

to meet to conduct a markup on Thursday, June 24, 2004, at 9:30 a.m. in Dirksen Senate Building Room 226.

Tentative Agenda

I. Nominations

Claude A. Allen to be U.S. Circuit Judge for the Fourth Circuit and Michael H. Watson to be U.S. District Judge for the Southern District of Ohio

II. Legislation

S. 1735, Gang Prevention and Effective Deterrence Act of 2003 [Hatch, Feinstein, Grassley, Graham, Chambliss, Cornyn, Schumer, Biden];

S. 1635, L-1 Visa, Intracompany Transferee, Reform Act of 2003 [Chambliss];

S.J. Res. 4, Proposing an amendment to the Constitution of the United States authorizing Congress to prohibit the physical desecration of the flag of the United States Act of 2003 [Hatch, Feinstein, Craig, Sessions, DeWine, Grassley, Graham, Cornyn, Chambliss, Specter, Kyl];

S. 1700, Advancing Justice through DNA Technology Act of 2003 [Hatch, Biden, Specter, Leahy, DeWine, Feinstein, Kennedy, Schumer, Durbin, Kohl, Edwards]; and

S. 2396, Federal Courts Improvement Act of 2004 [Hatch, Leahy, Chambliss, Durbin, Schumer]

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

SUBCOMMITTEE ON AVIATION

Mr. STEVENS. Mr. President, I ask unanimous consent that the Subcommittee on Aviation be authorized to meet on Thursday, June 24, 2004, at 9:30 a.m., on Security Screening Options for Airports.

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

SUBCOMMITTEE ON FORESTRY, CONSERVATION, AND RURAL REVITALIZATION

Mr. STEVENS. Mr. President, I ask unanimous consent that the Subcommittee on Forestry, Conservation and Rural Revitalization of the Committee on Agriculture, Nutrition, and Forestry be authorized to conduct a hearing during the session of the Senate on Thursday, June 24, 2004. The purpose of this meeting will be to review the implementation of the Healthy Forests Restoration Act.

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

SUBCOMMITTEE ON NATIONAL PARKS

Mr. STEVENS. Mr. President, I ask unanimous consent that the Subcommittee on National Parks of the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on Thursday, June 24, 2004, at 2:30 p.m. The purpose of the hearing is to receive testimony on S. 2543, to establish a program and criteria for national heritage areas in the United States, and for other purposes.

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

SUBCOMMITTEE ON SCIENCE, TECHNOLOGY AND SPACE

Mr. STEVENS. Mr. President, I ask unanimous consent that the Subcommittee on Science, Technology, and Space be authorized to meet on Thursday, June 24, 2004, at 2:30 p.m., on H.R. 2608—National Earthquake Hazards Reduction Program Reauthorization Act of 2003.

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

PRIVILEGES OF THE FLOOR

Mr. STEVENS. Mr. President, I ask unanimous consent that Steven Wackowski, an intern with the Defense Appropriations Subcommittee, Pete McAleer, a Defense fellow in Senator GREGG's office, and Brian Glackin, a Defense fellow in Senator COCHRAN's office, be granted privileges of the floor during the consideration of the fiscal year 2005 Defense appropriations bill.

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

Mr. REID. Mr. President, I ask unanimous consent that Paul Thanos, a legislative fellow in the offices of MARIA CANTWELL, be granted the privileges of the floor during consideration of the Defense appropriations bill.

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

Mr. MCCONNELL. Mr. President, I ask unanimous consent that Reb Brownell, a detailee on the Foreign Operations Subcommittee, be granted the privilege of the floor throughout the Senate's consideration and voting on the resolution renewing sanctions against Burma.

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

MEASURE READ THE FIRST TIME—H.R. 218

Mr. FRIST. Mr. President, I understand that H.R. 218 is at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A bill (H.R. 218) to amend title 18 United States Code, to exempt qualified current and former law enforcement officers from State laws prohibiting the carrying of concealed handguns.

Mr. FRIST. I now ask for its second reading in order to place the bill on the calendar under the provisions of rule XIV and object to further proceedings on this matter.

The PRESIDING OFFICER. Objection is heard.

The bill will be read a second time on the next legislative day.

ESTABLISHING A DEMOCRACY CAUCUS WITHIN THE U.N.

Mr. FRIST. Mr. President, I ask unanimous consent that the Foreign Relations Committee be discharged from further consideration of S. Con. Res. 83, and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the concurrent resolution by title.

The legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 83) promoting the establishment of a democracy caucus within the United Nations.

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

Mr. BIDEN. Mr. President, I thank my colleagues for their support of S. Con. Res. 83, a resolution that I introduced in support of the establishment of a Democracy Caucus within the United Nations. In particular, I thank Senators LUGAR, HAGEL, LIEBERMAN, and COLEMAN for their co-sponsorship of this resolution. I also want to thank Chairman LUGAR for permitting the resolution to come to the floor today.

I am pleased that the Bush administration also supports the establishment of a U.N. Democracy Caucus, and that significant progress was made on this front in Geneva at this year's Commission on Human Rights. In particular, Peru, Romania, East Timor, Poland, Chile, South Korea, India and Italy have been very engaged in collaborative democracy-promotion initiatives. I am encouraged by such joint efforts. The broader the international support for a caucus, the more effective it will be.

The establishment of a U.N. Democracy Caucus is not merely a project supported by Congress and the State Department. It is also endorsed by a broad-based coalition of U.S.-based organizations and advocacy groups such as Freedom House, Human Rights Watch, the American Jewish Committee, the American Bar Association and the Council for Community of Democracies. I also thank them for their work and advocacy on this issue.

The idea of establishing a Democracy Caucus within the United Nations makes extraordinary good sense. The basic principal is this: democratic nations share common values, and should work together at the United Nations to promote those values. We will be more effective in doing so.

Working together with like-minded nations in the United Nations and other multilateral organizations is a logical and practical way to conduct foreign policy. We build coalitions in American politics, in legislatures across the land and here in the Congress. Similarly, we should build coalitions of like-minded states in the United Nations, particularly to bolster global democratic principles, advance human rights, and promote international security and stability.

The administration has recently rediscovered the virtues of working in cooperation with other nations at the United Nations. There we are just one nation, though a very powerful one. We only have one vote, whether in the General Assembly or the Security Council. Other democratic states should be natural allies on many

issues; a caucus of democracies will facilitate such cooperation. Forging a coalition of democracies is not merely a statement that nations have shared values; it is a hard-headed diplomatic approach. By joining forces to make common cause, the democracies can be more effective in the U.N. and other world bodies.

The unanimous passage of this resolution demonstrates the strong support of the Senate for the creation of a Democracy Caucus. I hope the Senate's action gives democracy-building efforts in the United Nations an important boost to this idea. I thank my colleagues within and outside the Senate for supporting this resolution.

Mr. FRIST. Mr. President, I ask unanimous consent that the preamble be agreed to, the concurrent resolution be agreed to, the motion to reconsider be laid upon the table, with no intervening action or debate, and that any statements relating to this measure be printed in the RECORD.

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

The concurrent resolution (S. Con. Res. 83) was agreed to.

The preamble was agreed to.

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

S. CON. RES. 83

Whereas a survey conducted by Freedom House in 2003, entitled "Freedom in the World", found that of the 192 governments of nations of the world, 121 (or 63 percent) of such governments have an electoral democracy form of government;

Whereas, the Community of Democracies, an association of democratic nations committed to promoting democratic principles and practices, held its First Ministerial Conference in Warsaw, Poland, in June 2000;

Whereas, in a speech at that Conference, Kofi Annan, the Secretary-General of the United Nations, stated that "when the United Nations can truly call itself a community of democracies, the [United Nations] Charter's noble ideals of protecting human rights and promoting 'social progress in larger freedoms' will have been brought much closer", that "democratically governed states rarely if ever make war on one another", and that "in this era of intra-state wars, is the fact that democratic governance—by protecting minorities, encouraging pluralism, and upholding the rule of law—can channel internal dissent peacefully, and thus help avert civil wars";

Whereas a report by an Independent Task Force cosponsored by the Council on Foreign Relations and Freedom House in 2002, entitled "Enhancing U.S. Leadership at the United Nations", concluded that "the United States is frequently outmaneuvered and outmatched at the [United Nations]" because the 115 members of the nonaligned movement "cooperate on substantive and procedural votes, binding the organization's many democratic nations to the objectives and blocking tactics of its remaining tyrannies";

Whereas, at the First Ministerial Conference of the Community of Democracies, the representatives of the participating governments agreed to "collaborate on democracy-related issues in existing international and regional institutions, forming coalitions and caucuses to support resolutions and other international activities aimed at the promotion of democratic governance"; and

Whereas that agreement was reaffirmed at the Second Ministerial Conference of the

Community of Democracies in Seoul, Korea, in November 2002: Now, therefore, be it

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

SECTION 1. PROMOTION OF A DEMOCRACY CAUCUS WITHIN THE UNITED NATIONS.

Congress urges the President to instruct any representative of the United States to a body of the United Nations to use the voice and vote of the United States to seek to establish a democracy caucus within the United Nations as described in this Resolution.

SEC. 2. PURPOSE OF THE DEMOCRACY CAUCUS.

The purpose of the democracy caucus referred to in section 1 should be to advance the interests of the United States and other nations that are committed to promoting democratic norms and practices by—

(1) supporting common objectives, including bolstering democracy and democratic principles, advancing human rights, and fighting terrorism in accordance with the rule of law;

(2) forging common positions on matters of concern that are brought before the United Nations or any of the bodies of the United Nations;

(3) working within and across regional lines to promote the positions of the democracy caucus;

(4) encouraging democratic states to assume leadership positions in the bodies of the United Nations; and

(5) advocating that states that permit gross violations of human rights, sponsor terrorist activities, or that are the subject of sanctions imposed by the United Nations Security Council are not elected—

(A) to leadership positions in the United Nations General Assembly; or

(B) to membership or leadership positions in the Commission on Human Rights, the Security Council, or any other body of the United Nations.

SEC. 3. CRITERIA FOR PARTICIPATION IN THE DEMOCRACY CAUCUS.

Participation in the democracy caucus referred to in section 1 should be limited to countries that—

(1) are qualified to participate in the Community of Democracies, an association of democratic nations committed to promoting democratic principles and practices; and

(2) have demonstrated a commitment—

(A) to the core democratic principles and practices set out in the Final Warsaw Declaration of the Community of Democracies, adopted at Warsaw June 27, 2000; and

(B) to the democratic principles set forth in—

(i) the United Nations Charter;

(ii) the Universal Declaration of Human Rights; and

(iii) the International Covenant on Civil and Political Rights.

SEC. 4. ANNUAL MEETING.

The members of the democracy caucus referred to in section 1 should hold a ministerial-level meeting at least once each year to coordinate policies and positions of the caucus.

**WESTERN SHOSHONE CLAIMS
DISTRIBUTION ACT**

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 592, H.R. 884.

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

The legislative clerk read as follows:

A bill (H.R. 884) to provide for the use and distribution of the funds awarded to the

Western Shoshone identifiable group under Indian Claims Commission Docket Numbers 326-A-1, 326-A-3, and 326-K, and for other purposes.

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

Mr. FRIST. Mr. President, 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 relating to the bill be printed in the RECORD.

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

The bill (H.R. 884) was read the third time and passed.

Mr. REID. Mr. President, the legislation just passed has been 30 years in the making. It deals with Shoshone Indians in the State of Nevada. It is a fund that has grown to about \$150 million. Thousands of Indians will benefit from this fund.

These people live in such desperate straits, many of them. Large numbers are on welfare. The places they live in are very difficult.

I want everyone who reads this RECORD at some subsequent time to know that every entity that is involved with this legislation will receive thousands of dollars. They should also know that we are ready, willing, and able to meet with each one of them. If they have any problem with their land claims, we will work with them. This does not shut down any of their ability to change in some way, claim anything they had relating to land in the future.

I know the time is late, but I must mention Larry Pifero. He is dead. He was on kidney dialysis and died. But he worked so hard on this legislation. Why? Because he wanted his family to wind up with something. And Larry now should know that his family will wind up with something. The other person is Nancy Stewart. She has spent months and months of her life trying to work this out. There were a few dissidents—for lack of a better way to describe them—people who wanted to do anything they could to upset this settlement. They did things that were wrong, but because 95 percent of the Shoshones in the State of Nevada wanted this approval, we had two votes, and they voted for approval.

This is so important. Thousands of Indians have waited. Some, like Larry Pifero, are gone. They will never receive the benefit of this legislation, only their families will. But the Shoshone Indians of Nevada are better off today than they were yesterday. They have the hope of receiving some economic gain from their dealings with the U.S. Federal Government.

I am so happy this has been done. This is a big day for thousands of Nevada Indians.

Mr. FRIST. Mr. President, I very much appreciate the comments of the distinguished assistant minority leader. For me to be able to hear that is meaningful. It reminds me also that each piece of legislation we go to, we tend to go through quickly, especially