

(B) bear the likeness of former President Ronald Reagan on the obverse side; and

(C) bear a design on the reverse side that is similar to the depiction of an American eagle carrying an olive branch, flying above a nest containing another eagle and hatchlings, as depicted on the 2001 American Eagle Gold Proof coins.

(2) DESIGNATION AND INSCRIPTIONS.—On each coin minted under this Act, there shall be—

- (A) a designation of the value of the coin;
- (B) an inscription of the year “2005”; and
- (C) inscriptions of the words “Liberty”, “In God We Trust”, “United States of America”, and “E Pluribus Unum”.

(b) DESIGN SELECTION.—The design for the coins minted under this Act shall be—

(1) selected by the Secretary, after consultation with the Commission of Fine Arts; and

(2) reviewed by the Citizens Commemorative Coin Advisory Committee.

#### SEC. 5. ISSUANCE OF COINS.

(a) QUALITY OF COINS.—Coins minted under this Act shall be issued in uncirculated and proof qualities.

(b) MINT FACILITY.—Only one facility of the United States Mint may be used to strike any particular combination of denomination and quality of the coins minted under this Act.

(c) PERIOD FOR ISSUANCE.—The Secretary may issue coins minted under this Act only during the period beginning on January 1, 2005 and ending on December 31, 2005.

#### SEC. 6. SALE OF COINS.

(a) SALE PRICE.—The coins issued under this Act shall be sold by the Secretary at a price equal to the sum of—

- (1) the face value of the coins;
- (2) the surcharge provided in subsection (d) with respect to such coins; and
- (3) the cost of designing and issuing the coins (including labor, materials, dies, use of machinery, overhead expenses, marketing, and shipping).

(b) BULK SALES.—The Secretary shall make bulk sales of the coins issued under this Act at a reasonable discount.

(c) PREPAID ORDERS.—

(1) IN GENERAL.—The Secretary shall accept prepaid orders for the coins minted under this Act before the issuance of such coins.

(2) DISCOUNT.—Sale prices with respect to prepaid orders under paragraph (1) shall be at a reasonable discount.

(d) SURCHARGES.—All sales of coins issued under this Act shall include a surcharge established by the Secretary, in an amount equal to not more than—

- (1) \$50 per coin for the \$10 coin or \$35 per coin for the \$5 coin; and
- (2) \$10 per coin for the \$1 coin.

#### SEC. 7. DISTRIBUTION OF SURCHARGES.

(a) IN GENERAL.—Subject to section 5134(f) of title 31, United States Code, the proceeds from the surcharges received by the Secretary from the sale of coins issued under this Act shall be paid promptly by the Secretary to the Department of Health and Human Services to be used by the Secretary of Health and Human Services for the purposes of—

(1) providing grants to charitable organizations that assist families in their efforts to provide care at home to a family member with Alzheimer's disease; and

(2) increasing awareness and educational outreach regarding Alzheimer's disease.

(b) AUDITS.—Any organization or entity that receives funds from the Secretary of Health and Human Services under subsection (a) shall be subject to the audit requirements of section 5134(f)(2) of title 31, United States Code, with regard to such funds.

#### SEC. 8. FINANCIAL ASSURANCES.

(a) NO NET COST TO THE GOVERNMENT.—The Secretary shall take such actions as may be necessary to ensure that minting and issuing coins under this Act will not result in any net cost to the United States Government.

(b) PAYMENT FOR COINS.—A coin shall not be issued under this Act unless the Secretary has received—

- (1) full payment for the coin;
- (2) security satisfactory to the Secretary to indemnify the United States for full payment; or
- (3) a guarantee of full payment satisfactory to the Secretary from a depository institution, the deposits of which are insured by the Federal Deposit Insurance Corporation or the National Credit Union Administration Board.

### SUBMITTED RESOLUTIONS

#### SENATE RESOLUTION 376—CONGRATULATING THE SYRACUSE UNIVERSITY ORANGE MEN'S LACROSSE TEAM ON WINNING THE 2004 NCAA DIVISION I MEN'S LACROSSE NATIONAL CHAMPIONSHIP

Mrs. CLINTON (for herself and Mr. SCHUMER) submitted the following resolution; which was considered and agreed to:

S. RES. 376

Whereas on Monday, May 31, 2004, the Syracuse University Orange men's lacrosse team won the National Collegiate Athletic Association (NCAA) Division I men's lacrosse National Championship in Baltimore, Maryland;

Whereas this title represents the ninth National Championship for the Syracuse University men's lacrosse program, and the third NCAA Division I title for the men's lacrosse team in the past 5 years;

Whereas on May 31, 2004, the Orange men's lacrosse team defeated the Midshipmen of the United States Naval Academy by a score of 14 to 13;

Whereas the Orange were led by Michael Powell, a senior from Carthage, New York, who was voted Most Outstanding Competitor in the 2004 NCAA Division I men's lacrosse tournament;

Whereas Michael Powell completed his remarkable career as the leading scorer in the history of the Syracuse University men's lacrosse program by scoring the final and winning goal of the National Championship;

Whereas the Orange were supported in their title run by outstanding efforts from the entire team, including seniors Dan DiPietro, Nick Donatelli, Kevin Dougherty, Sean Lindsay, Brian Nee, and Alex Zink;

Whereas the Orange men's lacrosse head coach John Desko, a former All-American Defenseman and a member of the Orange lacrosse community since 1976, has led the Orange men's lacrosse team to 3 NCAA Division I titles since 1999;

Whereas the outstanding Orange men's lacrosse assistant coaches Roy Simmons III, Kevin Donahue, and Ryan Powell complement the strong leadership of head coach John Desko and deserve enormous credit for continuing the tradition of excellence in lacrosse at Syracuse University; and

Whereas the students, alumni, and staff of Syracuse University and the fans of Syracuse lacrosse should be congratulated for their longstanding commitment to and pride in the Orange men's lacrosse team: Now, therefore, be it

*Resolved*, That the Senate—

(1) congratulates the Syracuse University Orange men's lacrosse team for winning the 2004 NCAA Division I men's lacrosse National Championship;

(2) recognizes the achievements of all of the team's players, coaches, and support staff, and invites them to the United States Capitol Building to be honored; and

(3) directs the Secretary of the Senate to make available an enrolled copy of this resolution to Syracuse University for appropriate display.

#### SENATE RESOLUTION 377—CONGRATULATING THE LE MOYNE COLLEGE DOLPHINS MEN'S LACROSSE TEAM ON WINNING THE 2004 NCAA DIVISION II MEN'S LACROSSE NATIONAL CHAMPIONSHIP

Mrs. CLINTON (for herself and Mr. SCHUMER) submitted the following resolution; which was considered and agreed to:

S. RES. 377

Whereas on May 30, 2004, the Le Moyne College Dolphins men's lacrosse team won the National Collegiate Athletic Association (“NCAA”) Division II National Championship;

Whereas the Le Moyne College men's lacrosse team defeated Limestone College 11 to 10 in double overtime, with a game winning goal by junior attackman Brandon Spillet;

Whereas the NCAA Division II men's lacrosse title is the first National Championship won by any Le Moyne College athletic program in the history of the college;

Whereas Brandon Spillet scored 7 goals in the National Championship game and was named Most Outstanding Player in the NCAA Division II men's lacrosse championship game;

Whereas Dan Sheehan, head coach of the Le Moyne College men's lacrosse team, has been named Northeast 10 Conference Coach of the Year for the fourth consecutive season;

Whereas Coach Dan Sheehan, assisted by Brian Datellas, Kevin Michaud, and Bradley Carr, was the first head coach in the history of Le Moyne College lacrosse to earn a berth in the NCAA Division II men's lacrosse tournament;

Whereas the Dolphins were supported in their title run by outstanding efforts from the entire team, including seniors Travis Morgia, Corey Sullivan, Adam Carne, Rob Trowbridge, Pat Hooks, Chris Geng, Joel Dorchester, Justin Wnuk, and Dan Holdridge; and

Whereas the students, staff, alumni and friends of the Le Moyne College men's lacrosse team deserve much credit for their long-time dedication and loyalty to the building of a legacy for the Le Moyne Dolphins men's lacrosse team. Now, therefore, be it

*Resolved*, That the Senate—

(1) congratulates the Le Moyne College men's lacrosse team for winning the 2004 NCAA Division II National Championship;

(2) recognizes the achievements of the players, coaches, and support staff of the team and invites them to the United States Capitol Building to be honored; and

(3) directs the Secretary of the Senate to make available an enrolled copy of this resolution to Le Moyne College for appropriate display.

**SENATE RESOLUTION 378—DESIGNATING JUNE 14, 2004, AS “NATIONAL PLEDGE OF ALLEGIANCE TO THE FLAG DAY”**

Mr. CORNYN (for himself, Mrs. FEINSTEIN, Mr. CRAIG, Mr. GRASSLEY, Mr. CHAMBLISS, Mr. GRAHAM of South Carolina, and Mr. DEWINE) submitted the following resolution; which was considered and agreed to:

S. RES. 378

Whereas the United States flag is a unique symbol of the United States and its ideals;

Whereas millions of Americans instinctively look to the United States flag with reverence, in times of national crisis and triumph alike;

Whereas no other American symbol has been as universally honored as the United States flag;

Whereas the United States flag has always played a unique role in honoring the men and women of the Armed Forces who have died in defense of the United States;

Whereas to the countless families of loved ones who have died in defense of the United States, the United States flag is a treasured possession and a poignant memory of their loss;

Whereas the Second Continental Congress adopted the Stars and Stripes as the official flag of the United States on June 14, 1777;

Whereas Congress has designated June 14 as Flag Day (36 U.S.C. 110);

Whereas the Pledge of Allegiance is recited by millions of Americans who wish to demonstrate their loyalty and allegiance to the flag of the United States and to the republic for which it stands;

Whereas President Eisenhower signed into law the modern version of the Pledge of Allegiance on June 14, 1954 (Joint Resolution entitled “Joint Resolution to amend the pledge of allegiance to the flag of the United States of America”, Public Law 83-396, approved June 14, 1954), making Flag Day, 2004, the 50th anniversary of the modern version of the Pledge of Allegiance;

Whereas a 3-judge panel of the United States Court of Appeals for the Ninth Circuit ruled in *Newdow v. United States Congress*, 328 F.3d 466 (9th Cir. 2002), that the words “under God” in the Pledge of Allegiance violate the establishment clause of the first amendment of the Constitution of the United States when recited voluntarily by students in public schools;

Whereas on June 14, 2004, the Supreme Court issued a decision, *Elk Grove Unified School District v. Newdow* (docket number 02-1624), that reversed the decision of the United States Court of Appeals for the Ninth Circuit in the *Newdow* case solely on procedural grounds, but that leaves unresolved whether the Supreme Court agrees with the decision of the United States Court of Appeals for the Ninth Circuit to strike down the Pledge of Allegiance as unconstitutional;

Whereas Congress, in 1954, believed that it was acting constitutionally when it revised the Pledge of Allegiance;

Whereas the Senate believes that the Pledge of Allegiance, as revised in 1954 and as recodified in 2002 (4 U.S.C. 4), is a fully constitutional expression of patriotism; and

Whereas the Senate has twice acted by unanimous consent to authorize the Senate Legal Counsel to defend the constitutionality of the Pledge of Allegiance in the Federal courts (Senate Resolution 134, 108th Congress, agreed to May 8, 2003, and Senate Resolution 292, 107th Congress, agreed to June 26, 2002); Now, therefore, be it

*Resolved*, That the Senate—

(1) supports and reveres the United States flag and the Pledge of Allegiance;

(2) strongly disapproves of the decision by the 3-judge panel of the United States Court of Appeals for the Ninth Circuit in *Newdow v. United States Congress*; and

(3) hereby designates June 14, 2004, as “National Pledge of Allegiance to the Flag Day”.

**SENATE RESOLUTION 379—PROTECTING, PROMOTING, AND CELEBRATING FATHERHOOD**

Mr. BROWNBACK (for himself, Mr. BAYH, Mr. ALEXANDER, Mr. ALLEN, Mr. BENNETT, Mr. BUNNING, Mr. BURNS, Mr. COCHRAN, Mr. CORNYN, Mr. CRAPO, Mr. DOMENICI, Mr. FITZGERALD, Mr. HAGEL, Ms. LANDRIEU, Mr. LEVIN, Mr. LOTT, Mr. MILLER, Mr. SANTORUM, and Mr. TALENT) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 379

Whereas the third Sunday of June is observed as Father's Day;

Whereas fathers have a unique bond with their children which is often unrecognized;

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

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

Whereas fathers, along with their wives, form an emotional template for the future professional and personal relationships of a child;

Whereas the involvement of a father in the life of his child significantly influences economic and educational attainment and delinquency of the child; and

Whereas children who experience a close relationship with their fathers are protected from delinquency and psychological distress; Now, therefore, be it

*Resolved*, That the Senate recognizes the importance of fathers to a healthy society and calls on all the people of the United States to observe Father's Day by considering how society can better respect and support fatherhood.

**AMENDMENTS SUBMITTED & PROPOSED**

SA 3449. Mr. REID (for Mr. LEVIN) proposed an amendment to amendment SA 3322 proposed by Mr. ALLARD to the bill S. 2400, to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Services, and for other purposes.

**TEXT OF AMENDMENTS**

SA 3449. Mr. REID (for Mr. LEVIN) proposed an amendment to amendment SA 3322 proposed by Mr. ALLARD to the bill S. 2400, to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Services, and for other purposes; as follows:

Beginning on page 2, line 4, of the amendment, strike “not later than 30 days” and all that follows through the end and insert “on an expedited basis, except in cases in which the Secretary of State determines that addi-

tional time is required to complete a review of a technical assistance agreement or related amendment or a munitions license application for foreign policy or national security reasons, including concerns regarding the proliferation of ballistic missile technology.

(2) STUDY ON COMPREHENSIVE AUTHORIZATIONS FOR MISSILE DEFENSE.—The Secretary of State shall, in consultation with the Secretary of Defense, examine the feasibility of providing major project authorizations for programs related to missile defense similar to the comprehensive export authorization specified in section 126.14 of the International Traffic in Arms Regulations (section 126.14 of title 22, Code of Federal Regulations).

(3) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall, in consultation with the Secretary of Defense, submit to the Committee on Foreign Relations and the Committee on Armed Services of the Senate and the Committee on International Relations and the Committee on Armed Services of the House of Representatives a report on—

(A) the implementation of the expedited procedures required under paragraph (1); and

(B) the feasibility of providing the major project authorization for projects related to missile defense described in paragraph (2).

(b) DEPARTMENT OF DEFENSE PROCEDURES FOR EXPEDITED REVIEW OF LICENSES FOR THE TRANSFER OF DEFENSE ITEMS RELATED TO MISSILE DEFENSE.—

(1) PROCEDURES.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall, in consultation with the Secretary of State, prescribe procedures to increase the efficiency and transparency of the practices used by the Department of Defense to review technical assistance agreements and related amendments and munitions license applications related to international cooperation on missile defense that are referred to the Department.

(2) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretary of State, shall submit to the Committee on Armed Services and the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives a report—

(A) describing actions taken by the Secretary of Defense to coordinate with the Secretary of State the establishment of the expedited review process described in subsection (a)(1);

(B) identifying key defense items related to missile defense that are suitable for comprehensive licensing procedures; and

(C) describing the procedures prescribed pursuant to paragraph (1).

(c) DEFINITION OF DEFENSE ITEMS.—In this section, the term “defense items” has the meaning given that term in section 38(j)(4)(A) of the Arms Export Control Act (22 U.S.C. 2778(j)(4)(A)).

**SEC. 1069. POLICY ON NONPROLIFERATION OF BALLISTIC MISSILES.**

(a) POLICY.—It is the policy of the United States to develop, support, and strengthen international accords and other cooperative efforts to curtail the proliferation of ballistic missiles and related technologies which could threaten the territory of the United States, allies and friends of the United States, and deployed members of the Armed Forces of the United States with weapons of mass destruction.

(b) SENSE OF CONGRESS.—(1) Congress makes the following findings:

(A) Certain countries are seeking to acquire ballistic missiles and related technologies that could be used to attack the