

The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 4548) to authorize appropriations for fiscal year 2005 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

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

Mr. FRIST. I ask unanimous consent all after the enacting clause be stricken and the text of S. 2386, as passed, be inserted in lieu thereof, the bill, as amended, be read a third time and passed, and the motions to reconsider be laid on the table, the Senate insist upon its amendment and request a conference with the House on the disagreeing votes of the two Houses, and the Chair be authorized to appoint conferees on behalf of the Senate consisting of the entire committee.

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

The bill (H.R. 4548), as amended, was read the third time and passed.

The PRESIDING OFFICER (Mr. SESSIONS) appointed Mr. ROBERTS, Mr. HATCH, Mr. DEWINE, Mr. BOND, Mr. LOTT, Ms. SNOWE, Mr. HAGEL, Mr. CHAMBLISS, Mr. WARNER, Mr. ROCKEFELLER, Mr. LEVIN, Mrs. FEINSTEIN, Mr. WYDEN, Mr. DURBIN, Mr. BAYH, Mr. EDWARDS, and Ms. MIKULSKI conferees on the part of the Senate.

AUTHORIZATION TO SIGN BILLS AND RESOLUTIONS

Mr. FRIST. I ask unanimous consent that during the adjournment of the Senate, the majority leader, the junior Senator from Alabama, and the senior Senator from Virginia be authorized to sign duly enrolled bills on joint resolutions.

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

AUTHORITY FOR COMMITTEES TO REPORT

Mr. FRIST. I ask unanimous consent that notwithstanding the Senate's adjournment, committees be authorized to report legislative and executive matters on November 10, from 10 a.m. to 12 noon.

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

AUTHORIZING THE PRESIDENT OF THE SENATE, THE PRESIDENT PRO TEMPORE, AND THE MAJORITY AND MINORITY LEADERS TO MAKE APPOINTMENTS

Mr. FRIST. Mr. President, I ask unanimous consent that notwithstanding the upcoming recess or adjournment of the Senate, the President of the Senate, the President pro tempore, and the majority and minority leaders be authorized to make appointments to commissions, committees,

boards, conferences, or interparliamentary conferences authorized by law, by concurrent action of the two Houses, or by order of the Senate.

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

ORDER THAT ALL NOMINATIONS TO REMAIN STATUS QUO

Mr. FRIST. As in executive session I ask unanimous consent that during the upcoming adjournment of the Senate, all nominations remain status quo.

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

AMENDING THE AGRICULTURAL ADJUSTMENT ACT

Mr. FRIST. I ask unanimous consent the Senate now proceed to consideration of H.R. 2984, which is at the desk.

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

The legislative clerk read as follows:

A bill (H.R. 2984) to amend the Agricultural Adjustment Act to remove the requirement that processors be members of an agency administering a marketing order applicable to pears.

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

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

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

The bill (H.R. 2984) was read the third time and passed.

PENDING NOMINATIONS

Mr. FRIST. Mr. President, we are on our final stretch. Before we leave for our adjournment prior to the election, I do want to take a couple of minutes to talk about the pending nominations.

The pending nominations have become an issue because it has gotten longer and longer and longer, in terms of the list. I am very disappointed. We have had a hugely successful session. The last 6 weeks and the last 3 days have been tremendously productive, but I am very disappointed that we leave here today stranding about, I believe it is 153 pending nominations that are on the Executive Calendar today. All of us have noted the calendar gets thicker and thicker, and it is because there are 153 nominations that are being held up.

For my colleagues, all of them know, but for others listening, these nominations have all been received from the President. The President has made the nominations. All of them have gone through the committee process. All are now available for Senate consideration.

That is our responsibility. But now in the last few moments before we finished our business—I am not going to go through the details why, I am not going to rehash why. But we find our-

selves in a stalled position with 153 nominees right here who are being obstructed. Some on the other side of the aisle have said they have nominations which they want considered and until that happens everybody is going to be held up. Indeed, that is what has happened. It is a scorched-earth-type policy which should not be tolerated. I am troubled by it. I hear such words as, Well, if I can't have my person or the White House is not sending up the person that I asked for, I am going to punish everybody. That is what has happened.

We have 153 people who are on the calendar who are ready and available to go. Many of them have put their lives on hold. They have dedicated themselves to public service. They have gone all the way through the system and they came to this point—to the floor right here—and they are obstructed.

On the calendar, ready and available to go are ambassadorships, critical ambassadorships, for example, to Qatar, Estonia, they are representatives to the United Nations who are being held up, nominations to the Department of Housing and Urban Development positions, various positions at the Environmental Protection Agency, to the Chemical Safety and Hazard Investigation Board, to the Department of Education nominations, the Veterans Affairs Assistant Secretary being held up, and nominations to African Development being held up. There are more than 25 pages of nominations being held up.

These are real people. These are not just names on the calendar. These are real people. They have subjected themselves to the process. They said, Yes, I am willing to serve, but they are being obstructed. Most of these nominations have gone all the way through the system without any opposition and for most there is absolutely no controversy with their particular nomination. But they are being held hostage. They are being held hostage, I believe unreasonably, and it should not be tolerated. It is within a Senator's right to do that, but to me it is just wrong. These are people committed to public service. There is no controversy about them as individuals. They are being held hostage.

I understand this is not the first time we failed to act on nominations or the first time nominations have been held up to unrelated issues.

But I am disappointed that there are Members in this body who have taken to such an extreme position—25 pages of nominations.

This whole concept of putting blanket holds on everybody and holding everybody hostage simply is not appropriate and I believe is a disservice to the country. But that is what is happening. To me it is not responsible. It is not legislating responsibly.

Senators do have those individual rights, and, boy, we have seen individual rights being used today and yesterday and the day before. Those are the rules of the Senate.

But again, I plea that people respect this process and be reasonable and allow these nominations to be considered and taken up in a way which allows us to act on these deserving people in a reasonable way—a way that would allow us to proceed with our constitutional duties.

The Senate has to approve these individuals with advice and consent. We can't give advice and consent if there is this wholesale obstruction.

Again, I wanted to make sure everybody is heard in the nomination process. But the obstruction of not being able to consider them is unreasonable.

With all that said—I said I wasn't going to rehash the why's—I am very disturbed by the process and disappointed by Senate colleagues.

With that said, we will return in November. I hope that once past the election—if that is why there is this wholesale hostage holding, if that is why it is, once we get past the election being settled—we will be able to focus our attention on the calendar.

I hope we can return to the regular order and allow the Senate to act on these nominees. These are people who believe in public service. I believe public service and their consideration of public service is a noble cause. Let's not leave them on hold indefinitely. Many of them are listening to the fact that they will not get through to me right now.

COLUMBUS DAY

Mr. FRIST. Mr. President, today is Columbus Day. When we look back on the history of Columbus Day and the history in this body, it was October 12 of 1492, the sailor onboard the Pinta landed, and the next day Christopher Columbus and his three ships landed at the Bahamian Island, ending a nearly 10-week journey across the Atlantic.

Today, as we have been working here all day, people have been celebrating Columbus Day all over the United States. It is the day to honor Christopher Columbus's sense of bravery, his curiosity, his dream in making that dream come true, all of which are concepts that are still very much alive and well today in the spirit of Americans.

The first recorded celebration of Columbus Day took place on October 12, 1792. That was to commemorate the 300th anniversary of Columbus's landing. A century later, the first official celebration occurred when President Benjamin Harrison issued a proclamation urging Americans to mark the day. And over the next decades, the Knights of Columbus, a Roman Catholic fraternal order, lobbied State legislatures to declare October 12 an official holiday. Colorado was the first to do so in 1907, followed by New York in 1909. The Federal Government declared Columbus Day an official holiday in 1971.

As we have been working today and as we bring things to a close, we see all of the country marching in parades in our cities and towns, coming together to enjoy families and friends. When I finish, I will celebrate the birthday of my son, which has been put on hold until we adjourn, which will be shortly. It causes us to reflect a little bit about dreaming, curiosity, of the bravery that took place over 500 years ago.

SPACESHIPONE

Mr. FRIST. Mr. President, last week, *SpaceShipOne* completed its third successful flight into space. Burt Rutan, Brian Binnie, Michael Melvill, and their colleagues on the Tier One Project team deserve a place on the honor roll of our Nation's greatest explorers and innovators. Their bravery, ingenuity, and hard work have launched the age of commercial space flight. I also commend the men and women who had the vision to establish the Ansari X Prize. They all had dreams—and they, with American spirit, captured their dream.

America has always been on the cutting edge of space travel. We landed the first people on the moon, performed the first docking in space, made the first successful soft landings on Mars, and built the world's first fleet of reusable spacecraft. We have explored eight of the nine planets and returned a treasure trove of information about our moon, asteroids, and comets.

As I speak, our spacecraft beam back scientific data from Mars, Saturn, and the orbit of our own planet. Soon, a spacecraft will begin to send data from Mercury and another will return from a close encounter with a comet.

Through NASA's Discovery Program, universities and research labs work in partnership with Washington policy makers to return valuable information about asteroids and our sun. And last, but not least, we have spearheaded the 16-nation effort to build and crew the International Space Station.

America will continue to push the outer reaches of space exploration. We will return the space shuttle to flight, finish the International Space Station, continue our efforts to explore the Moon, Mars, comets, asteroids, and outer planets. We will also send more humans into space. In doing this, we will achieve the President's goal to "extend human presence across the solar system."

The successful launch of *SpaceShipOne* shows that the private sector can achieve spectacular successes. In the future, entrepreneurs will launch many of the routine spaceflight activities in low earth orbit.

In time, privately financed, privately directed innovators will press forward with the exploration of the Moon and Mars. Space offers extraordinary potential for commerce and adventure, for new innovations and new tests of will. As Americans, we can't help but

reach for the stars. It's our nature. It's our destiny.

The President's Centennial Challenges program encourages the private sector's efforts to fulfill this dream. His program is providing incentives for inventors and entrepreneurs to develop less expensive spacecraft, improve robotic technology, and encourage future astronauts.

The President supports a vigorous role for government in exploring places beyond our planet. He believes in the promise of space exploration. And he believes, as I do, that, in time, private citizens and entrepreneurs will lead humankind to the stars.

APPOINTMENT OF CONFEREES—S. 2845

The PRESIDING OFFICER. Pursuant to the order of October 10, the Chair appoints the following conferees on S. 2845:

The Presiding Officer (Mr. SESSIONS) appointed Ms. COLLINS, Mr. LOTT, Mr. DEWINE, Mr. ROBERTS, Mr. VOINOVICH, Mr. SUNUNU, Mr. COLEMAN, Mr. LIEBERMAN, Mr. LEVIN, Mr. DURBIN, Mr. ROCKEFELLER, Mr. GRAHAM of Florida, and Mr. LAUTENBERG conferees on the part of the Senate.

ORDERS FOR TUESDAY, NOVEMBER 16, 2004

Mr. FRIST. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment under the provisions of H. Con. Res. 518 until 12 o'clock noon on Tuesday, November 16; I further ask 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 there then be a period of morning business until the hour of 12:30, with Senators to speak for up to 5 minutes each.

I further ask consent that the Senate recess from the hours of 12:30 to 2:15 for the weekly policy luncheon; provided further that at 2:15 the Senate begin executive session for the consideration of Executive Calendar No. 915, Francis Harvey, to be Secretary of the Army as provided under the previous order.

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

PROGRAM

Mr. FRIST. Mr. President, in a moment we will be adjourning until November 16. As always, the adjournment resolution provides for both Houses of Congress to be called back into session if the public interest shall warrant it. If it were necessary for the Senate to reconvene prior to this November 16 date, certainly Senators would be given ample time to make arrangements.

If not called back, we would reconvene on that Tuesday, November 16. During that week, the Senate will try