

Brig. Gen. Alan L. Cowles, 0000  
 Brig. Gen. Harry W. Feucht, Jr., 0000  
 Brig. Gen. Charles A. Morgan, III, 0000  
 Brig. Gen. Mark R. Musick, 0000  
 Brig. Gen. Allen R. Dehnert, 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 lieutenant general*

Maj. Gen. Raymond T. Odierno, 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 Rodney O. Anderson, 0000  
 Colonel Robert M. Brown, 0000  
 Colonel James L. Huggins, Jr., 0000  
 Colonel Jeffrey C. Horne, 0000  
 Colonel David D. Halverson, 0000  
 Colonel Mark A. Graham, 0000  
 Colonel Michael Ferriter, 0000  
 Colonel Jeffrey J. Dorke, 0000  
 Colonel Walter L. Davis, 0000  
 Colonel Charles T. Cleveland, 0000  
 Colonel John F. Campbell, 0000  
 Colonel Christopher Tucker, 0000  
 Colonel Michael J. Terry, 0000  
 Colonel Rickey L. Rife, 0000  
 Colonel Ernest E. Porter, 0000  
 Colonel Belinda Pinckney, 0000  
 Colonel William N. Phillips, 0000  
 Colonel Peter J. Palmer, 0000  
 Colonel Theodore C. Nicholas, 0000  
 Colonel James M. Milano, 0000  
 Colonel James C. Yarbrough, 0000  
 Colonel Robert H. Woods, Jr., 0000  
 Colonel Michael J. Walsh, 0000  
 Colonel Andrew B. Twomey, 0000  
 Colonel Michael S. Tucker, 0000  
 Colonel Richard R. McPhee, 0000  
 Colonel Anne F. Macdonald, 0000  
 Colonel Kevin A. Leonard, 0000  
 Colonel Susan S. Lawrence, 0000  
 Colonel Harvey T. Landwermeyer, 0000  
 Colonel Brian A. Keller, 0000  
 Colonel Nickolas G. Justice, 0000  
 Colonel Rodney L. Johnson, 0000  
 Colonel Mark A. Bellini, 0000  
 Colonel Steven M. Anderson, 0000  
 Colonel John M. Bednarek, 0000  
 Colonel James J. D'Agostino, 0000  
 Colonel Charles M. Campbell, 0000  
 Colonel William S. Busby, III, 0000  
 Colonel Robert B. Buehler, 0000  
 Colonel Hugh T. Broomall, 0000  
 Colonel Michael G. Brandt, 0000

*To be major general*

Brig. Gen. John M. White, 0000  
 Brig. Gen. Frank D. Tutor, 0000

*To be brigadier general*

Colonel Stephen M. Sischo, 0000  
 Colonel Don E. Reynolds, 0000  
 Colonel Richard J. Prosek, 0000  
 Colonel Peter S. Pawling, 0000  
 Colonel Dennis W. Menefee, 0000  
 Colonel James M. Lillis, 0000  
 Colonel Richard D. King, 0000  
 Colonel David E. Holman, 0000  
 Colonel Allison A. Hickey, 0000  
 Colonel Thomas J. Haynes, 0000  
 Colonel Donald D. Harvel, 0000  
 Colonel Steven E. Foster, 0000  
 Colonel John B. Ellington, Jr., 0000  
 Colonel Richard G. Elliott, 0000

*To be major general*

Brig. Gen. Frank Pontelandolfo, Jr., 0000

Brig. Gen. Alan L. Cowles, 0000  
 Brig. Gen. Harry W. Feucht, Jr., 0000  
 Brig. Gen. Charles A. Morgan, III, 0000  
 Brig. Gen. Mark R. Musick, 0000  
 Brig. Gen. Allen R. Dehnert, 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 lieutenant general*

Maj. Gen. Raymond T. Odierno, 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. Edward T. Reidy, III, 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. Gregory A. Timberlake, 0000

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 rear admiral (lower half)*

Capt. Edward H. Deets, III, 0000

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

*To be rear admiral*

Rear Adm. (1h) Andrew M. Singer, 0000

## AIR FORCE

PN1439 AIR FORCE nominations (160) beginning LAUREN F. \* AASE, and ending SUSAN E. \* YOUNG, which nominations were received by the Senate and appeared in the Congressional Record of March 12, 2004.

## ARMY

PN1127 ARMY nominations (18) beginning JULIA A. ADAMS, and ending JANET L. WILSON, which nominations were received by the Senate and appeared in the Congressional Record of November 17, 2003.

PN2006 ARMY nomination of Graeme J. Boyett, which was received by the Senate and appeared in the Congressional Record of September 23, 2004.

## NAVY

PN2007 NAVY nominations (422) beginning BLAINE E MOWREY, and ending VICTORIA A YODER, which nominations were received by the Senate and appeared in the Congressional Record of September 23, 2004

PN2008 NAVY nominations (12) beginning JERRIS L BENNETT, and ending JESSE J ZIMBAUER, which nominations were received by the Senate and appeared in the Congressional Record of September 23, 2004.

## LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

## APPOINTMENTS

The PRESIDING OFFICER. The Chair, on behalf of the President pro tempore, pursuant to Public Law 106-398, as amended by Public Law 108-7, in accordance with the qualifications specified under section 1238(b)(3)(E) of Public Law 106-398, and upon the recommendation of the Majority Leader, in consultation with the chairmen of the Senate Committee on Armed Services and the Senate Committee on Finance, appoints the following individuals to the United States-China Economic Security Review Commission: the Honorable Fred D. Thompson, of Tennessee, for a term beginning January 1, 2005 and expiring December 31, 2006.

THE PRESIDING OFFICER. The Chair, on behalf of the President pro tempore, pursuant to Public Law 106-398, as amended by Public Law 108-7, in accordance with the qualifications specified under section 1238(b)(3)(E) of Public Law 106-398, and upon the recommendation of the Democratic Leader, in consultation with the chairmen of the Senate Committee on Armed Services and the Senate Committee on Finance, appoints the following individual to the United States-China Economic Security Review Commission: Patrick A. Mulloy of Virginia, for a term beginning January 1, 2005 and expiring December 31, 2006.

## MEASURE READ THE FIRST TIME—S. 2949

Mr. FRIST. I understand S. 2949 is at the desk, and I ask for its first reading. The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 2949) to amend the Low-Income Home Energy Assistance Act of 1981 to reauthorize the Act, and for other purposes.

Mr. JEFFORDS. Mr. President, this legislation reauthorizes the Low Income Home Energy Assistance Program, or LIHEAP. I am pleased to be joined in this effort by 13 other Senators: the Junior Senator from Maine, Mrs. COLLINS, the Senior from Vermont, Mr. LEAHY, the Senator from Connecticut, Mr. DODD, the Senator from Rhode Island, Mr. REED, the Senator from Delaware, Mr. BIDEN, the Senator from Massachusetts, Mr. KENNEDY, the Senator from New Mexico, Mr. BINGAMAN, the Senator from New Jersey, Mr. LAUTENBERG, the Senator from Maryland, Mr. SARBANES, the Senior Senator from Maine, Ms. SNOWE, the Senator from New York, Mr. SCHUMER, the Senator from Wisconsin, Mr. KOHL, and the Senator from Rhode Island, Mr. CHAFEE.

Funding authorization for this critically important program technically expires at the end of fiscal year 2004. In a regular year, the fiscal year ends on September 30, a date that has already passed. Right now, our Government is operating under a temporary extension of the fiscal year 2004 budget that expires on November 20, 2004. Today, the Federal Government released money for the first quarter of 2005 at the old fiscal year 2004 funding levels. I know that the states are grateful to have this additional money in hand. We must do something now to ensure that this vital program is reauthorized at a higher funding level right away, so that we can provide America's low income families the extra help they need this winter to pay their home heating bills. Who knows now, when we will finish appropriations for fiscal year 2005? We may finish our appropriations legislation in December or January, and we seem headed down that path.

The bill my colleagues and I introduce today sends the right message to concerned constituents already worried about how they will afford to heat their homes in the face of reported higher home heating costs in the next few months. With this bill we say even if Congress continues to extend last fiscal year's appropriations level or pass a new one, the Senate will increase the amount of money that can be put toward the LIHEAP program.

Fortunately, we know we have support in the Senate for the legislation my colleagues and I introduce today. On February 12, 2004, the Senate passed S. 1786 unanimously. S. 1786 is a bill to extend the Community Services Block Grant Act. Included in Title II, Section 202 of that bill is a provision that would provide an annual LIHEAP funding authorization of \$3.4 billion in each of FY2004–FY2006 and at such sums as necessary through FY2010. This bill is identical to Section 202 of S. 1786. Given that it has moved unanimously in the past, it is my hope that the bill I introduce today can pass quickly and become law.

Why is this bill important, Mr. President? First, authorizing LIHEAP at a higher funding level would mean that a subsequent appropriations bill could add more funds to LIHEAP for this winter's heating season. All of the fiscal year 2004 appropriation for LIHEAP has been released, a total of \$1.7 billion in regular funds and \$99 million in contingency funds, and we've funded the first quarter of 2005 at that same funding level. Even if we wanted to add more money for LIHEAP this winter, Mr. President, Congress is running close to the total authorized limit for the program. Under current law, Congress can only give can only give LIHEAP up to \$600 million in contingency funds, and \$2 billion in annual regular funding. We are about to head into what is likely to be a cold winter with high fuel cost having nearly hit

our credit limit in the amount we can spend on the LIHEAP program. That is wrong. It is poor financial planning and it does a grave injustice to the families that are counting on us, especially when we know fuel costs are going to be high this winter. We should make certain that we can give the LIHEAP program the money it needs, and do so now.

Second, this bill is important our constituents face an uncertain and frightening future with respect to energy costs. We should not continue to fund LIHEAP at last year's level when we know that costs are increasing. In Vermont, my state's fuel assistance programs are now receiving calls from constituents on fixed incomes that have fallen behind on their fuel payments and are concerned about making ends meet. Vermont's first deadline for applications for fuel assistance was August 31, 2004, and payments are not expected to reach eligible applicants until November. In response to this first deadline, my state received 1,800 more applications than last year. Vermont's increase in assistance applications reflects the increased heating costs throughout the Northeast and Midwest. Almost daily, newspapers are reporting on the effect of higher energy costs for consumers in these regions this winter. The Energy Information Administration released its winter forecast this week. They forecast that heating costs will increase, and heating a home with oil in particular will go up by more than 28% compared to a year ago and will cost an average of more than \$1,300. Compared to average heating costs from 1998 to 2000, expenditures this winter are expected to be 45 percent higher for heating oil.

Vermont is not alone. The costs for all heating fuels will be greater than last year throughout New England and the Midwest. Natural gas will cost 11% more than it did last year, and propane will cost 17% more. This may be our last opportunity to act before the onset of cold weather in New England and the Midwest. Families and businesses who face a heating crisis this winter deserve our help. Again, I think my colleagues, and I urge swift passage of this bill.

Mr. FRIST. I ask for its second reading, and in order to place the bill on the calendar under rule XIV I object to further proceeding on this matter.

The PRESIDING OFFICER. The objection is heard.

The bill will be read the second time on the next legislative day.

#### AMENDING THE LIVESTOCK MANDATORY PRICE REPORTING ACT OF 1999

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 2965, which was introduced earlier today by Senator COCHRAN.

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

The legislative clerk read as follows:

A bill (S. 2965) to amend the Livestock Mandatory Price Reporting Act of 1999 to modify the termination date for mandatory price reporting.

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

Mr. FRIST. 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 statements regarding this matter be printed in the RECORD.

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

The bill (S. 2965) was read the third time and passed, as follows:

S. 2965

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

#### SECTION 1. EXTENSION.

Section 942 of the Livestock Mandatory Price Reporting Act of 1999 (7 U.S.C. 1635 note; Public Law 106-78) is amended by striking "terminate" and all that follows and inserting "terminate on September 30, 2005."

#### MEASURE PLACED ON THE CALENDAR—S. 2938

Mr. FRIST. Mr. President, I understand that there is a bill at the desk that is due for a second reading.

The PRESIDING OFFICER. The clerk will report the title of the bill for a second time.

The legislative clerk read as follows:

A bill (S. 2938) to grant a Federal charter to the National American Indian Veterans, Incorporated.

Mr. FRIST. Mr. President, I object to further proceedings on the measure at this time in order to place the bill on the calendar under the provisions of rule XIV.

The PRESIDING OFFICER. The bill will be placed on the calendar.

#### NATIONAL INTELLIGENCE REFORM ACT OF 2004

MODIFICATION TO AMENDMENT NO. 3977

Mr. FRIST. Mr. President, I ask unanimous consent that notwithstanding the passage of S. 2845, amendment No. 3977, previously agreed to, be modified with the changes that are at the desk.

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

The modification was agreed to, as follows:

On page 4 after the words "and information gathering" insert the following: "and other".

On page 4, after the words "or international terrorist activities" insert " , but does not include personnel, physical document, or communications security programs"

On page 181, after the words, "to the national security" insert the following: "or involving intelligence acquired through clandestine means".