

"[T]he war in Darfur started off in a small way last year but it has progressively gotten worse. A predominant feature of this is that the brunt is being borne by civilians. This includes vulnerable women and children . . . The violence in Darfur appears to be particularly directed at a specific group based on their ethnic identity and appears to be systemized." Now, therefore, be it

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

(1) declares that the atrocities unfolding in Darfur, Sudan, are genocide;

(2) reminds the President and the international community of their international legal obligations, as affirmed in the 1948 United Nations Convention on the Prevention and Punishment of the Crime of Genocide;

(3) urges the President to call the atrocities being committed in Darfur, Sudan by their rightful name: "genocide";

(4) commends the leadership of the President in seeking a peaceful resolution to the conflict in Darfur, Sudan and in addressing the humanitarian crisis caused by that conflict, including the provision of assistance to meet immediate humanitarian needs in Darfur, Sudan and Eastern Chad;

(5) urges the President to seek a United Nations Security Council resolution under Chapter VII of the United Nations Charter that directs the Member States of the United Nations to impose targeted sanctions against those responsible for the atrocities committed in Darfur, Sudan, authorizes a multinational force to guarantee humanitarian access and security for foreign aid workers and internally displaced persons, urges a halt to violence committed by armed militias and by the armed forces of Sudan and the safe, secure, and the sustainable return of internally displaced persons and refugees to their homes, creates a Commission of Inquiry to investigate the unfolding genocide, recommends measures to create accountability in Darfur, Sudan, and calls for the establishment of a formal peace process for permanent resolution of grievances between Darfurians and the Government of Sudan;

(6) calls on the Administrator of the United States Agency for International Development to establish a Darfur Resettlement, Rehabilitation, and Reconstruction Fund to fund assistance for those driven off their land so that they may return and begin to rebuild their communities; and

(7) urges the President to provide political and financial support to the African Union to promote its effective intervention in Darfur, Sudan to achieve security, humanitarian assistance, and accountability.

## NOTICES OF HEARINGS/MEETINGS

### SUBCOMMITTEE ON PUBLIC LANDS AND FORESTS

Mr. CRAIG. Mr. President, I announce for the information of the Senate and the public that S. 2622, a bill to provide for a land exchange to benefit the Pecos National Historical Park in New Mexico, has been added to the agenda for the hearing previously scheduled before the Subcommittee on Public Lands and Forests of the Committee on Energy and Natural Resources, on Wednesday, July 21, at 2:30 p.m. in Room SD-366 of the Dirksen Senate Office Building.

For further information, please contact Frank Gladics at 202-224-2878 or Amy Millet at 202-224-8276.

## AUTHORITY FOR COMMITTEES TO MEET

### COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. ALLARD. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on Tuesday, July 13, 2004, at 10 a.m. to conduct a hearing on "Examination of the Gramm-Leach-Bliley Act Five Years After Its Passage."

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

### COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. ALLARD. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet on Tuesday, July 13, 2004, at 9:30 a.m. on Reauthorization of the Corporation for Public Broadcasting.

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

### COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. ALLARD. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet on Tuesday, July 13, 2004, at 3 p.m. on the nomination of David Stone to be Assistant Secretary of Homeland Security and Albert Frink to be Assistant Secretary for Manufacturing and Services of the Department of Commerce.

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

### COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. ALLARD. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on Tuesday, July 13 at 10 a.m. to receive testimony regarding the role of nuclear power in national energy policy.

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

### COMMITTEE ON FOREIGN RELATIONS

Mr. ALLARD. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Tuesday, July 13, 2004 at 3 p.m. to hold a hearing on Human Trafficking.

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

### COMMITTEE ON THE JUDICIARY

Mr. ALLARD. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a hearing on Tuesday, July 13, 2004, at 10 a.m. on "Blakely v. Washington and the Future of the Federal Sentencing Guidelines" in the Dirksen Senate Office Building Room 226.

### Witness List

Panel I; Hon. Bill Mercer, U.S. Attorney, District of Montana, Helena, MT; Hon. John Steer, Vice Chair and Com-

missioner, U.S. Sentencing Commission, Washington, DC; Hon. William Sessions, Chief U.S. District Judge, District of Vermont, Burlington, VT and Vice Chair and Commissioner, U.S. Sentencing Commission, Washington, DC; Hon. Lawrence L. Piersol, Chief U.S. District Judge, District of South Dakota, Sioux Falls, SD; and Hon. Paul G. Cassell, U.S. District Court Judge, District of Utah, Salt Lake City, UT.

Panel II: Frank Bowman, Professor of Law, Indiana University Law School, Indianapolis, IN; Rachel Barkow, Assistant Professor of Law, New York University School of Law, New York, NY; Ronald Weich, Esq., Zuckerman, Spaeder LLP, Washington, DC; and Alan Vinegrad, Esq., Former U.S. Attorney, Covington & Burling, New York, NY.

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

### COMMITTEE ON THE JUDICIARY

Mr. ALLARD. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a hearing on Tuesday, July 13, 2004, at 2 p.m. on "An Examination of Section 211 of the Omnibus Appropriations Act of 1998" in the Dirksen Senate Office Building Room 226.

### Witness List

Nancie Marzulla, President, Defender of Property Rights, Washington, DC; William Reinsch, President, National Foreign Trade Council, Inc., Washington, DC; Ramon Arechabala, Miami, FL; Kenneth Germain, Attorney at Law, Adjunct Law Professor, University of Cincinnati, Cincinnati, OH; and Bruce Lehman, Former Assistant Secretary of Commerce and Commissioner of Patents and Trademarks, Washington, DC.

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

### SELECT COMMITTEE ON INTELLIGENCE

Mr. ALLARD. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on July 13, 2004, at 2:30 p.m., to hold a closed hearing on intelligence matters.

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

## PRIVILEGE OF THE FLOOR

Mr. HARKIN. Mr. President, I ask unanimous consent that Tim Castelli and Carolina Gutierrez of my staff be granted the privilege of the floor during today's session.

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

Mr. CORNYN. Mr. President, I ask unanimous consent a member of my staff, Mary Alice Hamby, be granted the privilege of the floor during the duration of the debate.

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

Mr. FEINGOLD. Mr. President, I ask unanimous consent that Amanda Beaumont and Katie Kimpel on my Judiciary Committee staff be granted floor

privileges during consideration of the federal marriage amendment.

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

Mr. INHOFE. Mr. President, I ask unanimous consent that Micah Harris be given floor privileges for the day.

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

Mr. DURBIN. Mr. President, I ask unanimous consent the privilege of the floor be granted to Jack Herrmann, a science fellow in my office.

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

#### UNANIMOUS CONSENT AGREEMENT—H.R. 1303

Mr. ALLARD. Mr. President, I ask unanimous consent that the Senate request the return from the House of Representatives the papers with respect to H.R. 1303, that the Senate action on that measure be vitiated, and that the bill be returned to the Committee on Governmental Affairs for appropriate action.

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

#### EXECUTIVE SESSION

##### NOMINATIONS DISCHARGED

Mr. ALLARD. Mr. President, in executive session, I ask unanimous consent that the Foreign Relations Committee be discharged from further consideration of the following nominations: Christine Todd Whitman, Kenneth Francis Hackett.

I further ask consent that the Senate proceed to their consideration, the nominations be confirmed, the motion to reconsider be laid upon the table, the President be immediately notified of the Senate's action, and the Senate resume legislative session.

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

The nominations considered and confirmed are as follows:

##### MILLENNIUM CHALLENGE CORPORATION

Christine Todd Whitman, of New Jersey, to be a Member of the Board of Directors of the Millennium Challenge Corporation for a term of three years.

Kenneth Francis Hackett, of Maryland, to be a Member of the Board of Directors of the Millennium Challenge Corporation for a term of three years.

##### CONFIRMATION OF KEN HACKETT

Mr. DASCHLE. Mr. President, several weeks ago the New York Times ran a story about what people all around the world do when they are starving. What they do, in effect, is to try to trick themselves into thinking that they do have food.

According to the World Food Program, there are no more mukhet bushes near the refugee camps in eastern Chad, where more than 200,000 Sudanese refugees have fled. Refugees have extracted what little nutritional value they can from those bushes by

eating the toxic berries that grow on them.

In Haitian slums, poor families eat dough made of butter, salt, water, and dirt.

In Malawi, roadside stands sell roasted mice, and in Mozambique the poor eat grasshoppers when they must, calling them "flying shrimp."

In Angola in the early 1990's, a man boiled leather from a family chair and served his family "lamb soup."

Women in Eritrea regularly strap flat stones to their stomachs to lessen hunger pangs, and, in a cruel turn of the fable of stone soup we all learned growing up, mothers in many countries boil water with stones, telling children the food is almost ready and hoping they will fall asleep waiting.

The New York Times goes on to argue—rightly—that the famines these people suffer through are not caused by a lack of food alone. They are caused by drought, government neglect, or war.

The opposite, of course, is also true. Governments that make good policy choices can ease suffering, even in the most brutal situations. That fact underscores the wisdom of the Millennium Challenge Account. The MCA, as it is commonly called, says clearly that governments who prove they are ready for reform and openness can count on the support of the people of the United States.

Today the Senate has confirmed the first two members of the board of directors who will oversee the MCA. We all know of Christie Todd Whitman and her experience. The other member whom we confirmed today is Ken Hackett, the president of Catholic Relief Services. I am proud to have nominated Ken for this important position.

Ken is uniquely qualified for this job for one reason. He has dedicated his life to fighting for the poorest of the poor—the families who, without Ken and Catholic Relief Services, would be forced to eat leather, poison berries, or dirt.

The Millennium Challenge Account is an innovative new tool in fostering global development and combating poverty. By demanding greater responsibility from recipient nations, we can foster reform and growth.

At the same time, however, the vast majority of the world's poor will remain prisoners to their governments' bad policies and corruption. We cannot redouble our efforts under the Millennium Challenge Account, only to forget those who remain most in need, those whose only solace is a stone tied to their stomach. The MCA will be one tool—an innovative, new tool—in our fight against poverty. But it is not the only tool.

That is why I nominated Ken Hackett for this important board. Ken Hackett will be a strong and clear voice for the poorest of the poor—a voice on this board and within the U.S. Government, much the way he has been at Catholic Relief Services for the last several decades.

I thank my colleagues in supporting Ken's nomination for this important board. Voting for him is a vote for hope for the world's poor. It is a vote of confidence for the remarkable work of Catholic Relief Services. And it is a vote for retaining America's leadership to end suffering.

#### LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now return to legislative session.

#### ORDERS FOR WEDNESDAY, JULY 14, 2004

Mr. ALLARD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. on Wednesday, July 14. I further ask consent 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 for their use later in the day, and the Senate then begin a period of morning business for up to 30 minutes, with the first 15 minutes under the control of the majority leader or his designee and the final 15 minutes under the control of the Democratic leader or his designee; provided that following morning business, the Senate resume consideration of the motion to proceed to the consideration of S.J. Res. 40, with the time until 11:30 a.m. equally divided between the chairman and ranking member or their designees; provided that at 11:30 a.m. the time until 12 noon be allocated in the following order: Senator LEAHY, 10 minutes; Senator HATCH, 10 minutes; the Democratic leader, 5 minutes; the majority leader for the final 5 minutes.

I further ask consent that at 12 noon the Senate proceed to the cloture vote as provided under the previous order.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

#### PROGRAM

Mr. ALLARD. Mr. President, tomorrow, following morning business, the Senate will resume debate on the motion to proceed to the marriage amendment. At 12 noon, the Senate will vote on the motion to invoke cloture on the motion to proceed, and that will be the first vote of the day.

In addition to the marriage amendment, there are other important issues that the Senate needs to address this week. The majority leader has announced his desire to turn to the Australia Free Trade Agreement this week. In addition, the Senate needs to appoint conferees on the FSC/ETI or JOBS legislation. Therefore, Senators should expect additional votes during tomorrow's session.