

AMENDING SECTION 227 OF COMMUNICATIONS ACT OF 1934 RELATING TO JUNK FAX TRANSMISSIONS

Mr. FRIST. I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 741, S. 2603.

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

The legislative clerk read as follows:

A bill (S. 2603) to amend section 227 of the Communications Act of 1934 (47 U.S.C. 227) relating to the prohibition on junk fax transmissions.

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

Mr. FRIST. I ask unanimous consent that the McCain amendment at the desk be agreed to, the bill, as amended, be read a third time, 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 amendment (No. 4086) in the nature of a substitute was agreed to.

(The amendment is printed in today's RECORD under "Text of Amendments.")

The bill (S. 2603), as amended, was read the third time and passed.

INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2005

Mr. FRIST. I ask unanimous consent that the Senate now proceed to the conference report to accompany H.R. 4548, the intelligence reauthorization bill, provided that the conference report be adopted, the motion to reconsider be laid upon the table, and that any statements relating to the conference report be printed in the RECORD.

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

The conference report was agreed to.

CASTILLO DE SAN MARCOS NATIONAL MONUMENT PRESERVATION AND EDUCATION ACT

LAND EXCHANGE IN EVERGLADES NATIONAL PARK

Mr. FRIST. Mr. President, I ask unanimous consent that the Energy Committee be discharged from further consideration of H.R. 2457 and the Senate proceed to its consideration in conjunction with Calendar No. 653, H.R. 3785, en bloc.

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

The clerk will report the bills by title.

The legislative clerk read as follows:

A bill (H.R. 2457) to authorize funds for an educational center for the Castillo de San Marcos National Monument, and for other purposes.

A bill (H.R. 3785) to authorize the exchange of certain land in Everglades National Park.

There being no objection, the Senate proceeded to consider the bills en bloc.

Mr. FRIST. I ask unanimous consent that the bills be read a third time, passed en bloc, the motions to reconsider be laid upon the table, and that any statements be printed in the RECORD.

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

The bill (H.R. 2457) was read the third time and passed.

The bill (H.R. 3785) was read the third time and passed.

AUTHORIZING SALARY ADJUSTMENTS FOR JUSTICES AND JUDGES OF THE UNITED STATES FOR FISCAL YEAR 2005

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 5363, 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. 5363) to authorize salary adjustments for Justices and judges of the United States for fiscal year 2005.

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

Mr. FRIST. I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table without any intervening action or debate, and any statements be printed in the RECORD.

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

The bill (H.R. 5363) was read the third time and passed.

AMERICAN BALD EAGLE RECOVERY AND NATIONAL EMBLEM COMMEMORATIVE COIN ACT

Mr. FRIST. I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 4116, 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. 4116) to require the Secretary of the Treasury to mint coins celebrating the recovery and restoration of the American bald eagle, the national symbol of the United States, to America's lands, waterways, and skies and the great importance of the designation of the American bald eagle as an "endangered" species under the Endangered Species Act of 1973, and for other purposes.

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

Mr. FRIST. Mr. President, I do want to say a word about H.R. 4116, a bill requiring the U.S. Mint to produce coins celebrating the recovery and restoration of America's greatest symbol; that is, the American bald eagle. The proceeds from these coin sales will be used to establish the American Eagle Fund, which is a special endowment to assure the ongoing care and protection of this symbol of our freedom.

As many of our colleagues know, in 1782 our Nation's Founding Fathers established the bald eagle as the national emblem of the United States. Since

that point in time, the bald eagle has represented the spirit of America: our liberty, our freedom, our democracy, and our strength.

I mention consideration of this bill in part to give tribute to the extraordinary dedication and work of Al Cecere, who is president of the American Eagle Foundation, and his colleagues. The foundation is located in Pigeon Forge, TN. It is a remarkable foundation that cares for and studies and shares with the public several non-releasable eagles at Dollywood's Eagle Mountain Sanctuary, which is a very large aviary there.

Many Americans have seen this specific symbol as they watched the Foundation's most famous member, a beautiful bald eagle called Challenger, a truly majestic bird, because it makes regular appearances all over this country, at the U.S. Capitol and most of the major sporting events and other large indoor and outdoor gatherings throughout this country, all of which are celebrating the various aspects of American life.

I want to pay tribute to my colleague, Tennessee Senator LAMAR ALEXANDER, for his dedicated and diligent work of signing up 70 of our colleagues in support of the bill, and Senator LANDRIEU for being an original cosponsor of the Senate bill. I want to thank our House colleague, BILL JENKINS, for his extraordinary leadership on the issue. He took the lead there in signing up over 300 House cosponsors of the bill, assisted by several of his House colleagues, most particularly Congressman HAROLD FORD.

Again, a majestic bird, a majestic symbol of so much of what we do on the floor of the Senate, was honored through this bill, the American Bald Eagle Recovery and National Emblem Commemorative Coin Recovery Act.

Mr. ALEXANDER. Mr. President, I rise today to commend and thank my colleagues in the Congress for considering H.R. 4116, the American Bald Eagle Recovery and National Emblem Commemorative Coin Act. I was proud to sponsor the companion bill in the Senate.

The act authorizes the U.S. Mint to issue commemorative coins "celebrating the recovery and restoration of the American bald eagle, the national symbol of the United States, to America's lands, waterways, and skies" in 2008. The proceeds from these coins, which are expected to exceed \$1 million, will go to the American Eagle Foundation of Pigeon Forge, TN. The foundation intends to use these funds for a national competitive grant program to support eagle recovery, education, and other related conservation efforts.

The American bald eagle is not just another bird. It is one of the most recognized symbols of our Nation. Since the Second Continental Congress selected the bald eagle as our national emblem in 1782, the image of the bald eagle has come to represent two core

values for all Americans: freedom and democracy.

Like the bald eagle, the American Eagle Foundation is not just a Tennessee treasure, but a national one. The work done by the American Eagle Foundation has been critical to helping bring the American bald eagle back from the brink of extinction. The bald eagle now soars above every State except Hawaii. With the continued success of programs and efforts of the American Eagle Foundation and other groups, the American bald eagle may soon be "de-listed" from the Endangered Species Act.

Senator LANDRIEU and I have worked hard to pass this bill in the Senate, and Tennessee Congressmen BILL JENKINS and HAROLD FORD led the bipartisan effort in the House of Representatives. Al Cecere, President of the American Eagle Foundation, worked tirelessly to assemble a national coalition of eagle supporters, and his face has been a welcome sight in the halls of Congress over the last year.

Al was regularly accompanied by Challenger, a 16-year-old American bald eagle that has brought this campaign to life. Many Americans have seen Challenger perform, flying into the World Series, professional and college football games, and other events. Now many Congressmen and Senators have met Challenger, too.

We should all be proud to have taken this step, today, to commemorate and support our national symbol, the American bald eagle.

Mr. FRIST. 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 be printed in the RECORD.

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

The bill (H.R. 4116) was read the third time and passed.

PRESIDENTIAL RUNOFF ELECTION IN UKRAINE

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 487 which was submitted earlier today.

The PRESIDING OFFICER (Mr. WARNER). The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 487) expressing the sense of the Senate regarding the November 21, 2004, Presidential runoff election in Ukraine.

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

Mr. REID. Mr. President, over the last 17 days we have all watched with interest as the human yearning for freedom surged through the streets of Ukraine.

After an election marred by vast fraud and corruption, hundreds of thousands of supporters of the opposition candidate, Mr. Yushchenko, have raised their voices for democracy, legitimacy and fairness.

The Senate has condemned the widespread fraud in the November 21 runoff between Mr. Yushchenko and Prime Minister Yanukovich, and called for a peaceful resolution to the political situation in Ukraine.

The rule of law must prevail. Fair and free elections are what the hundreds of thousands of Ukrainian demonstrators have been demanding. I am pleased that the Senate is going to pass this resolution expressing support for a peaceful and legal outcome that represents the will of the Ukrainian people.

Mr. FRIST. Mr. 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.

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

The resolution (S. Res. 487) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 487

Whereas on November 21, 2004, Ukraine held a presidential runoff election between former Prime Minister and opposition candidate Victor Yushchenko and current Prime Minister Victor Yanukovich;

Whereas the Ukrainian Central Election Commission reported that Mr. Yanukovich won 49.42 percent of the vote and Mr. Yushchenko won 46.7 percent of the vote in the runoff election, despite the fact that several exit polls indicated that Mr. Yushchenko secured significantly more votes than Mr. Yanukovich;

Whereas the International Election Observation Mission from the Organization for Security and Cooperation in Europe (OSCE) determined that the runoff election did not meet international standards for democratic elections, and specifically declared that state resources were abused to support the candidacy of Prime Minister Yanukovich;

Whereas the Committee of Voters of Ukraine, a nongovernmental electoral organization in Ukraine, reported on illegal voting by absentee ballot, multiple voting, assaults on electoral observers, journalists and the use of counterfeit ballots;

Whereas such reports of fraud were also echoed by Senator Richard Lugar of Indiana, Chairman of the Committee on Foreign Relations of the Senate, an observer to the runoff election designated by President George W. Bush;

Whereas since November 22, 2004, tens of thousands of people have engaged in peaceful demonstrations in Kiev, Ukraine, to protest the declaration by the Central Election Commission of Mr. Yanukovich as the winner of the runoff election;

Whereas antigovernment protests in support of opposition candidate Mr. Yushchenko took place in cities throughout Ukraine, and several city councils adopted resolutions that declared Mr. Yushchenko as the legally elected president;

Whereas on November 23, 2004, opposition candidate Mr. Yushchenko declared victory in the runoff election;

Whereas the United States has called for a complete and immediate investigation into the conduct of the runoff election to examine fully the reports of fraud and corruption;

Whereas the European Union has also stated that authorities in Ukraine must redress

election irregularities and that the reported results do not reflect the will of the people of Ukraine;

Whereas the Ukrainian Supreme Court blocked the publication of the official runoff election results stating that Mr. Yanukovich was the winner, thus preventing his inauguration as President of Ukraine until the court examined the reports of voter fraud;

Whereas on November 27, 2004, the Parliament of Ukraine passed a resolution declaring that there were violations of law during the runoff election but on November 30, 2004, with support from progovernment and communist parties, canceled the resolution;

Whereas 15 eastern and southern regions in Ukraine that supported the candidacy of Mr. Yanukovich threatened to split off from the country if an illegitimate president were to come to power;

Whereas on December 1, 2004, the Parliament of Ukraine passed a no confidence motion in the cabinet of Prime Minister Yanukovich as approximately 100,000 supporters of Mr. Yushchenko demonstrated in front of the parliament building;

Whereas Mr. Yanukovich and Mr. Yushchenko, along with European mediators and current Ukraine President Leonid Kuchma, began discussions on December 1, 2004, to attempt to work out a resolution to the standoff;

Whereas on December 3, 2004, the Ukrainian Supreme Court ruled that the November 21, 2004, runoff election was invalid and ordered a new vote on December 26, 2004;

Whereas on December 8, 2004, the Parliament of Ukraine passed electoral changes to reform the Central Election Commission and close loopholes for fraud, as well as constitutional changes to reduce the power of the President of Ukraine; and

Whereas the manner in which this crisis is resolved will have significant implications for the perceptions of the democratic institutions of Ukraine by the international community: Now, therefore, be it

Resolved, That the Senate—

(1) condemns the widespread fraud in the November 21, 2004, runoff presidential election in Ukraine; and

(2) supports a peaceful political and legal settlement in Ukraine that is based on the principles of democracy and reflects the will of the people of Ukraine.

RELIEF OF TANYA ANDREA GOUDEAU

Mr. FRIST. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of H.R. 530 and the Senate proceed to its immediate consideration.

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

The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 530) for the relief of Tanya Andrea Goudeau.

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

Mr. FRIST. Mr. President, I ask unanimous consent the bill be a third read time and 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. 530) was read a third time and passed.