on Space and Aeronautics, the Senate Commerce Committee, aerospace companies and the Oklahoma Space Industrial Development Authority.

My language adds to H.R. 3752, the Commercial Space Launch Amendments Act of 2004, which updates the Commercial Space Launch Act of 1984, by accounting for a new class of sub-orbital launch vehicles that use hybrid technology—a combination of rocket and jet engines—to create a fair approach to future civilian suborbital flights.

In this legislation to advance the commercial space community, I have successfully covered hybrid aerospace vehicles.

By defining a sub-orbital vehicle as a rocket-propelled vehicle, ''in whole or in part, intended for flight on a sub-orbital trajectory, and whose thrust is greater than its lift for the majority of the rocket-powered portion of its ascent,'' aerospace companies will now face less regulation than with previous definitions for this type of vehicle.

Under my language, the FAA's Office of Commercial Space Transportation will now have sole regulation authority for sub-orbital hybrid vehicles, and will now be appropriately considered and licensed as launch vehicles. By this classification, aerospace companies such as Rocketplane, which utilizes hybrid technology, will now avoid being forced to go through a lengthy two-step licensing process formerly required for both launch vehicles and commercial aircraft and will have the opportunity to be licensed to carry civilian passengers much more quickly.

In addition to the definition of suborbital flight, I am also proud of the indemnification and insurance provisions of this legislation which make it possible for small companies to enter into this business field, and am happy to create the new ''experimental permit'' framework.

I know that my colleagues, House Science Space and Aeronautics Subcommittee Chairman ROHRABACHER and Committee Chairman BOEHLERT, and their aide, Timothy Hughes, have worked diligently to update the Commercial Space Launch Act of 1984 by introducing and passing H.R. 3752.

I particularly want to thank my fellow Oklahoman and House Science Committee member FRANK LUCAS for requesting my involvement in this legislation, along with requests from Oklahoma State Senator Gilmer Capps, Oklahoma State Representative Jack Bonny, Oklahoma Lieutenant Governor Mary Fallon, and the Oklahoma Space Industry Development Authority, Congressman LUCAS' colloquy with Chairman BOEHLERT on the floor the House of Representatives on March 4, 2004, speaks of his interest in ensuring that this very commercial space legislation include hybrid vehicles that fly a bit like rockets and a bit like airplanes:

Mr. Boehlert. Mr. Chairman, I yield such time as he may consume to the gentleman from Oklahoma (Mr. Lucas) for the purposes of a colloquy.

Mr. Lucas of Oklahoma. Mr. Chairman, I appreciate the gentleman from New York (Mr. Boehlert) and the gentleman from Tennessee (Mr. Gordon) bringing this important bill to the floor, because the emerging commercial human space flight industry presents tremendous opportunities for my State of Oklahoma and our Nation as a whole. I am particularly appreciative of this bill's intent to ease the regulatory burdens for entrepreneurs who are developing new suborbital reusable launch vehicles.

Mr. Boehlert. Mr. Chairman, will the gentleman yield?

Mr. Lucas of Oklahoma. I yield to the gentleman from New York.

Mr. Boehlert. Mr. Chairman, I thank the gentleman for his kind words. He is correct in stating that this legislation seeks to put in place sufficient Federal regulation to protect the general public while also promoting this important new industry.

Mr. Lucas of Oklahoma. As you know, Mr. Chairman, some suborbital reusable launch vehicles that will be used in commercial human space flight activities may have some attributes normally associated with airplanes as well as many attributes of rockets. My hope is that such hybrid vehicles would not have to be regulated under two separate regimes. What are the chairman's views on this matter?

Mr. Boehlert. I thank the gentleman for that question.

This is a very important issue on which we have worked extensively with industry and the executive branch in developing this bill. As currently drafted, H.R. 3752 incorporates definitions promulgated by the Federal Aviation Administration to distinguish between suborbital rockets, which are under the jurisdiction of FAA's Associate Administrator for Commercial Space Transport, and other aerospace vehicles which are regulated by another part of the FAA. That said, I would be happy to keep working with the gentleman from Oklahoma (Mr. Lucas) and other interested parties as the bill moves forward to revisit the important issue of how best to regulate hybrid vehicles that are engaged in commercial human space flight.

Mr. Lucas of Oklahoma. I thank the chairman and I look forward to continuing to work with him and our colleagues in the other body to see if we can create a single regime for hybrid commercial space flight vehicles.

While I realize H.R. 3752 creates fairness in regulation for the newly emerging civilian space flight industry, I believe my language takes it a step further by ensuring all companies entering this field have a level licensing playing field including those using hybrid technologies.

These are exciting times for this field of human endeavor. We are currently in the middle of a competition for the ANSARI X PRIZE. This competition is a courageous effort to refocus society's attention on the last frontier—space. To win the $10 million ANSARI X PRIZE, the successful team will launch a craft carrying at least three people to an altitude of at least 100 km, 62.5 miles, return safely to Earth, then repeat it with the same craft within 2 weeks.

With pilot Mike Melvill, the Burt Rutan team made a flight on June 21, 2004, but control problems prevented the repeat flight within the 2 weeks.

This brilliant concept of the Ansari X Prize exemplifies the excellence that can be achieved through an incentivized approach rather than a governmental mandate or punitive approach. Incentivize and safely get government out of the way is the philosophy of my bill. Tempt not only the pocketbook but the vision of anyone who has the creativity and imagination to pursue it.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 415—TO AUTHORIZE THE PRODUCTION OF RECORDS BY THE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS OF THE COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. FRIST (for himself and Mr. DASCHLE) submitted the following resolution; which was considered and agreed to:

S. RES. 415

Whereas, during the 106th and 107th Congresses, the Permanent Subcommittee on Investigations of the Committee on Governmental Affairs conducted an investigation into money laundering activities in the U.S. financial services sector, including examinations of money laundering activities in private banking, correspondent banking, and the securities industry;

Whereas, by agreement to Senate Resolution 77, 107th Congress, the Senate authorized the Chairman and Ranking Minority Member of the Subcommittee, acting jointly, to provide to law enforcement officials, legislative bodies, regulatory agencies, and other entities or individuals duly authorized by federal, state, or foreign governments, records of the Subcommittee's investigation into the use of correspondent banking for the purpose of money laundering;

Whereas, during the present Congress, the Subcommittee has been conducting a followup to its earlier money laundering investigation to evaluate the enforcement and effectiveness of key statutory anti-money laundering provisions, using Riggs Bank of the District of Columbia as a case history;

Whereas, the Subcommittee is asking authorization to provide records of its followup investigation in response to requests from law enforcement officials, legislative bodies, regulatory agencies, and foreign agencies and officials;

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;

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 Permanent Subcommittee on Investigations of the Committee on Governmental Affairs, acting jointly, are authorized to provide to law enforcement officials, legislative bodies, regulatory agencies, and other entities or individuals duly authorized by federal, state, or foreign governments, records of the Subcommittee's case study investigation into the enforcement and effectiveness of statutory anti-money laundering provisions.

SENATE RESOLUTION 416—CONGRATULATING THE CALIFORNIA STATE UNIVERSITY, FULLERTON BASEBALL TEAM ON WINNING THE 2004 COLLEGE WORLD SERIES

Mrs. FEINSTEIN (for herself and Mrs. BOXER) submitted the following resolution; which was considered and agreed to:

S. RES. 416

Whereas on June 27, 2004, the California State University, Fullerton (''Fullerton'') Titans won the 2004 College World Series;

Whereas the 3 to 2 victory completed a 2 to 0 sweep of the heavily favored Texas Longhorns;

Whereas the Fullerton team opened the season with 15 wins and 16 losses, then continued on to win 32 of the next 38 games, finishing with 47 wins and 22 losses in the regular season;

Whereas the Fullerton team won with the superlative pitching of Jason Windsor, who threw a complete game and was named Most Outstanding Player of the College World Series;

Whereas Kurt Suzuki broke a 2 and 20 slump with the game winning RBI single;

Whereas the Fullerton roster also includes Joe Turgeon, Justin Turner, Clark Hardman, Mark Carroll, Blake Davis, Brett Pill, Ricky Romero, J.D. McCauley, Mike Martinez, Neil Walton, Ronnie Prettyman, Eric Hale, Evan McArthur, Brandon Tripp, Shawn Scobee, Scott Sarver, Bobby Andrews, Felipe Garcia, Ryan Schreppel, Danny Dorn, Armando Carrasco, Jon Wilhite, Nolan Bruyninckx, Lauren Gagnier, John Curtis, Evan Myrick, Dustin Miller, Vance Otake, Eric Echevarria, P.J. Pilittere, Sergio Pedroza, Geoff Tesmer, John Estes, Mark Davidson, and Vinnie Pestano;

Whereas Fullerton Coach George Horton was competing against his mentor, former Fullerton coach Augie Garrido, who led the Titans to 3 previous national championships;

Whereas the coaching staff of George Horton, Dave Serrano, Rick Vanderhook, and Chad Baum deserve much credit for the accomplishments of their team;

Whereas the Fullerton baseball team has won national championships in 1979, 1984, 1995, and 2004, making it the only team to win a national championship in each of the past 4 decades;

Whereas the students, alumni, faculty, and supporters of Fullerton are to be congratulated for their commitment and pride in their institution: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the California State University, Fullerton Titans on their College World Series championship;

(2) recognizes the achievements of the team;

(3) requests that the President recognize the outstanding accomplishments of the team; and

(4) directs the Secretary of the Senate to make available a copy of this resolution to California State University, Fullerton for appropriate display and to transmit an enrolled copy of this resolution to the 2004 California State University, Fullerton team.

SENATE RESOLUTION 417—CONGRATULATING THE UNIVERSITY OF CALIFORNIA AT LOS ANGELES WOMEN'S SOFTBALL TEAM ON WINNING THE 2004 NATIONAL COLLEGIATE ATHLETIC ASSOCIATION CHAMPIONSHIP

Mrs. FEINSTEIN (for herself and Mrs. BOXER) submitted the following resolution; which was considered and agreed to:

S. RES. 417

Whereas on May 31, 2004, the University of California at Los Angeles (''UCLA'') women's softball team won the 2004 National Collegiate Athletic Association (''NCAA'') championship;

Whereas the 3 to 1 victory completed another UCLA softball title run, this time over the in-State rival, the California Bears;

Whereas the victory marked UCLA's tenth NCAA title in team history;

Whereas the UCLA women's softball team ended the season with an impressive 47 to 9 mark;

Whereas UCLA trailed 1 to 0 for the first 5 innings, before Claire Sua tied the game with a solo home run;

Whereas freshman pinch hitter Kristen Dedmon hit a crucial 2–RBI single to give UCLA the lead;

Whereas senior pitcher Keira Goerl became just the second pitcher in NCAA Division I history to win multiple title games;

Whereas the UCLA roster also includes Caitlin Benyi, Jaisa Creps, Lisa Dodd, Andrea Duran, Alissa Eno, Tara Henry, Ashley Herrera, Whitney Holum, Julie Hoshizaki, Jodie Legaspi, Stephanie Ramos, Nicole Sandberg, Amanda Simpson, Shana Stewart, Michelle Turner, and Emily Zaplatosch;

Whereas the coaching staff of Sue Enquist, Kelly Inouye-Perez, and Gina Vecchione deserve much credit for the accomplishments of their team;

Whereas the UCLA team is the first team to defend its NCAA title since 1997;

Whereas UCLA has won 10 of a possible 23 NCAA Division I softball championships; and

Whereas the students, alumni, faculty, and supporters of UCLA are to be congratulated for their commitment and pride in their institution: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the University of California at Los Angeles Bruins on winning the 2004 National Collegiate Athletic Association Championship;

(2) recognizes the achievements of the team;

(3) requests that the President recognize the outstanding accomplishments of the team; and

(4) directs the Secretary of the Senate to make available a copy of this resolution to University of California at Los Angeles for appropriate display and to transmit an enrolled copy of this resolution to the 2004 University of California at Los Angeles women's softball team.

SENATE RESOLUTION 418—DESIGNATING SEPTEMBER 2004 AS ''NATIONAL PROSTATE CANCER AWARENESS MONTH''

Mr. SESSIONS (for himself, Mr. REID, Mr. ALLEN, Mr. BAYH, Mr. BROWNBACK, Mr. BUNNING, Mr. BURNS, Mr. CAMPBELL, Mr. CORZINE, Mr. CRAPO, Mr. DAYTON, Mr. DODD, Mr. FEINGOLD, Mr. GRASSLEY, Mr. INOUYE, Mr. JOHNSON, Mr. KOHL, Mr. LAUTENBERG, Mr. LIEBERMAN, Mr. MILLER, Mr. NELSON of Florida, Mr. SARBANES, Mr. SHELBY, AND Mr. WYDEN) submitted the following resolution; which was considered and agreed to:

S. RES. 418

Whereas countless families in the United States live with prostate cancer;

Whereas 1 in 6 men in the United States will be diagnosed with prostate cancer in his lifetime;

Whereas over the past decade, prostate cancer has been the most commonly diagnosed non-skin cancer and the second most common cancer killer of men in the United States;

Whereas over 230,000 men in the United States will be diagnosed with prostate cancer and 29,900 men in the United States will die of prostate cancer in 2004, according to American Cancer Society estimates;

Whereas 30 percent of new cases occur in men under the age of 65;

Whereas a man in the United States turns 50 years old about every 14 seconds, increasing the occurrence of cancer and, particularly, of prostate cancer;

Whereas African-American males suffer a prostate cancer incidence rate as much as 60 percent higher than White males and have double the mortality rates;

Whereas obesity is a significant predictor of prostate cancer severity and death;

Whereas if a man in the United States has 1 family member diagnosed with prostate cancer, he has double the risk of prostate cancer, if he has 2 family members with such diagnosis, he has 5 times the risk, and if he has 3 family members with such diagnosis, he has a 97-percent risk of prostate cancer;

Whereas screening by both digital rectal examination and prostate specific antigen blood test can diagnose the disease in earlier and more treatable stages and reduce prostate cancer mortality;

Whereas ongoing research promises to further improvements in prostate cancer prevention, early detection, and treatments; and

Whereas educating people in the United States, including health care providers, about prostate cancer and early detection strategies is crucial to saving men's lives and preserving and protecting families: Now, therefore, be it

Resolved, That the Senate—

(1) designates September 2004 as ''National Prostate Cancer Awareness Month'';

(2) declares that the Federal Government has a responsibility to—

(A) raise awareness about the importance of screening methods and treatment of prostate cancer;

(B) increase research funding that is commensurate with the burden of the disease so that the causes of prostate cancer, and improved screening, treatments, and a cure for prostate cancer, may be discovered; and

(C) continue to consider ways for improving the access to, and quality of, health care services for detecting and treating prostate cancer; and

(3) requests that the President issue a proclamation calling on the people of the United States, interested groups, and affected persons to—

(A) promote awareness of prostate cancer;

(B) take an active role in the fight to end the devastating affects of prostate cancer on individuals, their families, and the economy; and

(C) observe the month of September 2004 with appropriate ceremonies and activities.

SENATE RESOLUTION 419—EXPRESSING THE SENSE OF THE SENATE WITH RESPECT TO THE CONTINUITY OF GOVERNMENT AND THE SMOOTH TRANSITION OF EXECUTIVE POWER

Mr. CORNYN submitted the following resolution; which was referred to the Committee on Rules and Administration:

S. RES. 419

Whereas members of the Senate, regardless of political party affiliation, agree that the American people deserve a Government that is failsafe and foolproof, and that terrorists should never have the ability to disrupt the operations of the Government;

Whereas continuity of governmental operations in the wake of a catastrophic terrorist attack remains a pressing issue of national importance before the United States Congress;

Whereas, at a minimum, terrorists should never have the ability, by launching a terrorist attack, to change the political party that is in control of the Government, regardless of which party is in power;

Whereas, whenever control of the White House shall change from one political party to another, the outgoing President and the incoming President should work together, and with the Senate to the extent determined appropriate by the Senate, to ensure a smooth transition of executive power, in the interest of the American people;

Whereas, under the current presidential succession statute in section 19 of title 3, United States Code, the members of the cabinet, defined as the heads of the statutory executive departments under section 101 of title 5, United States Code, fall within the line of succession to the presidency;

Whereas, during previous presidential transition periods, the incoming President has had to serve with cabinet members from the prior administration, including subcabinet officials from the prior administration acting as cabinet members, for at least some period of time;

Whereas the Constitution vests the appointment power of executive branch officials in the President, by and with the advice and consent of the Senate, and nothing in this resolution is intended to alter either the constitutional power of the President or the constitutional function of the Senate with regard to the confirmation of presidential nominees;

Whereas an incoming President cannot exercise the constitutional powers of the President, in order to ensure a smooth transition of Government, until noon on the 20th day of January, pursuant to the terms of the twentieth amendment to the Constitution;

Whereas cooperation between the incoming and the outgoing President is therefore the only way to ensure a smooth transition of Government;

Whereas Congress throughout history has acted consistently and in a bipartisan fashion to encourage measures to ensure the smooth transition of executive power from one President to another, such as through the enactment of the Presidential Transition Act of 1963 (3 U.S.C. 102 note; Public Law 88–277) and subsequent amendments;

Whereas Congress has previously concluded that ''[t]he national interest requires'' that ''the orderly transfer of the executive power in connection with the expiration of the term of office of a President and the inauguration of a new President . . . be accomplished so as to assure continuity in the faithful execution of the laws and in the conduct of the affairs of the Federal Government, both domestic and foreign'' under the Presidential Transition Act of 1963 (3 U.S.C. 102 note; Public Law 88–277);

Whereas Congress has further concluded that ''[a]ny disruption occasioned by the transfer of the executive power could produce results detrimental to the safety and well-being of the United States and its people'' under the Presidential Transition Act of 1963 (3 U.S.C. 102 note; Public Law 88–277); and

Whereas Congress has previously expressed its intent ''that appropriate actions be authorized and taken to avoid or minimize any disruption'' and ''that all officers of the Government so conduct the affairs of the Government for which they exercise responsibility and authority as (1) to be mindful of problems occasioned by transitions in the office of the President, (2) to take appropriate lawful steps to avoid or minimize disruptions that might be occasioned by the transfer of the executive power, and (3) otherwise to promote orderly transitions in the office of President'' under the Presidential Transition Act of 1963 (3 U.S.C. 102 note; Public Law 88–277): Now, therefore, be it

Resolved, that it is the sense of the Senate that during the period preceding the end of a term of office in which a President will not be serving a succeeding term—

(1) that President should consider submitting the nominations of individuals to the Senate who are selected by the President-elect for offices that fall within the line of succession;

(2) the Senate should consider conducting confirmation proceedings and votes on the nominations described under paragraph (1), to the extent determined appropriate by the Senate, between January 3 and January 20 before the Inauguration; and

(3) that President should consider agreeing to sign and deliver commissions for all approved nominations on January 20 before the Inauguration to ensure continuity of Government.

Mr. CORNYN. Mr. President, yesterday I rose to address this body in support of a Senate resolution on a profoundly nonpartisan issue. As President Bush and the United States government continue their fight to protect the American way of life in the war against terrorism, they have also been fighting another battle to protect American ideals and principles—a battle against human trafficking and slavery. Most Americans would be shocked to learn that the institution of slavery—an institution that hundreds of thousands of Americans shed precious blood to destroy—continues to persist today—not just around the world, but hidden in communities across America. This is a new fight against an old evil. It is the most fundamental civil rights issue of our time.

I was pleased to work with my lead Democrat co-sponsor, Senator SCHUMER, as well as with Senators GRAHAM of South Carolina, LEAHY, and CLINTON, to introduce and obtain full Senate approval of Senate Resolution 414. That resolution expressed strong support for the Justice Department's recent efforts to combat human trafficking, under the leadership of the Civil Rights Division. The resolution noted that the Justice Department recently held its first-ever National Conference on Human Trafficking in Tampa, Florida, where it announced a new comprehensive model state anti-trafficking law. The resolution encouraged states to consider adopting such laws where they do not currently exist.

Today, I rise in support of a Senate resolution on another profoundly nonpartisan issue—the preservation of our system of government in the wake of a catastrophic terrorist attack. Just as most Americans would be shocked to learn about the incidence of forced labor and sexual servitude in communities across the country, I believe most Americans would be shocked to learn that our laws are profoundly inadequate to ensure continuity of governmental operations in the wake of a catastrophic terrorist attack.

I have spent a great deal of time and energy this past year on the issue of continuity of government. Last September, I chaired two hearings to examine continuity of government problems in the two political branches of government. On September 9, I chaired a hearing of the Senate Judiciary Committee to examine continuity problems in the Congress, and on September 16, Senator LOTT and I co-chaired a joint hearing of the Senate Rules and Judiciary Committees to look at problems in our system of Presidential succession.

These are not partisan issues. These are imminently nonpartisan issues, and so I was pleased to work on those hearings with my distinguished colleagues on the other side of the aisle—Senator LEAHY, the ranking member of the Senate Judiciary Committee, and Senator FEINGOLD, the ranking member of the Senate Judiciary Subcommittee on the Constitution, Civil Rights, and Property Rights, which I am honored to chair.

In November, I introduced Senate Joint Resolution 23, a proposed constitutional amendment to ensure continuity of Congress. Constitutional legal experts across the political spectrum have recognized that our current laws are inadequate to ensure continuity of Congressional operations in the wake of a catastrophic terrorist attack, and that only a constitutional amendment can ensure that the American people will never have to suffer under martial law.

The constitutional amendment I introduced implements the recommendations of the bipartisan blue ribbon Continuity of Government Commission, sponsored by the American Enterprise Institute and the Brookings Institution. That commission is led by two of our nation's truly most distinguished American statesmen—its honorary co-chairmen, former Presidents Jimmy Carter and Gerald Ford—as well as by its two distinguished co-chairmen, former Senator Alan Simpson and former White House Counsel Lloyd Cutler. The commission is comprised of former high-ranking government officials of both parties, and ably staffed by Norman Ornstein, John Fortier, and Thomas Mann.

I know that there are sharp divisions in the House over what kinds of continuity measures to adopt—whether

emergency interim appointments are appropriate and necessary, or if expedited special elections alone are sufficient. It is important to recognize that my amendment takes no position in that debate. My amendment would not compel either chamber of Congress to adopt any particular methodology for redressing continuity problems. It would simply empower Congress to adopt legislation to guarantee continuity of Congressional operations—power that Congress does not currently possess. It is modeled after Article II of the Constitution, which empowers Congress to adopt legislation to provide for continuity of the Presidency.

On January 27 of this year, I chaired a hearing of the Senate Judiciary Committee so that legal experts could examine the need for Senate Joint Resolution 23. And on that same day, I introduced implementing legislation (S. 2031), entitled the Continuity of the Senate Act of 2004. Continuity problems affect both the House and the Senate. Indeed, the Senate arguably faces the most dire problem of all—if a majority of Senators are incapacitated, Congress could be disabled for as long as four years, the amount of time it takes to elect a new majority of Senators. The Continuity of the Senate Act of 2004 would implement the constitutional amendment proposed by Senate Joint Resolution 23. It would simply empower each state to adopt continuity measures for their senators in case of incapacity—following the model of the 17th Amendment with respect to Senate vacancies. I am pleased that Senators DODD and LOTT agreed to serve as original co-sponsors of this legislation. After all, they are the ranking Democrat and Republican, respectively, on the Senate Rules Committee—the committee that would have jurisdiction to consider the Continuity of the Senate Act, in the event that the constitutional amendment I have proposed is approved by two-thirds of the Congress and three-fourths of the states.

On May 13, I convened a meeting of the Senate Judiciary Subcommittee on the Constitution, Civil Rights and Property Rights—the subcommittee that possesses jurisdiction over constitutional amendments. I am pleased that the subcommittee approved Senate Joint Resolution 23 on a bipartisan vote. I am particularly pleased that the resolution was supported by my distinguished colleague, the subcommittee's ranking Democrat, Senator FEINGOLD. I know from working with him these past several months that he is no fan of constitutional amendments. And of course, everyone in this chamber agrees that the Constitution should not be amended casually. Yet he recognized—as have constitutional legal experts across the political spectrum—that the only way to ensure continuity of Congressional operations is a constitutional amendment. I look forward to working with Senator HATCH, the chairman of the Senate Judiciary Committee, in coming weeks and months so that the full committee can consider the merits of, and the need for, Senate Joint Resolution 23.

Of course, Congress is not the only institution that faces serious problems of continuity of operations. Our laws are also inadequate with respect to Presidential succession. Article II of the Constitution gives Congress the power to enact laws to address Presidential succession—just as my proposed constitutional amendment would give Congress such power with respect to continuity of Congress. Yet legal experts across the political spectrum have written that the current Presidential succession statute is unconstitutional and unworkable.

Accordingly, I introduced legislation in February, right before President's Day, to reform the Presidential succession statute (S. 2073). That same day, I also introduced a Senate resolution (S. Con. Res. 89) to establish a protocol for ensuring proper transition between an outgoing President and a newly elected President. Both measures were cosponsored by Senator LOTT, the chairman of the Rules Committee, which exercises jurisdiction over such matters.

I am pleased to introduce a more robust version of that same resolution today for the Senate's consideration, in the form of a Senate resolution that requires the consent of only this body. It is an important step to ensuring that, no matter what, at a minimum, terrorists will never be able to determine, by launching a terrorist strike, which party controls the White House.

Imagine if you will that it is January 20, the inauguration date for a new incoming President. The sun is shining, and the American people are watching. The new President and Vice President sit on the center platform just steps away from the Capitol Rotunda, joined by American and foreign dignitaries. Leaders of both Houses of Congress sit nearby as well. It is a beautiful day—but as national security and continuity of government experts have long recognized, it is also a window of vulnerability. If terrorists launched a successful strike on Inauguration Day, it could wipe out not only our new President, but also the first three people who are in the line of Presidential succession under our current Presidential succession statute—the Vice President, the Speaker of the House, and the President pro tempore of the Senate.

What happens next?

Well, imagine that the election of the prior year had resulted in a change of political party control of the White House. During previous Presidential transition periods, a new incoming President has had to serve with Cabinet members from the prior administration—including sub-Cabinet officials from the prior administration acting as Cabinet members—for at least some period of time. That means that, in the event of a successful inaugural day attack, the official who could rise to become Acting President, perhaps serving for four full years, could very well be a member of the outgoing administration—indeed, a member of the political party that the American people expelled from office at the most recent election.

The resolution I introduce today would help prevent this from happening. As the resolution acknowledges, members of the Senate, regardless of political party affiliation, agree that the American people deserve a Government that is failsafe and foolproof. We agree that terrorists should never have the ability to disrupt the operations of the Government. We agree that continuity of governmental operations in the wake of a catastrophic terrorist attack remains a pressing issue of national importance before the United States Congress. And we agree that, at a minimum, terrorists should never have the ability, by launching a terrorist attack, to change the political party that is in control of the Government—a principle that applies regardless of which party is in power.

An incoming President, of course, cannot exercise the constitutional powers of the President, in order to ensure a smooth transition of Government, until noon on the 20th day of January, pursuant to the terms of the Twentieth Amendment of the Constitution. Accordingly, cooperation between the incoming and the outgoing President is the only way to ensure a smooth transition of government.

Whenever control of the White House shall change from one political party to another, the outgoing President and the incoming President should work together, and with the Senate to the extent deemed appropriate by the Senate, to ensure a smooth transition of executive power, in the interest of the American people. Accordingly, the resolution establishes a non-binding protocol—a protocol with three parts.

First, the resolution states that an outgoing President should consider submitting the nominations of individuals to the Senate who are selected by the President-elect for offices that fall within the line of succession. Under the current Presidential succession statute (3 U.S.C. §19), that means the members of the Cabinet, defined as the heads of the statutory executive departments (5 U.S.C. §101).

Second, the resolution provides that the Senate should consider conducting confirmation proceedings and votes on Cabinet nominations, to the extent deemed appropriate by the Senate, between January 3 and January 20 before the Inauguration. Of course, nothing in the resolution purports to alter the constitutional powers of either the President or the Senate, and indeed, nothing in this resolution could constitutionally do so.

And third, the resolution encourages the outgoing President to consider agreeing to sign and deliver commissions for all approved nominations on January 20 before the Inauguration—all to ensure continuity of government.

I am pleased that this resolution has received such strong support amongst experts in the fields of continuity of government and constitutional law. This is a truly nonpartisan effort, so I am particularly pleased that the resolution is so enthusiastically supported by constitutional legal experts such as Walter Dellinger, Cass Sunstein, Laurence Tribe, Michael Gerhardt, and Howard Wasserman. Rather than repeat their words here, I will simply ask unanimous consent that their letters be included in the CONGRESSIONAL RECORD at the close of my remarks.

Throughout history, Congress has acted consistently and in a bipartisan fashion to encourage measures to ensure the smooth transition of Executive power from one President to another. I think, for example, of the Presidential Transition Act of 1963, and its subsequent amendments. In that Act, Congress concluded that ''[t]he national interest requires'' that ''the orderly transfer of the executive power in connection with the expiration of the term of office of a President and the inauguration of a new President . . . be accomplished so as to assure continuity in the faithful execution of the laws and in the conduct of the affairs of the Federal Government, both domestic and foreign.'' Congress further concluded that ''[a]ny disruption occasioned by the transfer of the executive power could produce results detrimental to the safety and well-being of the United States and its people.'' Accordingly, Congress expressed its intent ''that appropriate actions be authorized and taken to avoid or minimize any disruption'' and ''that all officers of the Government so conduct the affairs of the Government for which they exercise responsibility and authority as (1) to be mindful of problems occasioned by transitions in the office of President, (2) to take appropriate lawful steps to avoid or minimize disruptions that might be occasioned by the transfer of the executive power, and (3) otherwise to promote orderly transitions in the office of President.''

Close cooperation between an incoming President and an outgoing President is the only way to ensure a smooth transition of government. So this evening, just days away from the first of our nation's two great political conventions, I am pleased to introduce a resolution to ensure continuity of government during a unique window of vulnerability—the Presidential inaugural period. And I look forward to further debate and discussion on other legislation to ensure the continuity of our national government.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

HARVARD UNIVERSITY,
Cambridge, MA, July 22, 2004.

Hon. JOHN CORNYN,
Chairman, U.S. Senate Judiciary Subcommittee on the Constitution, Civil Rights & Property Rights, Washington, DC.

DEAR SENATOR CORNYN: I am writing to commend you for drafting the Resolution whose text you have shared with me expressing the sense of the Senate with respect to continuity of government and the smooth transition of Executive power. I write not as a friend and supporter of Senators Kerry and Edwards, whose election this November to the presidency and vice presidency I believe you know I strongly favor, but as a citizen of this nation and, for more than 30 years, a professor of constitutional law who is devoted to the success of its government of, by, and for the people,

The Resolution I have read is a non-binding measure that creates no obligations or rights and imposes no restrictions. For this reason among others, it is fully consistent with the Constitution of the United States. Unlike some such non-binding measures, however, this one seems to me extremely wise. It entails no posturing, and the recommendations it makes for the transition from an incumbent president's administration to that of a newly elected president who is not the incumbent—a situation I fervently hope we will confront between November 2, 2004, and January 20, 2005—seem to me not only sensible but potentially crucial, especially during a period of our history when fanatic international terrorism threatens to disrupt our political and governmental processes. The recommendations are such that a non-partisan, good-government perspective would commend this Resolution to the entire Senate, and I strongly support its adoption.

Yours truly,

LAURENCE TRIBE.

UNIVERSITY OF CHICAGO LAW SCHOOL,
Chicago, IL, July 22, 2004.

Senator JOHN CORNYN,
Chairman, Senate Subcommittee on the Constitution, Civil Rights, and Property Rights, Senate Committee on the Judiciary, U.S. Senate, Washington, DC.

DEAR SENATOR CORNYN: I am writing to express support, from the standpoint of constitutional structure and good governance, for the proposed resolution involving continuity in government, which would contain the following language:

''Resolved, that it is the sense of the Senate that during the period preceding the end of a term of office in which a President will not be serving a succeeding term—

(1) that President should consider submitting the nominations of individuals to the Senate who are selected by the President-elect for offices that fall within the line of succession;

(2) the Senate should consider conducting confirmation proceedings and votes on the nominations described under paragraph (1), to the extent deemed appropriate by the Senate, between January 3 and January 20 before the Inauguration; and

(3) that President should consider agreeing to sign and deliver commissions for all approved nominations on January 20 before the Inauguration, to ensure continuity of Government''

The significant advantage of the suggested process is that in the event of terrorist attack or other large-scale disruption, it would reduce the risk that there would be ''gaps'' in the personnel and operation of the Executive Branch. If the process operates as suggested, then there would be no period in which certain high-level offices (those that fall within the line of succession) lack personnel of the President's choosing. A disadvantage of the suggested process is that it would put perhaps unwelcome time pressure on both the President-elect and the Senate—while also putting the sitting President in a mildly awkward position. Nonetheless, the text of the Resolution is not rigid (''should consider''), and there are large virtues, for the President-elect and the Senate alike, of providing an early, expeditious process for ensuring that the President's Cabinet is in place. The process thus promises to reduce a serious danger without compromising important structural values.

One of the most central goals of our constitutional system is to create an energetic and unitary executive branch, one that is capable of prompt and expeditious action. See The Federalist No. 70; E. Corwin, The President—Office and Powers 3–30 (1957). This resolution, at once bipartisan and nonpartisan, would serve to promote that goal under contemporary conditions.

Sincerely,

CASS R. SUNSTEIN.

O'MELVENY & MYERS LLP,
Washington, DC, July 22, 2004.

Re: ''Smooth Transition'' Proposed Legislation.

Hon. JOHN CORNYN,
U.S. Senate,
Washington, DC.

DEAR SENATOR CORNYN: On rare occasions a suggestion comes along that is truly a good government idea. The ''smooth transition'' resolution you have proposed is a premier example. It is a simple idea that would strengthen our government, regardless of party and regardless of ideology. To have the outgoing President, in his final weeks in office, submit to the Senate the nominations of those individuals the new President-elect has chosen for the cabinet is not merely a convenience: it is essential in an era in which our government must be ever vigilant.

I served in the White House in February, March and April of 1993. As you will recall, the position of Attorney General was not filled in a timely fashion. In my view this resulted in serious mistakes being made, as the President turned to the White House staff for advice and legal opinions that would have come from the Department of Justice had there been a functioning Attorney General. Because of the great and steady influence of career lawyers at Justice, the advice from that Department is generally more solid and consistent over time than a President receives when he has to rely on the White House to carry out duties that should be performed by the Attorney General. So I know first hand how important it is to have new Department Heads in place at the moment the new President is sworn in to office.

Your amendment does more than facilitate the smooth functioning of government. It sets the right tone at a time when so many partisan battles divide us in spirit. Our parties should compete vigorously on policy and present alternative visions and plans to the American people. But then we should facilitate rather than inhibit the capacity of the prevailing party to do the job the American people have chosen them to do. This is a sentiment I expressed four years ago in the pages of The Wall Street Journal as the new administration of President George W. Bush came to power. I am taking the liberty of including a copy of ''The Wrong Way to Oppose'' from the Journal for January 10, 2001. I wish I had thought of your idea and included it in that piece.

I hope your resolution is adopted with great bi-partisan support. Best wishes to you.

Very truly yours,

WALTER E. DELLINGER,
of O'Melveny & Myers LLP.

THE COLLEGE OF WILLIAM & MARY
SCHOOL OF LAW,
Williamsburg, VA, July 22, 2004.

Hon. JOHN CORNYN,
U.S. Senate, Committee on the Judiciary, Subcommittee on the Constitution, Civil Rights, and Property Rights, Washington, DC.

DEAR SENATOR CORNYN: I write to express my support for the resolution you are introducing suggesting that the President and Senate should each consider taking particular actions later this year to ensure a smooth transition and the continuity of government. I share your concerns about possibly crippling attacks against our government by terrorists and your efforts to ameliorate the effects of any such attacks. I believe your proposed resolution expresses a noble ideal for the President and the Senate to work together as smoothly and quickly as possible to ensure that the administration is fully staffed and operational during the critical period after the 2004 presidential election and before Inauguration Day in January 2005.

I appreciate that resolutions on presidential nominations touch upon extremely sensitive constitutional terrain. The Appointments Clause of the Constitution vests the President with the authority to nominate certain high-ranking officials, and presidents have fiercely protected this prerogative from encroachment by the Senate. The Appointments Clause also vests the Senate with the authority to provide its ''Advice and Consent'' on presidential nominations, and the Senate has defended this authority from interference by any other branch. I believe your resolution has merit in part because it accords due respect for the respective appointments authorities of the President and the Senate. It is non-binding. It does not require either branch to do anything it prefers not to do. It shows due respect for the autonomy of the President and the Senate in exercising their respective authorities over federal appointments. Separation of powers problems arise when one branch encroaches upon, or seeks to usurp, the authority of another branch. But, to its credit, the resolution avoids such problems by both acknowledging that its purpose is not to ''alter the constitutional power of the President or the constitutional function of the Senate with regard to the confirmation of Presidential nominations'' and by calling upon the President and the Senate merely to ''consider'' taking certain actions later this year—the President in possibly nominating the President-elect's nominees for cabinet and other offices requiring confirmation, and the Senate in considering holding confirmation proceedings and votes on these nominations prior to the Inaugural.

I understand that the President-Elect may not be able, for whatever reason, to nominate all the people he would like by his inaugural. I also understand that the Senate may not be able, for whatever reason, to act as quickly as either the President-Elect or resolution suggests it ought to in taking final action upon his nominations. I also understand that Presidents-Elect's nominees sometimes run into troubles in confirmation proceedings, and there is no way to prevent at least some impasses from occurring. But your resolution does not require either the President or the Senate to do anything in particular; it merely expresses a noble ideal shared by those voting for it.

I believe that this resolution, like your proposed constitutional amendment S.J. Res. 23, should be commended for its nonpartisanship. I share your hope for a smooth transition and continuity of the government for whoever wins this November.

Very truly yours,

MICHAEL J. GERHARDT,
Arthur B. Hanson Professor of Law.

FLORIDA INTERNATIONAL UNIVERSITY,
Miami, FL, July 22, 2004.

Hon. JOHN C. CORNYN,
U.S. Senate,
Washington, DC.

DEAR SENATOR CORNYN: I write in support of your Sense-of-Senate Resolution, proposing a new informal practice for nominating and confirming Cabinet officials when the White House changes party hands. The Resolution urges an outgoing President to nominate, and the new Senate to hold hearings and confirm, some or all of the President-elect's Cabinet prior to the January 20 Inauguration.

Thomas Jefferson's ascension to the presidency has been labeled the Revolution of 1800 in part because it marked one of the first peaceful and orderly transfers of executive power. The continued peaceful and orderly transfer of executive power between political parties and ideologies has become a hallmark of the American constitutional order.

However, the Inauguration ceremony that attends this orderly transfer of power, with leaders of all three branches of the federal government present, marks one of two periods in which presidential succession and continuity is uniquely vulnerable to terrorist attack. The other vulnerable period is when the President addresses a Joint Session of Congress. And the safety valve used then—having one person in the line of presidential succession, whether the Vice President or a Cabinet member, outside of Washington—is not available in the Inauguration scenario. The only people in the line of presidential succession not present at the January 20 ceremony are Cabinet Secretaries (or perhaps only deputies acting as secretary) remaining from the outgoing administration. It would be inconsistent with the expressed will of the People if a terrorist event on January 20, 2004 left the nation (only to use the next possible example of this scenario) not with four years of a President Kerry and Vice President Edwards, but with four years of Acting President Rumsfeld.

The proposal addresses this problem by ensuring that the Cabinet members in the line of succession during the handover of power on noon on January 20 will be the handpicked policy surrogates of the incoming President, those who had been chosen to help the new President exercise executive power and represent the national electoral constituency. Should tragedy strike the Inauguration, the executive branch that emerges conforms politically and ideologically with the public will expressed the previous November. The acting president would be of the same political party and policy commitments as the person just chosen by the People through the Electoral College.

I emphasize several aspects of the proposed practice. First, it urges the Senate to hold hearings and floor votes ''to the extent feasible.'' This practice does not short-circuit the Senate's advice-and-consent role or rigorous vetting of the President-elect's Cabinet. It commands that the Senate take best efforts in the two-plus weeks between January 3 and Inauguration Day to confirm the new Cabinet, particularly some or all of the high-profile positions at the top of the Departments of State, Treasury, Defense, Justice, and Homeland Security. Second, it urges the outgoing President to sign and deliver Commissions to the new Secretaries on the morning of January 20, prior to the ceremony. Until that point, the lame-duck President still acts in the event of emergencies with the counsel of his own Cabinet.

Finally, the Resolution must be considered in light of the Presidential Succession Act of 2004, S. 2073, 108th Cong. (2004), which (properly, both as a constitutional and policy matter) removes legislative officers from the line of presidential succession. The practice created by the Resolution, in connection with the proposed changes to the succession statute, thus provides the only way to ensure a popularly and politically justifiable method of presidential succession in the event of an Inauguration Day tragedy.

This informal practice benefits both political parties and the American People as a whole, ensuring a smooth transition whenever executive power transfers between parties. In fact, the partisan cooperation inherent in the practice (an outgoing President of one party nominating the policy support of his successor) may ease the political rancor in the wake of a heated election. This plan deserves the support of both parties and should be passed.

Thank you for your time. Best of luck in your efforts.

Cordially,

HOWARD M. WASSERMANN.

SENATE CONCURRENT RESOLUTION 131—CALLING ON THE GOVERNMENT OF SAUDI ARABIA TO CEASE SUPPORTING RELIGIOUS IDEOLOGIES THAT PROMOTE HATRED, INTOLERANCE, VIOLENCE, AND OTHER ABUSES OF INTERNATIONALLY RECOGNIZED HUMAN RIGHTS AND URGING THE GOVERNMENT OF THE UNITED STATES TO PROMOTE RELIGIOUS FREEDOM IN SAUDI ARABIA

Mr. SCHUMER (for himself and Ms. COLLINS) submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations:

S. CON. RES. 131

Whereas the Department of State's Country Reports on Human Rights Practices for 2003 concluded that human rights conditions remain poor in the Kingdom of Saudi Arabia;

Whereas the Department of State's International Religious Freedom Report for 2003 concluded that religious freedom does not exist in Saudi Arabia;

Whereas in a report on Saudi Arabia published in May 2003, the United States Commission on International Religious Freedom has found that religious freedom does not exist in Saudi Arabia and has concluded that the Government of Saudi Arabia forcefully limits the public practice or expression of religion to the Wahhabi interpretation of Islam;

Whereas the Government of Saudi Arabia severely restricts non-Wahhabi places of worship and denies non-Wahhabi clerics entry into the country;

Whereas security forces of the Government of Saudi Arabia continue to abuse and torture detainees and prisoners, including individuals held on account of their religious beliefs or practices;

Whereas religious law is interpreted and enforced in Saudi Arabia in a manner that affects every aspect of the lives of women in Saudi Arabia and results in serious violations of the human rights of such women;

Whereas the Government of Saudi Arabia severely limits the freedom of movement of women and discriminates against women in education, employment, access to healthcare, marriage, and inheritance, among other things;

Whereas the religious police in Saudi Arabia, known as the ''Mutawaa'', arbitrarily raid private homes and exercise broadly defined, vague powers, including the ability to use physical force and detain individuals without due process;

Whereas the Mutawaa intimidate, harass, abuse, and detain citizens and foreigners of both sexes;

Whereas, although the Government of Saudi Arabia has publicly affirmed that all residents of Saudi Arabia have the liberty to worship in private, for several years, and as recently as the fall of 2003, Shi'a clerics have been arrested, imprisoned, and tortured for expressing their religious views and some foreign workers have been arrested, detained, tortured, and deported for worshipping in private;

Whereas offensive and discriminatory language has been found in school textbooks sponsored by Saudi Arabia, sermons in mosques, and articles and commentary in the media about Jews, Christians, and other non-Muslims;

Whereas, in March 2004, the Government of Saudi Arabia detained and imprisoned several democratic reformers for criticizing the strict religious environment and the slow pace of reform in Saudi Arabia;

Whereas the Government of Saudi Arabia, which enjoys access to the United States media, refuses to allow the transmission of Radio Sawa, which promotes values of democracy, tolerance, and respect for human rights, in Saudi Arabia;

Whereas the Government of Saudi Arabia funds mosques, university chairs, Islamic study centers, and religious schools known as madrassas, all over the world, in at least 30 countries;

Whereas there have been several reports that some members of extremist and militant groups that promote intolerance, and in some cases violence, in the Middle East, Eastern Europe, Central and South Asia, and Africa have been trained as clerics in Saudi Arabia;

Whereas there have been a growing number of reports that funding originating in Saudi Arabia, including, in some cases, from individuals and organizations associated with the Government of Saudi Arabia and the royal family, has been used to finance religious schools and other activities that allegedly support religious intolerance, and, in some cases, violence, associated with certain Islamic militant and extremist organizations in several parts of the world;

Whereas in response to an April 2004 request of the Committee on Governmental Affairs of the Senate and the Committee on Government Reform of the House of Representatives, the Comptroller General of the United States is undertaking a study to determine what the Government of the United States is doing to identify, monitor, and counter the influence of funding and support from Saudi Arabia for individuals, organizations, and institutions that advocate violence, intolerance, or religious extremism outside of Saudi Arabia; and

Whereas the Government of Saudi Arabia has made public statements pledging political, economic, and educational reforms and the improved treatment of foreign residents, but it does not appear that such pledges are being carried out is Saudi Arabia: Now, therefore, be it

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

(1) calls on the Government of the Kingdom of Saudi Arabia—

(A) to stop providing funding for religious activities that promote hatred, violence, and human rights violations;

(B) to stop providing diplomatic status to Islamic clerics and educators teaching outside of Saudi Arabia who are not legally entitled to such status;

(C) to close any Islamic affairs section of an embassy of Saudi Arabia that has been responsible for propagating intolerance;

(D) to uphold the international commitments made by Saudi Arabia by respecting and protecting the human rights of citizens and foreigners of both sexes in Saudi Arabia;

(E) to ratify and fully comply with international human rights instruments and cooperate with United Nations human rights mechanisms, and, in particular, to sign, ratify, and implement the International Covenant on Civil and Political Rights done at New York December 16, 1966;

(F) to immediately implement promised judicial, political, economic, and educational reforms;

(G) to cease messages of hatred, intolerance, or incitement to violence against non-Wahhabi Muslims and non-Muslim religious groups in the educational curricula and textbooks, mosques, and media controlled by the Government of Saudi Arabia;

(H) to permit the establishment of independent, nongovernmental organizations to advance human rights and to promote tolerance in Saudi Arabia, and to take action to create an independent human rights commission for the same purposes;

(I) to safeguard the freedom of non-Muslims, and of those Muslims who do not follow the Wahhabi interpretation of Islam, to worship in private in Saudi Arabia;

(J) to permit non-Wahhabi places of worship, such as churches, to function openly in special compounds or zones for foreigners or in unadorned buildings designated for this purpose; and

(K) to permit the broadcasting of Radio Sawa throughout Saudi Arabia; and

(2) urges the President—

(A) in both public and private fora, to raise concerns at the highest levels with the Government of Saudi Arabia regarding the ongoing and repeated violations of internationally recognized human rights, including the right to freedom of religion or belief, in Saudi Arabia;

(B) to designate Saudi Arabia a country of particular concern under section 402(b)(1)(A) of the International Religious Freedom Act of 1998 (22 U.S.C. 6442(b)(1)(A)) for the systematic, ongoing, and egregious violations of religious freedom occurring in Saudi Arabia;

(C) to encourage the Government of Saudi Arabia to expeditiously implement the publicly stated plans for judicial, political, economic, and educational reform in Saudi Arabia;

(D) to encourage the Government of Saudi Arabia to cease any funding of efforts to propagate outside of Saudi Arabia any religious ideology that explicitly promotes hate, intolerance, and other human rights violations, including violence;

(E) to request that the Government of Saudi Arabia provide an accounting of what kinds of support from Saudi Arabia go to religious schools, mosques, centers of learning, and other religious organizations globally, including in the United States, and the names of such institutions;

(F) to develop and expand specific initiatives and programs in Saudi Arabia to advance human rights, including religious freedom, the rights of women, and the rule of law, including, the Greater Middle East Initiative, and the Department of State's Middle East Partnership Initiative, Middle East Democracy Fund, and Human Rights and Democracy Fund, international broadcasting, including overcoming obstacles to broadcasting Radio Sawa throughout Saudi Arabia, and other public diplomacy programs; and

(G) to provide an unclassified report to Congress on the efforts of the Government of the United States to raise concerns regarding human rights, including religious freedom, with the Government of Saudi Arabia, and the results of such efforts and the results of any initiative or program described in subparagraph (F).

SENATE CONCURRENT RESOLUTION 132—AFFIRMING THE SUPPORT OF CONGRESS FOR PRESERVING THE IMAGE OF ALEXANDER HAMILTON ON THE FACE OF $10 FEDERAL RESERVE NOTES BECAUSE OF HIS STANDING AS ONE OF THE UNITED STATES' MOST INFLUENTIAL FOUNDING FATHERS

Mr. LAUTENBERG (for himself, Mr. CORZINE, Mr. SCHUMER, and Mrs. CLINTON) submitted the following concurrent resolution; which was referred to the Committee on Banking, Housing, and Urban Affairs:

S. CON. RES. 132

Whereas Alexander Hamilton helped found and shape the United States by dedicating his life to serve distinguished careers as an American revolutionary soldier and statesman;

Whereas in 1772, Alexander Hamilton arrived in New York as a student from the West Indian Island of Nevis;

Whereas in 1781, Lieutenant Colonel Alexander Hamilton of the Continental Army led a regiment of New York troops in the Battle of Yorktown, the decisive and final major battle in the Revolutionary War;

Whereas Alexander Hamilton served as a strong voice in the Continental Congress and as an influential force as a New York Delegate to the Constitutional Convention of 1787;

Whereas Alexander Hamilton joined James Madison and John Jay to write a majority of the Federalist Papers that urged the people of New York to ratify the Constitution;

Whereas from 1789 to 1795, Alexander Hamilton served in President George Washington's Administration as the first Secretary of the Treasury and established the first Bank of the United States to manage trade and finance;

Whereas Alexander Hamilton's innovative mind created public credit, a circulating medium, and the financial framework of the United States;

Whereas Alexander Hamilton proposed the creation of the Revenue Marines, today known as the Coast Guard, a branch of the military that Congress created to secure the revenue of the United States against contraband;

Whereas Alexander Hamilton exercised his vision for the United States to establish a strong domestic manufacturing base; and

Whereas Alexander Hamilton is known as the ''Father of Paterson'' for his championing of the Society for Establishing Useful Manufactures (SUM), a group that founded Paterson, New Jersey in 1791, and established it as one of the first industrial centers of the United States: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That Congress affirms its support for preserving the image of Alexander Hamilton on the face of $10 Federal reserve notes because of his standing as one of the United States most influential founding fathers.

Mr. LAUTENBERG. Mr. President, I rise today to submit a Senate concurrent resolution which affirms the support of Congress for preserving the image of Alexander Hamilton on the $10 bill. Alexander Hamilton is a Founding Father of our Nation. He was a Lieutenant Colonel in the Revolutionary War, a voice in the Continental

Congress, and a delegate to the Constitutional Convention. He authored more than 50 of the 85 ''Federalist Papers.'' He organized the Revenue Marines, known today as the Coast Guard, and played a crucial role in the creation of the U.S. Navy. And Alexander Hamilton is the creator of one of America's first industrial and manufacturing centers, in Paterson, NJ.

Alexander Hamilton was also America's first Secretary of the Treasury and the founder of the first United States Bank. He is responsible for the financial system that our country maintains today. He created the first bank, the first tax system, the first budget, and a strong currency. He had a vision for establishing the economic viability of our fledgling country based on banking, investment, manufacturing, industry, and commerce. We are an economic superpower and a model for the rest of the world in large part because of Alexander Hamilton.

When we look to the Founding Fathers who played significant roles in the formation of America, we see that among them, George Washington has a monument in our Nation's Capital, and his image is on the $1 bill and the quarter deservedly so. Thomas Jefferson also has an impressive memorial in Washington, the main building of the Library of Congress is named after him, and his image is on the $2 bill and the nickel—again, deservedly so. Alexander Hamilton's image is on the $10 bill—and it should remain on the $10 bill. There is perhaps no other American more responsible for the fact that we have a $10 bill.

Of course, Washington and Jefferson were our first and third Presidents. Many of our other Presidents have been or will be appropriately memorialized in some fashion. For instance, our 40th President, Ronald Reagan, has had Washington National Airport and the second largest Federal building in the country, only the Pentagon is bigger, named after him. The headquarters of the Central Intelligence Agency at Langley, VA, has been named after our 41st President, George H. W. Bush. One of the four office buildings for the U.S. House of Representatives has been named after our 38th President, Gerald Ford. And the Old Executive Office Building—right next to the White House—has been named after our 34th President, Dwight Eisenhower.

We stand in a Senate Chamber steeped in history; in a country quite conscious and proud of its birth. We revere those individuals such as Washington, Jefferson, and Hamilton who were present at the creation of our great Nation and helped to establish the democracy we enjoy as a birthright. It is our duty to uphold their legacy and preserve their image. Alexander Hamilton played an instrumental role in our triumph in the Revolutionary War, the birth of our democracy, and the establishment of our financial system. His image must, at the very least, remain on the $10 bill. There have been many Presidents, and there will be many more. But there will be no more Founding Fathers.

SENATE CONCURRENT RESOLUTION 133—DECLARING GENOCIDE IN DARFUR, SUDAN

Mr. BROWNBACK (for himself, Mr. CORZINE, Mr. KOHL, Ms. LANDRIEU, Mr. JOHNSON, Mr. LEVIN, Mr. DURBIN, Mr. FEINGOLD, Mr. LAUTENBERG, Ms. MIKULSKI, Mrs. DOLE, Mrs. BOXER, Mr. LIEBERMAN, Mr. ENZI, Mr. LEAHY, Mr. BYRD, Mr. FITZGERALD, and Mr. SMITH) submitted the following concurrent resolution; which was considered and agreed to:

S. CON. RES. 133

Whereas Article 1 of the Convention on the Prevention and Punishment of the Crime of Genocide (signed at Paris on December 9, 1948) states that ''the Contracting Parties confirm that genocide, whether committed in time of peace or in time of war, is a crime under international law which they undertake to prevent and to punish'';

Whereas Article 2 of the Convention on the Prevention and Punishment of the Crime of Genocide declares that ''in the present Convention, genocide means any of the following acts committed with the intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such: (a) killing members of the group; (b) causing serious bodily or mental harm to members of the group; (c) deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part; (d) imposing measures intended to prevent births within the group; and (e) forcibly transferring children of the group to another group'';

Whereas Article 3 of the Convention on the Prevention and Punishment of the Crime of Genocide affirms that ''[the] following acts shall be punishable: (a) genocide; (b) conspiracy to commit genocide; (c) direct and public incitement to commit genocide; (d) attempt to committed genocide; and (e) complicit in genocide'';

Whereas in Darfur, Sudan, an estimated 30,000 innocent civilians have been brutally murdered, more than 130,000 people have been forced from their homes and have fled to neighboring Chad, and more than 1,000,000 people have been internally displaced; and

Whereas in March 2004 the United Nations Resident Humanitarian Coordinator stated: ''[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 Contracting Parties to the Convention on the Prevention and Punishment of the Crime of Genocide (signed at Paris on December 9, 1948), particularly the Government of Sudan, of their legal obligations under the Convention;

(3) declares that the Government of Sudan, as a Contracting Party, has violated the Convention on the Prevention and Punishment of the Crime of Genocide;

(4) deplores the failure of the United Nations Human Rights Commission to take appropriate action with respect to the crisis in Darfur, Sudan, particularly the failure by the Commission to support United States–sponsored efforts to strongly condemn gross human rights violations committed in Darfur, and calls upon the United Nations and the United Nations Secretary General to assert leadership by calling the atrocities being committed in Darfur by their rightful name: ''genocide'';

(5) calls on the member states of the United Nations, particularly member states from the African Union, the Arab League, and the Organization of the Islamic Conference, to undertake measures to prevent the genocide in Darfur, Sudan, from escalating further, including the imposition of targeted means against those responsible for the atrocities;

(6) commends the Administration's leadership in seeking a peaceful resolution to the conflict in Darfur, Sudan, and in addressing the ensuing humanitarian crisis, including the visit of Secretary of State Colin Powell to Darfur in June 2004 to engage directly in efforts to end the genocide, and the provision of nearly $140,000,000 to date in bilateral humanitarian assistance through the United States Agency for International Development;

(7) commends the President for appointing former Senator John Danforth as Envoy for Peace in Sudan on September 6, 2001, and further commends the appointment of Senator Danforth as United States Ambassador to the United Nations;

(8) calls on the Administration to continue to lead an international effort to stop genocide in Darfur, Sudan;

(9) calls on the Administration to impose targeted means, including visa bans and the freezing of assets, against officials and other individuals of the Government of Sudan, as well as Janjaweed militia commanders, who are responsible for war crimes and crimes against humanity in Darfur, Sudan; and

(10) calls on the United States Agency for International Development to establish a Darfur Resettlement, Rehabilitation, and Reconstruction Fund so that those individuals driven off their land may return and begin to rebuild their communities.

SENATE CONCURRENT RESOLUTION 134—EXPRESSING THE SENSE OF THE CONGRESS THAT THE PARTHENON MARBLES SHOULD BE RETURNED TO GREECE

Mr. FITZGERALD (for himself, Mr. LIEBERMAN, and Mr. SARBANES) submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations:

S. CON RES. 134

Whereas the Parthenon was built on the hill of the Acropolis in Athens, Greece in the mid-fifth century B.C. under the direction of the Athenian statesman Pericles and the design of the sculptor Phidias.

Whereas the Parthenon is the ultimate expression of the artistic genius of Greece, the preeminent symbol of the Greek cultural heritage—its art, architecture, and democracy—and of the contributions that modern Greeks and their forefathers have made to civilization;

Whereas the Parthenon has served as a place of worship for ancient Greeks, Orthodox Christians, Roman Catholics, and Muslims;

Whereas the Parthenon has been adopted by imitation by the United States in many preeminent public buildings, including the Lincoln Memorial;

Whereas over 100 pieces of the Parthenon's sculptures—now known as the Parthenon Marbles—were removed from the Parthenon under questionable circumstances between 1801 and 1816 by Thomas Bruce, seventh Earl of Elgin, while Greece was still under Ottoman rule;

Whereas the removal of the Parthenon Marbles, including their perilous voyage to Great Britain and their careless storage there for many years greatly endangered the Marbles;

Whereas the Parthenon Marbles were removed to grace the private home of Lord Elgin, who transferred the Marbles to the British Museum only after severe personal economic misfortunes;

Whereas the sculptures of the Parthenon were designed as an integral part of the structure of the Parthenon temple; the carvings of the friezes, pediments, and metopes are not merely statuary, movable decorative art, but are integral parts of the Parthenon, which can best be appreciated if all the Parthenon Marbles are reunified.

Whereas the Parthenon is a universal symbol of culture, democracy, and freedom, making the Parthenon Marbles of concern not only to Greece but to all the world;

Whereas, since obtaining independence in 1830, Greece has sought the return of the Parthenon Marbles;

Whereas the return of the Parthenon Marbles would be a profound demonstration by the United Kingdom of its appreciation and respect for the Parthenon and classical art;

Whereas returning the Parthenon Marbles to Greece would be a gesture of good will on the part of the British Parliament, and would set no legal precedent, nor in any other way affect the ownership or disposition of other objects in museums in the United States or around the world;

Whereas the United Kingdom should return the Parthenon Marbles in recognition that the Parthenon is part of the cultural heritage of the entire world and, as such, should be made whole;

Whereas Greece would provide care for the Parthenon Marbles equal or superior to the care provided by the British Museum, especially considering the irreparable harm caused by attempts by the museum to remove the original color and patina of the Marbles with abrasive cleaners;

Whereas Greece is constructing a new, permanent museum in full view of the Acropolis to house all the Marbles, protected from the elements in a safe, climate-controlled environment;

Whereas Greece has pledged to work with the British government to negotiate mutually agreeable conditions for the return of the Parthenon Marbles;

Where the people of Greece have a greater, ancient bond to the Parthenon Marbles, which were in Greece for over 2,200 years of the over 2,430-year history of the Parthenon;

Whereas the British people support the return of the Parthenon Marbles, as reflected in several recent polls;

Whereas a resolution signed by a majority of members of the European Parliament urged the British government to return the Parthenon Marbles to their natural setting in Greece;

Whereas the British House of Commons Select Committee on Culture, Media and Sport is to be commended for examining the issue of the disposition of the Parthenon Marbles in hearings held in 2000; and

Whereas Athens, Greece—birthplace of the Olympics—was selected as the host city of the Olympics Games in 2004, and the Parthenon Marbles should returned to their home in Athens in 2004; Now, therefore, be it

Resolved, by the Senate (the House of Representatives concurring), That it is the sense of the Congress that the Government of the United Kingdom should enter into negotiations with the Government of Greece as soon as possible to facilitate the return of the Parthenon Marbles to Greece.

SENATE CONCURRENT RESOLUTION 135—AUTHORIZING THE PRINTING OF A COMMEMORATIVE DOCUMENT IN MEMORY OF THE LATE PRESIDENT OF THE UNITED STATES, RONALD WILSON REAGAN

Mr. FRIST (for himself and Mr. DASCHLE) submitted the following concurrent resolution; which was considered and agreed to:

S. CON. RES. 135

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

SECTION 1. COMMEMORATIVE DOCUMENT AUTHORIZED.

A commemorative document in memory of the late President of the United States, Ronald Wilson Reagan, consisting of the eulogies and encomiums for Ronald Wilson Reagan, as expressed in the Senate and the House of Representatives, together with the texts of the state funeral ceremony at the United States Capitol Rotunda, the national funeral service held at the Washington National Cathedral, Washington, District of Columbia, and the interment ceremony at the Ronald Reagan Presidential Library, Simi Valley, California, shall be printed as a Senate document, with illustrations and suitable binding.

SEC. 2. PRINTING OF DOCUMENT.

In addition to the usual number of copies printed, there shall be printed the lesser of—

(1) 32,500 copies of the commemorative document, of which 22,150 copies shall be for the use of the House of Representatives and 10,350 copies shall be for the use of the Senate; or

(2) such number of copies of the commemorative document that does not exceed a production and printing cost of $1,000,000, with distribution of the copies to be allocated in the same proportion as described in paragraph (1).

AMENDMENTS SUBMITTED AND PROPOSED

SA 3567. Mr. ROBERTS submitted an amendment intended to be proposed by him to the bill S. 2386, to authorize appropriations for fiscal year 2005 for intelligence and intelligence-related activities of the United States Government, the Intelligence Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; which was ordered to lie on the table.

SA 3568. Mr. FRIST (for Mr. GREGG) proposed an amendment to the bill S. 720 to amend title IX of the Public Health Service Act to provide for the improvement of patient safety and to reduce the incidence of events that adversely effect patient safety.

SA 3569. Mr. FRIST (for Mr. KYL (for himself, Mrs. FEINSTEIN, Mr. LUGAR, and Mr. BIDEN)) proposed an amendment to the concurrent resolution S. Con. Res. 81, expressing the concern of Congress over Iran's development of the means to produce nuclear weapons.

SA 3570. Mr. FRIST (for Mr. KYL) proposed an amendment to the concurrent resolution S. Con. Res. 81, supra.

SA 3571. Mr. FRIST (for Mr. KYL) proposed an amendment to the concurrent resolution S. Con. Res. 81, supra.

SA 3572. Mr. FRIST (for Mr. KYL (for himself, Mrs. FEINSTEIN, Mr. LUGAR, and Mr. BIDEN)) proposed an amendment to the concurrent resolution H. Con. Res. 398, expressing the concern of Congress over Iran's development of the means to produce nuclear weapons.

SA 3573. Mr. FRIST (for Mr. KYL (for himself and Mrs. FEINSTEIN)) proposed an amendment to the concurrent resolution H. Con. Res. 398, supra.

SA 3574. Mr. FRIST (for Mr. KYL (for himself and Mrs. FEINSTEIN)) proposed an amendment to the concurrent resolution H. Con. Res. 398, supra.

SA 3575. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 849, to provide for a land exchange in the State of Arizona between the Secretary of Agriculture and Yavapai Ranch Limited Partnership; which was referred to the Committee on Energy and Natural Resources.

TEXT OF AMENDMENTS

SA 3567. Mr. ROBERTS submitted an amendment intended to be proposed by him to the bill S. 2386, to authorize appropriations for fiscal year 2005 for intelligence and intelligence-related activities of the United States Government, the Intelligence Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; which was ordered to lie on the table; as follows:

On page 30, strike lines 10 through 16.

SA 3568. Mr. FRIST (for Mr. GREGG) submitted an amendment intended to be proposed by him to the bill S. 720, to amend title IX of the Public Health Service Act to provide for the improvement of patient safety and to reduce the incidence of events that adversely effect patient safety; which was ordered to lie on the table; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Patient Safety and Quality Improvement Act of 2004''.

SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress makes the following findings:

(1) In 1999, the Institute of Medicine released a report entitled To Err is Human that described medical errors as the eighth leading cause of death in the United States, with as many as 98,000 people dying as a result of medical errors each year.

(2) To address these deaths and injuries due to medical errors, the health care system must identify and learn from such errors so that systems of care can be improved.

(3) In their report, the Institute of Medicine called on Congress to provide legal protections with respect to information reported for the purposes of quality improvement and patient safety.

(4) The Health, Education, Labor, and Pensions Committee of the Senate held 4 hearings in the 106th Congress and 1 hearing in the 107th Congress on patient safety where experts in the field supported the recommendation of the Institute of Medicine for congressional action.

(5) Myriad public and private patient safety initiatives have begun. The Quality Interagency Coordination Taskforce has recommended steps to improve patient safety that may be taken by each Federal agency