

corporate America and Wall Street to restore the principles of honesty and integrity to their proper place.

Mr. Donaldson also indicated a strong concern for the welfare of the SEC employees. He pledged to address issues of staff morale and union relations at the Agency.

I am hopeful that Mr. Donaldson will effectively manage the SEC and effectively enforce the Federal securities laws. I hope that he will bring about a new era of respect for the Agency and confidence in the U.S. securities markets.

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#### LEGISLATIVE SESSION

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

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#### UNANIMOUS CONSENT AGREEMENT—S. 151

Mr. FRIST. Madam President, I ask unanimous consent that at 3:30 p.m. on Monday, February 24, the Senate proceed to the consideration of Calendar No. 7, S. 151, PROTECT Act; that there be 2 hours equally divided between the chairman and ranking member of the Judiciary Committee or their designees; that no amendments be in order; that upon the use or yielding back of time, the Senate proceed to a vote in relation to the matter, without any further intervening action or debate.

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

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#### DO-NOT-CALL IMPLEMENTATION ACT

Mr. FRIST. Madam President, I ask unanimous consent that the Senate immediately proceed to H.R. 395, which is being held at the desk.

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

The legislative clerk read as follows:

A bill (H.R. 395) to authorize the Federal Trade Commission to collect fees for the implementation and enforcement of a "do-not-call" registry, and for other purposes.

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

Mr. McCAIN. Madam President, I am pleased that the Senate will pass H.R. 395, the Do-Not-Call Implementation Act, which was overwhelmingly approved by the House of Representatives yesterday.

All of us have been plagued by unwanted solicitations by telemarketers. Recently, the Federal Trade Commission did something about this and proposed regulations to create a national do no call registry that consumers can sign up for to avoid unwanted solicitations.

H.R. 395 authorizes the Federal Trade Commission, FTC, to collect offsetting fees from telemarketers to implement and enforce the registry as part of the Telemarketing Sales Rule. The legisla-

tion would authorize the FTC to collect these fees from telemarketers for Fiscal Years 2003 through 2007, and to move forward this year on setting up this much-needed registry. The legislation also directs the Federal Communications Commission to conclude its own relemaking regarding telemarketing calls which, given the FTC's lack of jurisdiction over certain industries, is an important component in creating an effective and comprehensive do not call option for consumers.

A one-stop option for consumers is overdue. In 1991, the Telephone Consumer Protection Act directed the Federal Communications Commission, FCC, to conduct a rulemaking to protect the privacy rights of residential telephone subscribers. The FCC could have enacted a national registry at that time, but chose instead to require telemarketers to maintain their own individual do not call lists. This means that at present, most consumers must contact, individually, every telemarketer who they do not want to call them. This far less than consumer-friendly regime has spurred more than twenty-five States to create their own do-not-call registries. I understand that many of these states support a national registry because maintenance of their lists is often burdensome, costly, and difficult to enforce. A national registry will not preempt these state laws. Rather, States will work in partnership with the national registry by sharing information and enforcement abilities. Harmonizing the FTC regulations with those of the FCC and the states, as I hope will soon occur, will give consumers and businesses alike a much more user-friendly system.

I recognize the importance of telemarketing to our economy and particularly to new competitors' market entry. Consumers, nevertheless, should be given a choice to opt out of receiving commercial solicitations, and the national do-not-call list proposed by the FTC gives them this option. The FTC has endeavored to balance the interests of consumers against the interests of businesses in communicating with existing customers and attracting new ones.

I commend the Federal Trade Commissioners and the FTC staff for their work on this issue, and thank my colleagues for supporting this measure.

Mr. FRIST. Madam President, I ask unanimous consent that the bill be read the third time, passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

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

The bill (H.R. 395) was read the third time and passed.

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#### CONSENT TO ASSEMBLE OUTSIDE THE SEAT OF GOVERNMENT

Mr. FRIST. Madam President, I ask unanimous consent that the Senate proceed to the immediate consider-

ation of H. Con. Res. 1, which is at the desk.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 1) regarding consent to assemble outside the seat of government.

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

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

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

The concurrent resolution (H. Con. Res. 1) was agreed to.

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#### WELCOMING SUPPORT OF EUROPEAN NATIONS FOR THE ENFORCEMENT OF U.N. SECURITY COUNCIL RESOLUTION 1441

Mr. FRIST. Madam President, I ask unanimous consent that the Foreign Relations Committee be discharged from further consideration of S. Con. Res. 4 and that the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. The clerk will state the concurrent resolution by title.

The legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 4) welcoming the expression of support of 18 European nations for the enforcement of United Nations Security Council Resolution 1441.

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

Mr. McCAIN. Madam President, after leading the U.S. congressional delegation to the Munich Conference on Security Policy last weekend, Senator LIEBERMAN and I introduced this resolution to thank 18 Europeans for standing with us in demanding that Security Council resolutions against Iraq be enforced. Contrary to what you may read in the press, and despite shrill objections from Paris and Berlin, most European governments believe Iraq must be held to account for its defiance of Security Council Resolution 1441. France and Germany are isolated within Europe in their approach to enforcing, or in their case failing to enforce, Security Council resolutions regarding Iraq.

Recent actions by Paris and Berlin in the most important international fora—the Security Council, the North Atlantic Council, and the European Union—raise serious doubts among nations on both sides of the Atlantic about their commitment to multilateral diplomacy and cause real damage to those institutions.

The French and German objection, for reasons of calculated self-interest—a very flawed calculation, I fear—to a routine request to the North Atlantic Council to upgrade Turkey's defenses

against the military threat from Iraq was a terrible injury to an Alliance that has served their broader interests well. For over three weeks, the United States, with fourteen of our eighteen European allies in the North Atlantic Council, has supported this necessary action, but has confronted a new unilateralism conceived in Paris and Berlin, a unilateralism that exposed the sneering in those capitals about the impulsive cowboy in the White House for the vacuous posturing and obvious misdirection it is.

Whatever NATO decides, Franco-German unilateralism will have a lasting impact on trans-Atlantic security calculations. If this minority French-German obstruction is not overcome, France and Germany will have to answer to those who argue that Iraq could be to NATO what Abyssinia was to the League of Nations.

The United Nations Security Council risks that same fate should it fail to hold Iraq accountable for its defiance. Patient American and British diplomacy at the U.N. delivered a unanimous vote in favor of Council Resolution 1441. France played a key role in negotiating the resolution and knew what they were voting for, Germany was fully aware of the debate as it prepared to assume the Council presidency in January. Americans, and many Europeans, were therefore astonished when France and Germany announced in advance of further consideration of the problem of Iraq that under no circumstances would they support enforcing the resolution's terms against Iraq.

The behavior of France and Germany has set back European unity and created a divided front that makes Iraq's peaceful disarmament less likely. Nations across Europe that have recently expressed a different view of multilateral obligations, including some of our oldest allies and our newest friends, expose the myth that France and Germany speak for Europe.

The majority of Europe's democracies have spoken, and their message could not be clearer. Most European governments support the Security Council's clear mandate to require Iraq's full disarmament and do not shrink from the grave responsibilities such a commitment entails. Most European government understand clearly that if the Security Council fails to enforce its demands of Iraq, the Council risks impotence and irrelevance. In short, most European governments behave like allies that are willing to meet their responsibilities to uphold international peace and security in defense of our common values.

As the foreign ministers of Romania, Bulgaria, Estonia, Latvia, Lithuania, Slovakia, Slovenia, Croatia, Albania, and Macedonia have declared, "the clear and present danger posed by Saddam Hussein's regime requires a united response from the community of democracies. We call upon the U.N. Security Council to take the necessary and appropriate action in response to Iraq's

continuing threat to international peace and security."

As the leaders of Britain, Spain, Italy, Poland, Hungary, the Czech Republic, Denmark, and Portugal have written, "Resolution 1441 is Saddam Hussein's last chance to disarm using peaceful means. The opportunity to avoid greater confrontation rests with him. . . . [T]he Security Council must maintain its credibility by ensuring full compliance with its resolutions. We cannot allow a dictator to systematically violate those resolutions. If they are not complied with, the Security Council will lose its credibility and world peace will suffer as a result."

We thank this European majority for standing with us.

I ask unanimous consent that two pieces of supporting material be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### UNITED WE STAND

The real bond between the U.S. and Europe is the values we share: democracy, individual freedom, human rights and the rule of law. These values crossed the Atlantic with those who sailed from Europe to help create the United States of America. Today they are under greater threat than ever.

The attacks of Sept. 11 showed just how far terrorists—the enemies of our common values—were prepared to go to destroy them. Those outrages were an attack on all of us. In standing firm in defense of these principles, the governments and people of the U.S. and Europe have amply demonstrated the strength of their convictions. Today more than ever, the trans-Atlantic bond is a guarantee of our freedom.

We in Europe have a relationship with the U.S. which has stood the test of time. Thanks in large part to American bravery, generosity and farsightedness, Europe was set free from the two forms of tyranny that devastated our continent in the 20th century: Nazism and communism. Thanks, too, to the continued cooperation between Europe and the U.S. we have managed to guarantee peace and freedom on our continent. The trans-Atlantic relationship must not become a casualty of the current Iraqi regime's persistent attempts to threaten world security.

In today's world, more than ever before, it is vital that we preserve that unity and cohesion. We know that success in the day-to-day battle against terrorism and the proliferation of weapons of mass destruction demands unwavering determination and firm international cohesion on the part of all countries for whom freedom is precious.

The Iraqi regime and its weapons of mass destruction represent a clear threat to world security. This danger has been explicitly recognized by the U.N. All of us are bound by Security Council Resolution 1441, which was adopted unanimously. We Europeans have since reiterated our backing for Resolution 1441, our wish to pursue the U.N. route, and our support for the Secretary Council at the Prague NATO Summit and the Copenhagen European Council.

In doing so, we sent a clear, firm and unequivocal message that we would rid the world of the danger posed by Saddam Hussein's weapons of mass destruction. We must remain united in insisting that his regime be disarmed. The solidarity, cohesion and deter-

mination of the international community are our best hope of achieving this peacefully. Our strength lies in unity.

The combination of weapons of mass destruction and terrorism is a threat of incalculable consequences. It is one at which all of us should feel concerned. Resolution 1441 is Saddam Hussein's last chance to disarm using peaceful means. The opportunity to avoid greater confrontation rests with him. Sadly this week the U.N. weapons inspectors have confirmed that his long-established pattern of deception, denial and noncompliance with U.N. Security Council resolutions is continuing.

Europe has no quarrel with the Iraqi people. Indeed, they are the first victims of Iraq's current brutal regime. Our goal is to safeguard world peace and security by ensuring that this regime gives up its weapons of mass destruction. Our governments have a common responsibility to face this threat. Failure to do so would be nothing less than negligent to our own citizens and to the wider world.

The U.N. Charter charges the Security Council with the task of preserving international peace and security. To do so, the Security Council must maintain its credibility by ensuring full compliance with its resolutions. We cannot allow a dictator to systematically violate those resolutions. If they are not complied with, the Security Council will lose its credibility and world peace will suffer as a result. We are confident that the Security Council will face up to its responsibilities.

#### STATEMENT OF THE VILNIUS GROUP COUNTRIES

Earlier today, the United States presented compelling evidence to the United Nations Security Council detailing Iraq's weapons of mass destruction programs, its active efforts to deceive UN inspectors, and its links to international terrorism.

Our countries understand the dangers posed by tyranny and the special responsibility of democracies to defend our shared values. The trans-Atlantic community, of which we are a part, must stand together to face the threat posed by the nexus of terrorism and dictators with weapons of mass destruction.

We have actively supported the international efforts to achieve a peaceful disarmament of Iraq. However, it has now become clear that Iraq is in material breach of U.N. Security Council Resolutions, including U.S. Resolution 1441, passed unanimously on November 8, 2002. As our governments said on the occasion of the NATO Summit in Prague: "We support the goal of the international community for full disarmament of Iraq as stipulated in the U.N. Security Council Resolution 1441. In the event of non-compliance with the terms of this resolution, we are prepared to contribute to an international coalition to enforce its provisions and the disarmament of Iraq."

The clear and present danger posed by the Saddam Hussein's regime requires a united response from the community of democracies. We call upon the U.N. Security Council to take the necessary and appropriate action in response to Iraq's continuing threat to international peace and security.

Mr. FRIST. Madam President, I ask unanimous consent that the concurrent resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, and that any statements relating to this matter be printed in the RECORD as if read.

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

The concurrent resolution (S. Con. Res. 4) was agreed to.

The preamble was agreed to.

The concurrent resolution, with its preamble, reads as follows:

S. CON. RES. 4

Whereas on November 8, 2002, the United Nations Security Council approved Security Council Resolution 1441 under Chapter VII of the United Nations Charter by a vote of 15-0, giving Iraq "a final opportunity to comply with its disarmament obligations";

Whereas on November 21, 2002, the North Atlantic Treaty Organization's North Atlantic Council unanimously approved a declaration stating, "We deplore Iraq's failure to comply fully with its obligations which were imposed as a necessary step to restore international peace and security and we recall that the Security Council has decided in its resolution to afford Iraq a final opportunity to comply with its disarmament obligations under relevant resolutions of the Council.";

Whereas the North Atlantic Council stated, "NATO Allies stand united in their commitment to take effective action to assist and support the efforts of the United Nations to ensure full and immediate compliance by Iraq, without conditions or restrictions, with United Nations Security Council Resolution 1441. We recall that the Security Council in this resolution has warned Iraq that it will face serious consequences as a result of its continued violation of its obligations.";

Whereas, on January 30, 2003, the Prime Ministers of Denmark, Italy, Hungary, Poland, Portugal, Spain, and the United Kingdom, and the President of the Czech Republic ("The Eight"), issued a declaration regarding Security Council Resolution 1441;

Whereas in their declaration, The Eight stated, "The transatlantic relationship must not become a casualty of the current Iraqi regime's persistent attempts to threaten world security. . . . The Iraqi regime and its weapons of mass destruction represent a clear threat to world security. This danger has been explicitly recognized by the United Nations. All of us are bound by Security Council Resolution 1441, which was adopted unanimously.";

Whereas The Eight stated, "Resolution 1441 is Saddam Hussein's last chance to disarm using peaceful means. The opportunity to avoid greater confrontation rests with him. . . . Our governments have a common responsibility to face this threat. . . . [T]he Security Council must maintain its credibility by ensuring full compliance with its resolutions. We cannot allow a dictator to systematically violate those resolutions. If they are not complied with, the Security Council will lose its credibility and world peace will suffer as a result.";

Whereas on February 5, 2003, the Foreign Ministers of Albania, Bulgaria, Croatia, Estonia, Latvia, Lithuania, Macedonia, Romania, Slovakia, and Slovenia ("The Ten") issued a declaration regarding Security Council Resolution 1441;

Whereas in their declaration, The Ten stated, "[T]he United States [has] presented compelling evidence to the United Nations Security Council detailing Iraq's weapons of mass destruction programs, its active efforts to deceive United Nations inspectors, and its links to international terrorism. . . . The transatlantic community, of which we are a part, must stand together to face the threat posed by the nexus of terrorism and dictators with weapons of mass destruction."; and

Whereas The Ten stated, "[I]t has now become clear that Iraq is in material breach of United Nations Security Council resolutions, including United Nations Resolution 1441. . . . The clear and present danger posed by Sad-

dam Hussein's regime requires a united response from the community of democracies. We call upon the United Nations Security Council to take the necessary and appropriate action in response to Iraq's continuing threat to international peace and security."; Now, therefore, be it

*Resolved by the Senate (the House of Representatives concurring), That Congress welcomes—*

(1) the expression of support from Albania, Bulgaria, Croatia, the Czech Republic, Denmark, Estonia, Hungary, Italy, Latvia, Lithuania, Macedonia, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, and the United Kingdom for Iraq's full compliance with Security Council Resolution 1441; and

(2) their expression of solidarity with the United States in calling for the demands of the Security Council to be met with regard to Iraq's full disarmament.

#### RECOGNIZING THE 92ND BIRTHDAY OF RONALD REAGAN

Mr. FRIST. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.J. Res. 19, which is at the desk.

The PRESIDING OFFICER. The clerk will state the joint resolution by title.

The legislative clerk read as follows:

A joint resolution (H.J. Res. 19) recognizing 92nd birthday of Ronald Reagan.

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

Mr. FRIST. Madam President, I ask unanimous consent that the joint resolution be read the third time and passed, the preamble be agreed to, the motion to reconsider be laid upon the table, and that any statements relating to this matter be printed in the RECORD as if read.

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

The joint resolution (H.J. Res. 19) was read the third time and passed.

The preamble was agreed to.

#### DISCHARGE AND REFERRAL OF S. RES. 55

Mr. FRIST. Madam President, I ask unanimous consent that the Small Business Committee be discharged from further action on S. Res. 55 and that the matter be referred to the Committee on Rules and Administration.

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

#### CONGRATULATING UNIVERSITY OF PORTLAND WOMEN'S SOCCER TEAM FOR WINNING THE 2002 NCAA DIVISION I NATIONAL CHAMPIONSHIP

Mr. FRIST. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 59, which was introduced earlier today by Senators WYDEN and SMITH.

The PRESIDING OFFICER. The clerk will state the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 59) congratulating the University of Portland Women's Soccer Team for winning the 2002 NCAA Division I National Championship.

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

Mr. WYDEN. Madam President, I offer this resolution with Senator SMITH to congratulate the University of Portland women's soccer team for winning the 2002 NCAA Division I National Championship.

This championship team achieved a lot of firsts. The women's soccer team is the first to bring home a national championship in any sport for the University of Portland. As the eighth seed in the NCAA tournament, the University of Portland Pilots were the lowest seeded team to ever win the national title in the women's national championship 21 year history. Sophomore player Christine Sinclair made a first by setting an NCAA tournament record with 21 points on 10 goals and 1 assist. The Pilots' road to victory included defeating 7 nationally ranked opponents, including the reigning champion, Santa Clara University.

I am proud of these young women and their tremendous accomplishment. In this day when Title IX of the Education Amendments is under challenge, we cannot forget that women like those of the University of Portland champion soccer team are direct beneficiaries of Title IX. Title IX has provided girls and women with equal opportunities in athletics. Before Title IX was enacted in 1972, only one in 17 high school girls played team sports—now that number is one in 2.5. Title IX has helped our Nation develop fantastic athletes like the young women I am here to congratulate. We must continue to encourage these athletes, and provide them with our full support.

Mr. FRIST. Madam President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, and that any statements relating to this matter be printed in the RECORD as if read.

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

The resolution (S. Res. 59) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 59

Whereas, on December 8, 2002, the University of Portland women's soccer team captured its first ever undisputed collegiate national soccer championship;

Whereas the 2002 National Collegiate Athletic Association Division I title is the first championship in any sport for the University of Portland;

Whereas the University of Portland Pilots' 20-4-1 record in 2002 tied the record for wins in a season in University of Portland women's soccer history;

Whereas head coach Clive Charles, the University of Portland director of women's and men's soccer, has successfully built a nationally recognized collegiate soccer program,