

Those wishing additional information may contact the Indian Affairs Committee at 224-2251.

SUBCOMMITTEE ON NATIONAL PARKS

Mr. THOMAS. Mr. President, I would like to announce for the information of the Senate and the public that the following hearing has been scheduled before the Subcommittee on National Parks of the Committee on Energy and Natural Resources.

The hearing will be held on Tuesday, September 21, 2004, at 2:30 p.m., in room SD-366 of the Dirksen Senate Office Building in Washington, DC.

The purpose of the hearing is to receive testimony on the following bills: S. 784 and H.R. 1630, to revise the boundary of Petrified Forest National Park in the State of Arizona, and for other purposes; S. 2656, to establish a National Commission on the Quincentennial of the discovery of Florida by Ponce de Leon; S. 2499, to modify the boundary of the Harry S Truman National Historic Site in the State of Missouri, and for other purposes; S. 1311, to establish the Hudson-Fulton-Champlain 400th Commemoration Commission, and for other purposes; and H.R. 2055, to amend P.L. 899-366 to allow for an adjustment in the number of free roaming horses permitted in Cape Lookout National Seashore.

Because of the limited time available for the hearings, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Committee on Energy and Natural Resources, U.S. Senate, SD-364, Dirksen Senate Office Building, Washington, DC 20510-6150.

For further information, please contact Tom Lillie at (202) 224-5161 or Sarah Creachbaum at (202) 224-6293.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. COCHRAN. Mr. President, I ask unanimous consent that the Committee on Governmental Affairs be authorized to meet on Monday, September 13, 2004, at 9:30 a.m., for a hearing titled "The Importance of Real-Time, Actionable Intelligence: Ensuring the U.S. Intelligence Community Supports Homeland Defense and Departmental Needs."

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

SUBCOMMITTEE ON TERRORISM, TECHNOLOGY, AND HOMELAND SECURITY

Mr. COCHRAN. Mr. President, I ask unanimous consent that the Committee on the Judiciary Subcommittee on Terrorism, Technology and Homeland Security be authorized to meet to conduct a hearing on "A Review of the Tools to Fight Terrorism" on Monday, September 13, 2004, at 9:30 a.m., in Dirksen 226. The witness list will be sent later today.

Witness List

Panel I: Hon. Daniel J. Bryant, Assistant Attorney General, Department

of Justice, Washington, DC; and Barry Sabin, Esq., Chief, Counterterrorism Section of the Criminal Division, Department of Justice, Washington, DC.

Panel II: Professor Jonathan Turley, George Washington University Law School, Washington, DC.

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

PRIVILEGE OF THE FLOOR

Mr. COCHRAN. Mr. President, I ask unanimous consent that Lore Aguayo, a fellow in Senator TALENT's office, be granted the privileges of the floor during consideration of the Homeland Security appropriations bill.

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

APPOINTMENT

The PRESIDING OFFICER. The Chair, on behalf of the President pro tempore, upon the recommendation of the Democratic Leader, pursuant to Public Law 105-292, as amended by Public Law 106-55, and as further amended by Public Law 107-228, appoints the following individual to the United States Commission on International Religious Freedom: Preeta D. Bansal of Nebraska, for a term of two years (May 15, 2004–May 14, 2006).

EXECUTIVE SESSION

REMOVAL OF INJUNCTION OF SECRECY—2ND PROTOCOL AMENDING TAX CONVENTION WITH BARBADOS (TREATY DOC. 108-26)

Mr. McCONNELL. Mr. President, as in executive session, I ask unanimous consent that the injunction of secrecy be removed from the following treaty transmitted to the Senate on September 13, 2004 by the President of the United States: 2nd protocol amending tax convention with Barbados (Treaty Doc. 108-26).

I further ask unanimous consent that the treaty be considered as having been read the first time, that it be referred, with the accompanying papers, to the Committee on Foreign Relations in order to be printed, and that the President's message be printed in the RECORD.

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

The message of the President is as follows:

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification, I transmit the Second Protocol Amending the Convention Between the United States of America and Barbados for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income Signed on December 31, 1984, signed at Washington on July 14, 2004. Also enclosed for the Senate's information is an exchange of notes with attached Understandings, which provide clarifica-

tion with respect to the application of the Convention, as amended, in specified cases. Also transmitted for information of the Senate is the report of the Department of State with respect to the Protocol.

The Protocol updates the existing Convention to bring it into close conformity with current U.S. tax treaty policy and to ensure that the Convention cannot be used inappropriately to secure tax reductions in circumstances where there is no risk of double taxation. The Protocol would modernize the Convention's anti-treaty-shopping provision. The Protocol also updates the Convention to take account of a 1996 change in the Internal Revenue Code relating to the tax treatment of certain former long-term residents of the United States. The exchange of notes with attached Understandings provides guidance to taxpayers and each government regarding the intended interpretation of certain provisions of the Convention, as amended.

I recommend that the Senate give early and favorable consideration to this Protocol and give its advice and consent to ratification.

GEORGE W. BUSH.

THE WHITE HOUSE, September 13, 2004.

ORDERS FOR TUESDAY, SEPTEMBER 14, 2004

Mr. McCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:45 a.m. tomorrow, Tuesday, September 14. I further ask unanimous 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 begin a period of morning business with debate only for up to 60 minutes; that the first 30 minutes be under the control of the Democratic leader or his designee and the final 30 minutes be under the control of the majority leader or his designee; provided further that the Senate then resume consideration of Calendar No. 488, H.R. 4567, the Homeland Security appropriations bill.

I further ask unanimous consent that the Senate recess from 12:30 until 2:15 for the weekly party luncheons.

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

PROGRAM

Mr. McCONNELL. Mr. President, for the information of all Senators, tomorrow following morning business the Senate will resume consideration of the Homeland Security appropriations bill. It is imperative that we finish the Homeland Security bill prior to the observance of Rosh Hashanah on Wednesday. The chairman and ranking member will be here in the morning to

begin working through the final amendments. Senators should expect a long day with numerous rollcall votes. Senators should make themselves available throughout the day tomorrow as we move forward to complete this bill.

Mr. REID. Mr. President, if the Senator will allow me a few words before we finish, as I have stated on the floor, I believe we can finish the Homeland Security appropriations bill tomorrow. I think we can do that. Senator DASCHLE has stated that he believes that is the case also. There is a complicating factor, and that is the reason we didn't have a cutoff time this evening for filing amendments. There is some interest in tying this together with supplemental appropriations for the catastrophes—I say that in the plural—that have hit Florida. The last one is not yet there. We understand the importance of that.

I say as sincerely as I can to my friend, who is my counterpart on the majority side, don't connect these two bills. We are aware and concerned about the problems in Florida and we will work to help. We have two Democratic Senators from Florida. We know how important that is. But to tie these two together is only making our work more difficult. We can finish this bill tomorrow. If the leadership on the Republican side decides they want to go to another supplemental even before, let us do that separately. We are going to do everything we can to take care of the people of Florida. But this is so important.

I will not guarantee anything, but I think if the supplemental is tied to Homeland Security, we are not going to finish this tomorrow, and I think we will be lucky to finish it Wednesday morning.

That is my observation. I am doing everything I can to work on this matter. I am making that suggestion.

Mr. McCONNELL. Mr. President, I appreciate the suggestions of my good friend from Nevada. We both share a desire to help the people of Florida who have certainly been lambasted by two horrendous hurricanes and are about to be hit by one that may be even bigger. We will work with the other side of the aisle to see the best way to accommodate the needs of our folks down in Florida.

ADJOURNMENT UNTIL 9:45 A.M. TOMORROW

Mr. McCONNELL. Mr. President, 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 7:04 p.m., adjourned until Tuesday, September 14, 2004, at 9:45 a.m.

NOMINATIONS

Executive nominations received by the Senate September 13, 2004:

DEPARTMENT OF DEFENSE

RICHARD GRECO, JR., OF NEW YORK, TO BE AN ASSISTANT SECRETARY OF THE NAVY, VICE DIONEL M. AVILES.

DEPARTMENT OF STATE

PATRICK J. LEAHY, OF VERMONT, TO BE A REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE FIFTY-NINTH SESSION OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS.

JOHN E. SUNUNU, OF NEW HAMPSHIRE, TO BE A REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE FIFTY-NINTH SESSION OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS.

THE FOLLOWING-NAMED CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE, CLASS OF CAREER MINISTER, FOR THE PERSONAL RANK OF CAREER AMBASSADOR IN RECOGNITION OF ESPECIALLY DISTINGUISHED SERVICE OVER A SUSTAINED PERIOD:

To be career ambassador

RYAN C. CROCKER, OF WASHINGTON
MARC ISALIAH GROSSMAN, OF VIRGINIA
A. ELIZABETH JONES, OF MARYLAND
ALAN PHILIP LARSON, OF IOWA
JOHNNY YOUNG, OF MARYLAND

IN THE COAST GUARD

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES COAST GUARD RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

SCOTT B. BEESON, 0000
ROSLYN D. BURBANK, 0000
JAMES K. GILLESPIE, 0000
WILLIAM J. HERBERT, 0000
JOHN J. MARKS, 0000
DAVID J. MARTIN, 0000
MICHAEL M. MILKOVICH, 0000
CARL M. NAGATA, 0000
WILLIAM J. NASH, 0000
KIMBERLY J. PICKENS, 0000
PETER J. SAMMIS, 0000
MAUREN M. STEINHOUSE, 0000
NEEDHAM E. WARD, 0000

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE AND FOR REGULAR APPOINTMENT (IDENTIFIED BY AN ASTERISK (*) UNDER TITLE 10, U.S.C., SECTIONS 624 AND 531:

To be lieutenant colonel

NOEL D. MONTGOMERY, 0000
KATHERINE S. REARDEN, 0000
ALEXANDER V.*SERVINO, 0000

IN THE ARMY

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

To be colonel

RAYMOND L. NAWOROL, 0000

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

To be colonel

KEITH A. GEORGE, 0000

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

To be lieutenant colonel

CURTIS L. BECK, 0000

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

To be lieutenant colonel

REX A. HARRISON, 0000

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

To be lieutenant colonel

KEVIN HAMMOND, 0000
MICHAEL KNIPPEL, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY VETERINARY CORPS AND FOR REGULAR APPOINTMENT (IDENTIFIED BY AN ASTERISK(*) UNDER TITLE 10, U.S.C., SECTIONS 624, 531, AND 3064:

To be lieutenant colonel

JAIME B.*ANDERSON, 0000
CHESSLEY R.*ATCHISON, 0000
KENNETH L.*BATEY, 0000
CAROL A.*BOSSONE, 0000
ANTHONY C.*BOSTICK, 0000
BRIAN J.*GENTILE, 0000
CHRIS E.*HANSON, 0000
ANNETTE K.*HILDABRAND, 0000
SUZANNE C.*JARLINE, 0000
KELLY A.*MANN, 0000
JAMES T.*SHEETS, 0000

ROBERT R. THOMPSON, 0000
STEVEN W.*TOBIAS, 0000
JOSEPH G.*WILLIAMSON, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SERVICE CORPS AND FOR REGULAR APPOINTMENT (IDENTIFIED BY AN ASTERISK(*) UNDER TITLE 10, U.S.C., SECTIONS 624, 531, AND 3064:

To be lieutenant colonel

JAMES R. ANDREWS, 0000
IAN R. ASHCROFT, 0000
THOMAS P. AXTMAN, 0000
CONSTANCE A.*BELL, 0000
PAUL D.*BLIESE, 0000
KARL C. BOLTON, 0000
JOHN D. BUTLER, 0000
NOEL J. CARDENAS, 0000
WILLIAM E. CARTER, 0000
GREGORY Q. CHEEK, 0000
GRANT J. COBBS, 0000
MARIE T. COCHRAN, 0000
THOMAS C. DELK, 0000
RICK G. DICKINSON, 0000
RAYMOND S. DINGLE, 0000
WILLIAM S. DRENNON, 0000
JOSEPH G. ECKERT, 0000
DAWN B. ERCKENBRACK, 0000
ALLESIA J. EWELL, 0000
MYRON L. FAY, 0000
EMERY B.*FEHL, 0000
MICHAEL D. FRAVELL, 0000
JONATHAN C. FRISTOE, 0000
JOHN M. GARRITY JR., 0000
DAVID M. GILES, 0000
TAMI L. GLASCOCK, 0000
WILLIAM T. GOPORTH, 0000
DONOVAN G. GREEN, 0000
LINDA L. GUTHRIE, 0000
WENDY L.*HARTER, 0000
RONALD B. HENRY, 0000
MARK R. HICKMAN, 0000
TONI D. JACKMAN, 0000
EVELYN JACKSON, 0000
BRETT J. KELLY, 0000
TIMOTHY L. KNICKERBOCKER, 0000
ANGELA A. KOELSCH, 0000
GIOVANNI T. KOTORIY, 0000
RONALD L. KROGH, 0000
WILLIAM P. LACHANCE, 0000
GREGORY T. LAFRANCOIS, 0000
JOSEPH E. LAUNDRE, 0000
MICHAEL J. LOPATKA, 0000
ALEJANDRO LOPEZDUKE, 0000
TIMOTHY P.*LYONS, 0000
PETER V. MARKS JR., 0000
DOUGLAS M. MARR, 0000
MATTHEW E. MATTNER, 0000
JAMES D. MCLAIN, 0000
JOHN F. MERKLE, 0000
STEVEN P. MIDDLECAMP, 0000
STEVEN G. MILLWARD, 0000
MARK E. MORGAN, 0000
SEAN T. MORGAN, 0000
FINK C. MOSER, 0000
LUIS A.*MUNIZ, 0000
TIMOTHY L. NAPORA, 0000
ALEX G. ORNSTEIN, 0000
SHARON J.*PACCHIANA, 0000
JOHN C. PASTINO, 0000
THOMAS E. PAUL, 0000
FRANCISCO C. PAULINO JR., 0000
RICHARD D. PAZ, 0000
ROBERT K. PELL JR., 0000
DEXEL V.*PETERS, 0000
REBECCA I.*PORTER, 0000
BRADLEY G. PREDMORE, 0000
KAREN M. PRICE, 0000
DAVID T.*REIBER, 0000
DAVID G. RICHARDSON, 0000
DANYLO O. RUDAKEVYCH, 0000
CAROL Z.*RYMER, 0000
LEE H. SCHILLER JR., 0000
GARY A. SEAL, 0000
KENNETH S.*SHAW, 0000
DAVID V. SHEAFFER, 0000
JAMES K. SJOVALL, 0000
PETER H. SMART, 0000
JOHN A. SMITH, 0000
IVAN D. SPEIGHTS SR., 0000
ANGELO J. ST III, 0000
ANDREA M. STAHL, 0000
ELIZABETH J.*STEAD, 0000
KEVIN J. STEVENS, 0000
RANDY STORY, 0000
WILLIAM M. STUBBS, 0000
JOHN E. SUTTON, 0000
TARRA L. TAYLOR, 0000
JERRY S. THOMAS, 0000
WILLIAM B. TILSON, 0000
STEVEN A. TOFT, 0000
GARY W.*TRYNISZEWSKI, 0000
JAMES B. UPTON, 0000
JOSEPH J. VANCOSKY JR., 0000
TERSCH R.*VON, 0000
ROBERT M. WALKER JR., 0000
SCOTT L. WARNER, 0000
MARK R. WHITE, 0000
ERIN V.*WILKINSON, 0000
KARL O. WILSON, 0000
ALEX P. ZOTOMAYOR, 0000
SHANDA M. ZUGNER, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY AND FOR REGULAR APPOINTMENT (IDENTIFIED BY AN