

Whereas Reverend Oliver L. Brown died in 1961, and because the landmark United States Supreme Court decision bears his name, he is remembered as an icon for justice, freedom, and equal rights; and

Whereas the national importance of the *Brown v. Board of Education* decision had a profound impact on American culture, affecting families, communities, and governments by outlawing racial segregation in public education, resulting in the abolition of legal discrimination on any basis: Now therefore be it

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

(1) the Congress recognizes and honors the 50th anniversary of the Supreme Court decision in *Brown v. Board of Education of Topeka*;

(2) the Congress encourages all people of the United States to recognize the importance of the Supreme Court decision in *Brown v. Board of Education of Topeka*; and

(3) by celebrating the 50th anniversary of the *Brown v. Board of Education of Topeka*, the Nation will be able to refresh and renew the importance of equality in society.

AUTHORIZING DOCUMENT PRODUCTION BY COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 355 which was submitted earlier today.

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

The legislative clerk read as follows:

A resolution (S. Res. 355) to authorize the production of records by the Committee on Commerce, Science, and Transportation.

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

Mr. FRIST. Mr. President, the Committee on Commerce, Science, and Transportation has been conducting an oversight inquiry triggered by press reports and court records suggesting that United States Olympic sport athletes may have used banned performance-enhancing drugs without detection. As part of its inquiry, the committee obtained by subpoena documents from a federal criminal investigation regarding the alleged sale and distribution of such drugs to U.S. Olympic sport athletes.

After conducting a confidential review of the subpoenaed records, the committee held a closed hearing on May 5, 2004, to explore whether current U.S. Olympic sport athlete drug-testing policies, resources, and authority are sufficient to deter such athletes from using banned performance-enhancing drugs. The committee specifically considered the implications of the potential participation in this summer's Olympic Games of U.S. Olympic sport athletes who may have used banned performance-enhancing drugs. Representatives of the United States Olympic Committee and of the United States Anti-Doping Agency testified at the committee's hearing.

Both organizations have requested that the committee share the confiden-

tial records it received in the course of its inquiry with the U.S. Anti-Doping Agency, which is the independent agency that enforces anti-doping rules for the U.S. Olympic Committee and the Olympic sport federations. Both organizations have advised the committee that they view it as critical to the credibility and reputation of American sport that the U.S. Anti-Doping Agency obtain timely access to these records to enable it to use them as evidence, if justified, in disciplinary proceedings prior to the selection of the U.S. Olympic team that will compete in the 2004 Summer Olympic Games in Athens, Greece.

This resolution would authorize the chairman and ranking member of the Commerce Committee, acting jointly, to provide documents from the committee's inquiry to the U.S. Anti-Doping Agency in response to these requests.

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. 355) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 355

Whereas, the Committee on Commerce, Science, and Transportation has been conducting an inquiry into the potential use of banned performance-enhancing drugs by U.S. Olympic sport athletes;

Whereas, the Committee has received requests from both the U.S. Olympic Committee and the U.S. Anti-Doping Agency that the latter gain access to records of the Committee's inquiry;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate can, by administrative or judicial process, be taken from such control or possession but by permission of the Senate; and

Whereas, when it appears that evidence under the control or in the possession of the Senate is needed for the promotion of justice, the Senate will take such action as will promote the ends of justice consistent with the privileges of the Senate: Now, therefore, be it

Resolved, That the Chairman and Ranking Minority Member of the Committee on Commerce, Science, and Transportation, acting jointly, are authorized to provide to the U.S. Anti-Doping Agency the documents subpoenaed by the Committee regarding the potential use of banned performance-enhancing drugs by U.S. Olympic sport athletes.

CELEBRATING MOTHERHOOD

Mr. FRIST. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. Res. 348 and the Senate proceed to its immediate consideration.

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

The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 348) to protect, promote, and celebrate motherhood.

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

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 the resolution be printed in the RECORD.

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

The resolution (S. Res. 348) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 348

Whereas the second Sunday of May is observed as Mother's Day;

Whereas motherhood and childhood are entitled to special assistance;

Whereas mothers have a unique bond with their children;

Whereas the work of mothers is of paramount importance, but often undervalued and demeaned;

Whereas mothers' concerns about their children and their education should be supported by the national agenda;

Whereas a child's healthy relationship with the mother predicts higher self-esteem and resiliency in dealing with life events;

Whereas the complementary roles and contributions of fathers and mothers should be recognized and encouraged;

Whereas mothers have an indispensable role in building and transforming society to build a culture of life; and

Whereas mothers along with their husbands, form an emotional template for a child's future relationships: Now therefore, be it

Resolved, That the Senate—

(1) recognizes the importance of mothers to a healthy society; and

(2) calls on the people of the United States to observe Mother's Day by considering how society can better respect and support motherhood.

ORDERS FOR FRIDAY, MAY 7, 2004

Mr. FRIST. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. on Friday, May 7. I further ask that following the prayer and the pledge, the morning hour be deemed to have expired, the Journal of the proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and the Senate then begin a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

PROGRAM

Mr. FRIST. Mr. President, we have had a number of discussions as to how we might go about finishing the FSC/ETI JOBS bill. Unfortunately, we have

been unable to reach an agreement this afternoon and tonight. It appears it will be necessary to file cloture tomorrow. We will continue to discuss our options on Friday and early next week, but I do believe that it is now time for us to finish this bill. I am disappointed in the number of amendments that Members have indicated they intend to offer, many of which have nothing to do with the underlying bill.

At this point, I announce that no rollcall votes will occur on Friday, and all Members should be aware that the next rollcall vote can be expected Monday evening. I will say more on Monday's schedule tomorrow.

The PRESIDING OFFICER. The Senator from Nevada is recognized.

Mr. REID. Mr. President, I noticed in the statement of the leader—I think it was a fair statement—that many amendments have nothing to do with the underlying bill, and he didn't designate that only Democrats were contemplating amendments that may not be pertinent to the bill. I am disappointed we have not been able to complete this legislation, as I indicated earlier. We are very close.

I repeat very quickly, because I have said it before, we have four contentious amendments. The total time we would take would be an hour and 35 minutes. We have the Made in America amendment by Senator FEINGOLD; the Lautenberg amendment dealing with foreign subsidiaries doing business with terrorist nations; the Corzine amendment dealing with section 301, which is having the President enforce the trade laws; then we had unemployment compensation. I am disappointed that we have not been able to get to those because I think it is important that we are able to do this bill.

We are going to pass this bill. It is only a question of time. This bill is so important that we, the Congress, and the President cannot leave here without passing this legislation. This is a must-pass piece of legislation. It is only a question of how we get there. I think we would have been better off dealing with these amendments and going on to something else.

The leader made a decision that cloture must be filed, and time will only tell whether cloture will be invoked. We have heard there may be an opportunity to vote on at least one of the contentious amendments. I hope that is the case. That may make things a little better. Everybody has tried hard and, in my opinion, it is not the fault of the managers of the bill. I know they have devoted a lot of time, energy, and effort to this most important piece of legislation. I understand where we are procedurally. I understand what the leader has stated.

Mr. FRIST. Mr. President, very briefly, in response, we have had a very productive week. As I set out really 2 weeks ago, and again last Friday and Monday, I agreed that we would work hard every day this week and we would consider relevant amendments, and we

would consider amendments that may not be considered relevant on both sides of the aisle, and we have indeed considered germane amendments that really pertain to and are germane to the bill, and nongermane amendments. It is a matter of definition. We have done just that on Monday, Tuesday, Wednesday, and Thursday.

We have reached the end of the week, having cast votes on a number of amendments and accepted others, working together. I, too, congratulate the managers for working together and moving this bill forward.

At this juncture, we plan on filing cloture tomorrow, and that means we will still, once cloture is obtained—I hope it is obtained—we still will be considering germane amendments to the underlying bill. We have had a productive week and considered a lot of amendments.

Although there is some disagreement about the best approach, I want to bring this to a close. We will have amendments in the early part of next week and they will be germane amendments.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. FRIST. 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 8:09 p.m., adjourned until Friday, May 7, 2004, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate May 6, 2004:

DEPARTMENT OF STATE

RALPH LEO BOYCE, JR., OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE KINGDOM OF THAILAND.

JOHN MARSHALL EVANS, OF THE DISTRICT OF COLUMBIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF ARMENIA.

JOHN D. ROOD, OF FLORIDA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE COMMONWEALTH OF THE BAHAMAS.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE 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. B. KOHLER JEFFREY, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE 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. JOHN F. REGNI, 0000

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS 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. JAMES N. MATTIS, 0000

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

To be brigadier general

COL. RANDOLPH D. ALLES, 0000
COL. JOSEPH F. DUNFORD JR., 0000
COL. PAUL E. LEFEBVRE, 0000
COL. RICHARD P. MILLS, 0000
COL. MARTIN POST, 0000

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS CHIEF OF THE BUREAU OF MEDICINE AND SURGERY AND SURGEON GENERAL AND FOR APPOINTMENT TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 601 AND 5137:

To be vice admiral

REAR ADM. DONALD C. ARTHUR JR., 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

REAR ADM. JUSTIN D. MCCARTHY, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

REAR ADM. JONATHAN W. GREENERT, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

REAR ADM. KEVIN J. COSGRIFF, 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

REAR ADM. (LH) ALAN S. THOMPSON, 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. PETER M. GRANT III, 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

REAR ADM. (LH) NANCY J. LESCAVAGE, 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. MARK W. BALMERT, 0000

CONFIRMATIONS

Executive nominations confirmed by the Senate May 6, 2004:

DEPARTMENT OF STATE

SCOTT H. DELISI, OF MINNESOTA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE STATE OF ERITREA.

AUBREY HOOKS, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF COTE D'IVOIRE.

CRAIG A. KELLY, OF CALIFORNIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF CHILE.

THOMAS BOLLING ROBERTSON, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF SLOVENIA.

MARC MCGOWAN WALL, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF CHAD.

JOHN CAMPBELL, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE FEDERAL REPUBLIC OF NIGERIA.

MICHAEL CHRISTIAN POLT, OF TENNESSEE, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO SERBIA AND MONTENEGRO.