the Senate Budget Committee Task Force on Education about the excessive red tape attached to Federal education funding.

I listened to school administrators and education leaders who told me again and again about the bureaucratic challenges they faced when trying to improve education.

After seeing how a demonstration project involving 12 States achieved such impressive results in improving student performance, I wrote legislation to expand the program to all 50 States.

The Ed-Flex program gives greater flexibility to States in using Federal funds in exchange for greater accountability for student achievement.

The program does not change the amount of funding available—but it eliminates some of the strings attached. Schools must still use the Federal funds for the purposes for which they were designed, and health, safety, civil rights, and disabled requirements cannot be waived.

Ed-Flex was an early attempt at education reform aimed at improving student achievement, and paved the way for the No Child Left Behind Act just 2 years later.

It allows educators to find new ways of improving the quality of education for every child, and it set the stage for acknowledging the connection between flexibility and accountability in improving student performance.

Ed-Flex encourages innovation within America's schools and allows our students the opportunity to succeed academically and globally.

I thank Senator BURR for his leadership on this extension of Ed-Flex, and for the support of my colleagues on both sides of the aisle for their recognition of this important tool for America's students.

Mr. President, I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table, and that any state-

ments relating to the bill be printed in the RECORD.

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

The bill (S. 2363) was read the third time and passed, as follows:

S. 2363

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. EDUCATIONAL FLEXIBILITY PROGRAM EXTENSION.

(a) EXTENSION AUTHORITY.—Notwithstanding any other provision of law, the Secretary of Education is authorized to carry out the educational flexibility program under section 4 of the Education Flexibility Partnership Act of 1999 (20 U.S.C. 5891b), until the date of enactment of an Act that reauthorizes programs under part A of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311 et seq.), for any State that was an Ed-Flex Partnership State on September 30, 2004.

(b) DESIGNATION.—

(1) IN GENERAL.—Any designation of a State as an Ed-Flex Partnership State that was in effect on September 30, 2004, shall be extended until the date of enactment of an Act that reauthorizes programs under part A of title I of the Elementary and Secondary Education Act of 1965, if the Secretary of Education makes the determination described in paragraph (2).

(2) DETERMINATION.—The determination referred to in paragraph (1) is a determination that the performance of the State educational agency, in carrying out the programs for which the State has received a waiver under the educational flexibility program, justifies the extension of the designation.

ORDERS FOR FRIDAY, MARCH 3, 2006

Mr. FRIST. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 9:45 a.m. on Friday, March 3. I further ask consent that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved, and the Senate then resume consideration of S. 2320, the LIHEAP funding bill.

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

PROGRAM

Mr. FRIST. Mr. President, today the Senate overwhelmingly, finally adopted the PATRIOT Act conference report with a vote of 89 to 10. We spent a great deal of time considering this bill, and I am pleased and relieved that we reached a final conclusion on this important legislation. It has a very careful balance of civil liberties and at the same time guarantees elimination of that barrier between law enforcement and our intelligence community to make sure that men and women and children and families are protected here in our homeland. It has been tough to get to this point with a lot of negotiation and a lot of delay and postponement, but finally we have completed that important bill.

We are now considering the LIHEAP bill, and we hope to complete action on that bill early next week. Also, next week we will begin work on the lobbying reform measure. We made progress on the whole effort of lobbying reform both in the Government Affairs Committee today, as well as in the Rules Committee earlier in the week.

Next week we will be busy with votes each day as we work through initially LIHEAP and then the lobbying bill. Tomorrow I will have more to say on both the sequencing and timing of the lobbying bill and LIHEAP. The next votes will occur on Monday at 5:30 in the evening on the confirmation of three district judges.

ADJOURNMENT UNTIL 9:45 A.M. TOMORROW

Mr. FRIST. 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 6:22 p.m., adjourned until Friday, March 3, 2006, at 9:45 a.m.

NOMINATIONS

Executive nominations received by the Senate March 2, 2006:

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

JOHN W. COX, OF TEXAS, TO BE CHIEF FINANCIAL OFFICER, DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, VICE CARIN M. BARTH, RESIGNED.

DEPARTMENT OF STATE

GEORGE MCDADE STAPLES, OF KENTUCKY, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE DIRECTOR GENERAL OF THE FOREIGN SERVICE, VICE W. ROBERT PEARSON, RESIGNED.

UNITED STATES POSTAL SERVICE

MICKEY D. BARNETT, OF NEW MEXICO, TO BE A GOVERNOR OF THE UNITED STATES POSTAL SERVICE FOR A TERM EXPIRING DECEMBER 8, 2013, VICE ROBERT F. RIDER, TERM EXPIRED.

KATHERINE C. TOBIN, OF NEW YORK, TO BE A GOVERNOR OF THE UNITED STATES POSTAL SERVICE FOR A TERM EXPIRING DECEMBER 8, 2012, VICE S. DAVID FINEMAN, TERM EXPIRED.

IN THE AIR FORCE

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. THOMAS J. LOFTUS, 0000

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 CHRIS T. ANZALONE, 0000
BRIGADIER GENERAL KURT A. CICHOWSKI, 0000
BRIGADIER GENERAL THOMAS F. DEPPE, 0000
BRIGADIER GENERAL PAUL A. DETTMER, 0000
BRIGADIER GENERAL WILLIAM L. HOLLAND, 0000
BRIGADIER GENERAL RONALD R. LADNER, 0000
BRIGADIER GENERAL ERWIN F. LESSEL III, 0000
BRIGADIER GENERAL JOHN W. MALUDA, 0000
BRIGADIER GENERAL MARK T. MATTHEWS, 0000
BRIGADIER GENERAL GARY T. MCCOY, 0000
BRIGADIER GENERAL STEPHEN J. MILLER, 0000
BRIGADIER GENERAL THOMAS J. OWEN, 0000
BRIGADIER GENERAL RICHARD E. PERRAULT, JR., 0000
BRIGADIER GENERAL POLLY A. PEYER, 0000
BRIGADIER GENERAL DOUGLAS L. RAABERG, 0000
BRIGADIER GENERAL JEFFREY A. REMINGTON, 0000
BRIGADIER GENERAL ROBERTUS C.N. REMKES, 0000
BRIGADIER GENERAL FREDERICK F. ROGGERO, 0000
BRIGADIER GENERAL MARSHALL K. SABOL, 0000
BRIGADIER GENERAL PAUL J. SELVA, 0000
BRIGADIER GENERAL RICHARD E. WEBBER, 0000
BRIGADIER GENERAL THOMAS B. WRIGHT, 0000
BRIGADIER GENERAL MARK R. ZAMZOW, 0000