

that genetic information remains private and is not used for improper purposes.

Experts in genetics are united in calling for strong protections to prevent this misuse and abuse of science. The HHS advisory panel on genetic testing—with experts in law, science, medicine, and business—recommended unambiguously that Federal legislation is needed to prohibit discrimination in employment or health insurance based on genetic information. Last fall, witnesses testified about their first hand accounts of genetic discrimination. Heidi Williams' children were denied health insurance because they were carriers for a genetic disorder. Phil Hardt's children feared discrimination so much that they sought genetic tests in secret, paying out of their own pockets and not using their real names.

Francis Collins, the leader of the NIH project to sequence the human genome, said, "Genetic information and genetic technology can be used in ways that are fundamentally unjust. Already, people have lost their jobs, lost their health insurance, and lost their economic well-being because of the misuse of genetic information."

Genetic tests are becoming even cheaper and more widely available. If we don't ban discrimination now, it may soon be routine for employers to use genetic tests to deny jobs to employees, based on their risk for disease.

When Congress enacts clear protections against genetic discrimination in employment health insurance, all Americans will be able to enjoy the benefits of genetic research, free from the fear that their personal genetic information will be used against them. If Congress fails to see that genetic information is used only for legitimate purposes, we will squander the vast potential of genetic research to improve the Nation's health.

Effective enforcement will be essential. It makes no sense to enact legislation giving the American people the promise of protection against this form of discrimination and then deny them the reality of that protection.

President Bush recognizes the seriousness of this problem, and supports a ban on genetic discrimination. In his words, "genetic information should be an opportunity to prevent and treat disease, not an excuse for discrimination. Just as our Nation addressed discrimination based on race, we must now prevent discrimination based on genetic information." I commend the President for his support, and I look forward to working with the administration to see that a strong bill on genetic discrimination is signed into law this year.

It is time for Congress to act, and I urge the Senate to do so without delay.

By Mr. SANTORUM:

S. 307. A bill to amend the Farm Security and Rural Investment Act of 2002 to extend national dairy market loss payments; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. SANTORUM. Mr. President I rise today to introduce a bill to extend the Milk Income Loss Contract, MILC program, the MILC Extension Act. In the 106th Congress, I called for a programmatic solution to market instability, when I introduced S. 2706, the National Dairy Farmers Fairness Act of 2000. S. 2706 was designed to eliminate the need for Congress to provide supplemental market loss payments to dairy producers by setting up a counter cyclical payment based on the market price of class III milk. Elements of S. 2706 were later borrowed to construct the MILC program, which was included in the 2002 Farm Bill.

My bill would extend MILC for 2 years at current support levels. All commodity support programs, except MILC, were authorized for the full length of the current Farm Bill. As constructed, the MILC program provides a safety net for all dairy producers by providing a payment whenever the minimum monthly market price for Class I milk price in Boston falls below \$16.94 per hundredweight, cwt. MILC represents a broad regional compromise and while it is not perfect, I recognize its importance as a safety net for dairy producers. As such I am working to extend the program until 2007 when Congress will consider the next Farm Bill.

Budget constraints and compliance with our trade agreements requires us to reexamine the role of the federal government in agriculture. During this session of Congress I will engage in a focused effort to decrease direct payments and countercyclical programs. These discussions and reforms will be forthcoming, but allowing an important program that acts as a safety net for small farmers to expire would be too drastic of a first step.

Others have suggested that we grow this program. I will be steadfast in my opposition to growing this program. Growing the size of this program sends a potentially dangerous signal to our producers. At a time when the experts are predicting that the market may soften over coming months, Congress should not send a signal to producers to increase production. Dairy producers should look to the market, not to Washington, DC, for guidance as they manage their businesses.

As a member of the Senate Agriculture Committee who represents the fourth largest dairy producing state in the nation, I am committed to preserving the viability of Pennsylvania's dairy farmers. This legislative proposal represents a commonsense approach in the often-heated debate of dairy policy. I look forward to working with my colleagues, the President and the Secretary of Agriculture to extend this important program.

## SUBMITTED RESOLUTIONS

### SENATE RESOLUTION 38—COMMENDING THE PEOPLE OF IRAQ ON THE JANUARY 30, 2005, NATIONAL ELECTIONS

Mr. FRIST (for himself, Mr. REID, Mr. LUGAR, Mr. BIDEN Mr. AKAKA, Mr. ALEXANDER, Mr. ALLARD, Mr. ALLEN, Mr. BAUCUS, Mr. BAYH, Mr. BENNETT, Mr. BINGAMAN, Mr. BOND, Mrs. BOXER, Mr. BROWNBACK, Mr. BUNNING, Mr. BURNS, Mr. BURR, Mr. BYRD, Ms. CANTWELL, Mr. CARPER, Mr. CHAFFEE, Mr. CHAMBLISS, Mrs. CLINTON, Mr. COBURN, Mr. COCHRAN, Mr. COLEMAN, Ms. COLLINS, Mr. CONRAD, Mr. CORNYN, Mr. CORZINE, Mr. CRAIG, Mr. CRAPO, Mr. DAYTON, Mr. DEMINT, Mr. DEWINE, Mr. DODD, Mrs. DOLE, Mr. DOMENICI, Mr. DORGAN, Mr. DURBIN, Mr. ENSIGN, Mr. ENZI, Mr. FEINGOLD, Mrs. FEINSTEIN, Mr. GRAHAM, Mr. GRASSLEY, Mr. GREGG, Mr. HAGEL, Mr. HARKIN, Mr. HATCH, Mrs. HUTCHISON, Mr. INHOFE, Mr. INOUE, Mr. ISAKSON, Mr. JEFFORDS, Mr. JOHNSON, Mr. KENNEDY, Mr. KERRY, Mr. KOHL, Mr. KYL, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LEAHY, Mr. LEVIN, Mr. LIEBERMAN, Mrs. LINCOLN, Mr. LOTT, Mr. MARTINEZ, Mr. MCCAIN, Mr. MCCONNELL, Ms. MIKULSKI, Ms. MURKOWSKI, Mrs. MURRAY, Mr. NELSON of Florida, Mr. NELSON of Nebraska, Mr. OBAMA, Mr. PRYOR, Mr. REED, Mr. ROBERTS, Mr. ROCKEFELLER, Mr. SALAZAR, Mr. SANTORUM, Mr. SARBANES, Mr. SCHUMER, Mr. SESSIONS, Mr. SHELBY, Mr. SMITH, Ms. SNOWE, Mr. SPECTER, Ms. STABENOW, Mr. STEVENS, Mr. SUNUNU, Mr. TALENT, Mr. THOMAS, Mr. THUNE, Mr. VITTER, Mr. VOINOVICH, Mr. WARNER, and Mr. WYDEN) submitted the following resolution; which was considered and agreed to:

S. RES. 38

Whereas on January 30, 2005, Iraq held its first democratic elections in nearly half a century;

Whereas after more than 3 decades of enduring harsh repression and lack of freedom, millions cast ballots on January 30, 2005, to determine the future of their country in an election widely recognized as a success by the international community;

Whereas the hard work, contributions, vision, and sacrifices of the Interim Iraqi Government in undertaking major political, economic, social, and legal reforms and, in conjunction with the efforts of the Iraqi Independent Electoral Commission, in ensuring that Iraq held nationwide elections on January 30, and in not being intimidated by terrorist and insurgent forces resulted in the successful elections of January 30;

Whereas on January 30, President George W. Bush stated that the election in Iraq was a "milestone" in Iraq's history and that the "world is hearing the voice of freedom from the center of the Middle East";

Whereas the January 30 election is another step in the process of developing a free and democratic Iraq;

Whereas the people of Iraq cast votes to freely choose the 275-member Transitional National Assembly that will serve as the national legislature of Iraq for a transition period, name a Presidency Council, and select a Prime Minister;

Whereas the Transitional National Assembly will draft the permanent constitution of Iraq;

Whereas the election establishes a credible process for governing Iraq under a mandate from the majority of the people of Iraq for a new Iraq in which all communities are represented, minority rights are respected, and violence is not tolerated;

Whereas an estimated 14,300,000 Iraqis were registered to vote at more than 5,000 polling stations across Iraq and in 14 other countries;

Whereas, with 256 political entities composed of 18,900 Iraqi candidates standing for election in 20 different elections (the national election, 18 provincial elections, and Kurdistan Regional government election), voter turnout demonstrated widespread enthusiasm for self-determination;

Whereas Iraqi security forces joined with United States and Coalition forces in providing security for the elections;

Whereas despite these efforts, many Sunni Iraqis in some provinces did not vote because of fear and intimidation;

Whereas the United Nations Electoral Assistance Division and other nongovernmental organizations provided technical support and assistance to the Independent Electoral Commission of Iraq and the Iraqi Interim Government;

Whereas the people of Iraq will again exercise their popular will through a national referendum in October 2005, when the Transitional National Assembly presents a draft constitution for Iraq;

Whereas national elections based on that constitution are then to be held in December 2005 to choose an Iraqi government in a manner prescribed by the constitution;

Whereas it is in the interest of Iraq, the Middle East, the United States, and the international community that Iraq successfully transitions to a functioning democratic state, as this may serve as a catalyst for peace and stability in the region; and

Whereas the Iraqi government needs assistance from the broader international community to further develop governing capacity, train effective security forces who can defeat the terrorists and insurgents and maintain law and order, improve economic conditions, and maintain essential services, such as the delivery of electricity, gasoline, and water: Now, therefore, be it

*Resolved*, That the Senate—

(1) commends the people of Iraq on the successful nationwide elections held in Iraq on January 30, 2005, and recognizes the elections as another step in developing a free and democratic Iraq;

(2) recognizes the desire for freedom and liberty of all individuals who served as candidates, campaign workers, United Nations and Iraqi election officials, and voters in the January 30, 2005, elections in Iraq and congratulates the new members of the Transitional National Assembly and the leaders of the provincial and regional governments;

(3) urges the new leadership of Iraq to move forward with drafting the constitution, upholding the law, and holding a referendum on the new constitution in October 2005;

(4) encourages participation of all groups and communities in the drafting of a new constitution and the formation of a permanent government for Iraq;

(5) recognizes and honors the sacrifices made for freedom and liberty in Iraq by the people of Iraq;

(6) commends the Iraqi security forces, and the U.S. armed forces and Coalition forces, who ensured the elections could be conducted in a relatively safe, secure, and credible manner;

(7) condemns and deplors all acts of violence and intimidation against the people of

Iraq by members of the former Iraqi regime, insurgents, and other extremists and terrorists;

(8) supports the establishment of a fully democratic Iraqi government that respects the rule of law, promotes ethnic and religious tolerance, respects the rights of women and all minorities, provides security and stability for the people of Iraq, and has the capacity to maintain basic services such as the delivery of sufficient electricity, gasoline, and water;

(9) believes that it is in the interest of the people of Iraq, the Middle East, the United States, and the international community that Iraq transitions to a fully democratic state, and that doing so may serve as a catalyst for peace and stability in the region;

(10) calls on the international community, particularly Arab states, countries with predominantly Muslim populations, and all North Atlantic Treaty Organization member states, to provide military and police personnel to train and assist Iraqi security forces and to otherwise assist in the political and economic development of Iraq;

(11) encourages the newly-elected transitional government of Iraq to ensure that all Iraqis, including members of the Sunni religious community, are represented in the Constitution-writing process and in the new Iraqi cabinet to improve the prospects for national unity and consensus; and

(12) looks forward to welcoming Iraq into the world community of democratic nations.

SENATE RESOLUTION 39—  
APOLOGING TO THE VICTIMS OF  
LYNCHING AND THE DESCENDANTS OF THOSE VICTIMS FOR THE FAILURE OF THE SENATE TO ENACT ANTI-LYNCHING LEGISLATION

Ms. LANDRIEU (for herself, Mr. ALLEN, Mr. LEVIN, Mr. FRIST, Mr. REID, Mr. ALLARD, Mr. AKAKA, Mr. BROWNBACK, Mr. BAYH, Ms. COLLINS, Mr. BIDEN, Mr. ENSIGN, Mrs. BOXER, Mr. HAGEL, Mr. CORZINE, Mr. LUGAR, Mr. DAYTON, Mr. MCCAIN, Mr. DODD, Ms. SNOWE, Mr. DURBIN, Mr. SPECTER, Mr. FEINGOLD, Mr. STEVENS, Mrs. FEINSTEIN, Mr. TALENT, Mr. HARKIN, Mr. JEFFORDS, Mr. JOHNSON, Mr. KENNEDY, Mr. KOHL, Mr. LAUTENBERG, Mr. LEAHY, Mr. LIEBERMAN, Mr. NELSON of Florida, Mr. PRYOR, and Mr. SCHUMER) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 39

Whereas the crime of lynching succeeded slavery as the ultimate expression of racism in the United States following Reconstruction;

Whereas lynching was a widely acknowledged practice in the United States until the middle of the 20th century;

Whereas lynching was a crime that occurred throughout the United States, with documented incidents in all but 4 States;

Whereas at least 4,742 people, predominantly African-Americans, were reported lynched in the United States between 1882 and 1968;

Whereas 99 percent of all perpetrators of lynching escaped from punishment by State or local officials;

Whereas lynching prompted African-Americans to form the National Association for the Advancement of Colored People (NAACP) and prompted members of B'nai B'rith to found the Anti-Defamation League;

Whereas nearly 200 anti-lynching bills were introduced in Congress during the first half of the 20th century;

Whereas, between 1890 and 1952, 7 Presidents petitioned Congress to end lynching;

Whereas, between 1920 and 1940, the House of Representatives passed 3 strong anti-lynching measures;

Whereas protection against lynching was the minimum and most basic of Federal responsibilities, and the Senate considered but failed to enact anti-lynching legislation despite repeated requests by civil rights groups, Presidents, and the House of Representatives to do so;

Whereas the recent publication of "Without Sanctuary: Lynching Photography in America" helped bring greater awareness and proper recognition of the victims of lynching;

Whereas only by coming to terms with history can the United States effectively champion human rights abroad; and

Whereas an apology offered in the spirit of true repentance moves the United States toward reconciliation and may become central to a new understanding, on which improved racial relations can be forged: Now, therefore, be it

*Resolved*, That the Senate—

(1) apologizes to the victims of lynching for the failure of the Senate to enact anti-lynching legislation;

(2) expresses the deepest sympathies and most solemn regrets of the Senate to the descendants of victims of lynching, the ancestors of whom were deprived of life, human dignity, and the constitutional protections accorded all citizens of the United States; and

(3) remembers the history of lynching, to ensure that these tragedies will be neither forgotten nor repeated.

Ms. LANDRIEU. Mr. President, I join with my colleague, the junior senator from Virginia, to resubmit our resolution of apology for the Senate's failure to pass anti-lynching legislation. We brought this legislation to the Senate's attention in the closing days of the 108th Congress, and indicated then that we would return in February, Black History Month, and seek its adoption his body.

When submitting the resolution earlier, I provided a narrative that described the horrors lynching. It is not necessary to review those facts at this time. The focus of my comments today concerns a critique of the need for this bill. As with many historical errors, there are those who suggest that we are looking at history with twenty-twenty vision. They assert we cannot pass judgment on people living in another context; everyone is blind to their own prejudices, while seeing those of the past clearly.

That is a critique that has a lot of merit in some cases. Societal morays evolve. In fact, our nation's entire history may be viewed as a giant experiment. Viewed from this perspective we find a slow, evolutionary understanding of the meanings of justice, liberty and democracy. However, Senator ALLEN and I remain confident in what we are seeking to do. The reason is that the Senate's failure to pass anti-lynching legislation is not merely a tragedy now, it was a tragedy then.

Socrates taught us that "the greatest way to live with honor in this world is

to be what we pretend to be." The Senate filibusters that blocked anti-lynching legislation on three separate occasions besmirched the honor of this institution. We style ourselves the greatest deliberative body in the world, yet we showed little real deliberation on those days. We think of ourselves as the "saucer" that cools the passions of the House of Representatives. Yet the passions that needed cooling were found in this chamber. We argue that the Senate is the institution that protects the grand traditions of our nation, yet it was the traditions of the Declaration of Independence that we trampled over on those occasions. In short, when we consider the Senate's role in anti-lynching legislation, we simply were not what we pretend to be.

There is other contextual evidence that the Senate was out of step with justice and morality even when viewed at the time. In 1918, in the midst of the First World War, President Woodrow Wilson pleaded for the enactment of anti-lynching legislation. He stated:

There have been many lynchings and every one of them has been a blow at the heart of ordered law and humane justice. No man who loves America, no man who really cares for her fame and honor and character, or who is truly loyal to her institutions, can justify mob action while the courts of justice are open and the Governments of the States and the Nation are ready and able to do their duty . . . We proudly claim to be the champions of democracy. If we really are in deed and in truth, let us see to it that we do not discredit our own. I say, plainly, that every American who takes part in the action of a mob or gives any sort of countenance is no true son of this great democracy, but its betrayer, and does more to discredit her by that single disloyalty to her standards of law and right than the words or her statesmen or the sacrifices of her heroic boys in the trenches can do to make suffering peoples believe her to be their savior.

There are two remarkable things about this quote. First, it is an indication of just how much lynching was impacting our country's reputation. In the middle of an enormous military effort that allied the forces of democracy against the great autocratic empires, the President had to take to reprimand his own countrymen. Furthermore, historians have long noted that President Wilson did not hold particularly progressive views of African Americans. Nevertheless, here he is taking his countrymen to task. Why? Because the injustice of our actions was clear to him, and were being laid bare—rather embarrassingly—before the whole world. While we struggled to demonstrate the strength and righteousness of democracy, we were belying our own story with lynchings. Once again, we simply were not being what we pretended to be.

Finally, I know in my heart that the people of the South were aware of the injustice that they were inflicting on African Americans. I know because I understand how deeply important religion and Christianity are to the people of the South. It pervades every aspect of our culture and history. But it was

surely lost on no one in the South that the greatest victim of mob violence was Jesus. When looking at James Allen's book "Without Sanctuary" I think people will get a sense of God's suffering. You will also see the tragedy of humanity in the faces of the crowds. You quickly realize that man's inhumanity to man is an ancient question that still plagues us today. Yet in the helpless nobility of the victims, we are also reminded that God intends true peace and justice to come in the next world and not this one.

We have an opportunity today to teach, an opportunity to express remorse, and most importantly an opportunity to be what we pretend to be. In so doing, I hope we may return some of the lost honor of this Chamber.

Mr. President, it has been said that "ignorance, allied with power, is the most ferocious enemy justice can have." Sadly, this great body, in which I am so proud to serve, once allied its power with ignorance. In so doing, it condoned unspeakable injustice that diminished the role of the Senate, and heaped untold suffering on Americans sorely in need of our protection. I am referring to the Senate's role in the decades long campaign to end lynching in this country. On three separate occasions, our colleagues in the House of Representatives passed anti-lynching legislation with overwhelming majorities. On all three of those occasions members of this Chamber blocked, or filibustered the consideration of that legislation.

Between 1882, when records first began to be collected, and 1968 4,742 Americans lost their lives to lynch mobs. The experts believe that undocumented cases might double that figure. The vast majority of those killed—3,445 Americans—were African American. Sadly, a disproportionate number of those deaths occurred within my home region of the South, but 46 of the 50 States experienced these atrocities. Lynching was truly a national problem deserving the attention of the national legislative bodies.

Frederick Douglas seems to have captured the real reason for this dark period of our national history. These acts of terrorism were not so much an admission of African Americans' weakness, but of their perseverance, and indomitable spirit. Douglas wrote:

It is proof that the Negro is not standing still. He is not dead, but alive and active. He is not drifting with the current, but manfully resisting it . . . A ship rotting at anchor meets with no resistance, but when she sails on the sea, she has to buffet opposing billows. The enemies of the Negro see that he is making progress and they naturally wish to stop him and keep him in just what they consider his proper place.

It was, in short, the ability of African Americans to overcome Jim Crow laws, to overcome share-cropping, to overcome second-class citizenship that provoked such savagery. Its an old story that repeats itself throughout human history. Whether it was the Israelites in Egypt, the colonial em-

pires in Africa or America's own history of Apartheid, rulers that assume superiority inevitably prove themselves models of mankind's basest instincts.

It should also be noted that this was not only an outrage committed against African Americans. The effort to dehumanize people on the basis of race or ethnicity did not limit itself to black Americans. In fact, the single largest incident of lynching occurred in my home State, in my home town of New Orleans. Yet, the victims were not black. They were Italians. On March 14, 1891, 11 Italian immigrants were lynched in the city of New Orleans. These immigrants too were thought to be less than human, and were simply rounded up as a group of the "usual suspects" following the murder of Police Superintendent David Hennessy. Already edgy from a media prompted Mafia scare, a mob surrounded the prison and eventually battered down the doors. An armed group of 25 men overtook the guards and summarily riddled the bodies of the 11 Italian prisoners with bullets. Their bodies were hung on lampposts outside the prison. Eyewitnesses described the cheering of the crowd as deafening.

Of course, the attacks on that day are an example of mob justice and its irrational prejudices. However, in nearly 25 percent of all lynchings the motivations of the attackers came down to a bald attempt to maintain a caste system in this country. The NAACP cataloged the reported motivations for these forms of attack. They included: using disrespectful, insulting, slanderous, boastful, threatening or incendiary language; insubordination, impertinence, or improper demeanor, a sarcastic grin, laughing at the wrong place, a prolonged silence; refusing to take off one's hat to a white person or to give the right-of-way when encountering a white on the sidewalk; resisting assault by whites; being troublesome generally; disorderly conduct, petty theft or drunkenness; writing an improper letter to a white person; paying undue or improper attention to a white female; accusing a white man of writing love letters to a black woman; or living or keeping company with a white woman; turning or refusing to turn State's evidence; testifying or bringing suit against a white person; being related to a person accused of a crime and already lynched; political activities; union organizing; conjuring; discussing a lynching; gambling; operating a house of ill fame; a personal debt; refusing to accept an employment offer; vagrancy; refusing to give up one's farm; conspicuously displaying one's wealth or property; and trying to act like a white man.

In many instances, lynchings were little more than a way to remove an economic competitor and confiscate his property. This was true in a number of cases in Mississippi involving successful African American landowners,

and in one notorious Hawaiian case involving a Japanese immigrant competing with established white businessmen.

Many of my colleagues might wonder why now? After all, some of these incidents are over a century old. There are two reasons. First, this aspect of American history is not well known or understood. As reconstruction concluded in the South, a very ugly struggle to reassert the social structure that preceded the Civil War took place. A great deal of it occurred with the tacit consent of the Federal Government, and the most part, the media either shared in the common prejudice, or simply ignored what was occurring.

Fortunately, we have the publication of the book "Without Sanctuary" by James Allen, Hilton Als, Congressman JOHN LEWIS, and Leon F. Litwak to serve as a focal point for our attention to this neglected history. This is a difficult book to examine. It serves as a catalog of inhuman crime perpetrated by very ordinary citizens. Looking at anything so tragic as the victims of these crimes would be disturbing, but that is not what will leave a lasting impression. It is the festive attitude, the smiles and smirks on the crowd gathered around the victim. They clearly take a perverse pride in this act. Hannah Arendt, the famous political philosopher, subtitled her book on Adolph Eichman's war crimes trials "A Report on the Banality of Evil." When you look at the expressions on the faces of the murders in these photos, that is all you can think about. These are not crazed killers, these are rational people going about their every day lives, and committing unspeakable acts in the process.

Photos like these serve to remind us that a healthy society is not something that is built up over time, and then like a great monument, exists for centuries. Rather, a healthy society is a thin levee that must be constantly improved and maintained to hold back the worst instincts of mankind. I think the horrible pictures that came from Abu Gharib prison served as a reminder of this lesson. This book is even greater testimony that atrocities are not events that only occur in far off places. They can and have occurred here in the United States.

The only way to maintain a healthy society is to acknowledge and discuss our mistakes. No one would defend the Senate's filibuster of anti-lynching legislation today. I would like to think that any Senator who did so would quickly be looking for another line of work. However, despite the change of attitude we have taken no action to remedy our wrong. That is the purpose of this resolution today. I would like to extend my deep thanks to my courageous colleague, the Junion Senator from Virginia. He seemed to instantly understand the significance of this effort, and I believe it was vitally important to proceed with this resolution in a bipartisan manner. His input and

drive have made this effort much more successful than it otherwise would have been.

It is our intention to introduce this legislation today, and use the recess period to confer with our colleagues about it. When we reconvene next year, we will re-introduce this resolution, and at that time, we hope to have the co-sponsorship of every member of this body. Then, we endeavor to enact the resolution to commemorate Black History month.

I said ignorance allied with power is justice's most ferocious enemy. Yet imagine what truth allied with power can bring. For over 50 years, African American achievement was seen as a threat to the majority of people in this nation. It is time to close the book on that tragic period and begin to celebrate the achievements of black Americans as accomplishments that have benefited us all. I believe that this resolution of apology will be an important symbolic step in this process of healing and growth.

Mr. ALLEN. Mr. President, I rise today to speak in support of an important resolution of apology that Senator MARY LANDRIEU and I are resubmitting today. Since first submitting this measure last September, I am proud to say that approximately a third of my colleagues from both sides of the aisle have lent their support by serving as original cosponsors this Congress.

Like all of my colleagues, I am proud to be a Member of this Chamber, not for its grandeur, but because of the grand ideas it represents. It is here, at these small, wood desks, that big ideas have been debated and argued throughout the course of history for the greater good of the people of the United States and the world. It is here in this Chamber, on this floor, that representative democracy has reached consensus from what our Founding Fathers called the "Will of the People."

In the history of this Chamber, there have been many great minds and defenders of freedom. One of those, whose words still reverberate here today, is Daniel Webster. Standing in the old Senate Chamber, Webster told his colleagues in 1834 that a "representative of the people is a sentinel on the watch tower of liberty."

Indeed, the United States Senate has been a great watchtower on liberty. Many individuals have venerated the Senate as the world's greatest deliberative body. The formidable British Member of Parliament, William Gladstone, called the American Senate, "that remarkable body, the most remarkable of all the inventions of modern politics."

But unfortunately, this august body has a stain on its history: lynching. Americans died from a noose, from flogging, from a torch, from the evil hearts of men outside this Chamber. While three-fourths of the 4,742 victims of these injustices were African-Americans, no race escaped the cruel act that is so contrary to the rule of law, due

process and equal protection that we pride ourselves on in the United States. Jewish people, Asians, Hispanics, American Indians, Italians and others found themselves unprotected.

I rise today to offer a formal and heartfelt apology to all the victims of lynching in our history, and for the failure of the United States Senate to take action when action was most needed.

This body failed to act as these vile killings captivated front-page headlines, drew crowds with morbid curiosity and left thousands of mostly African Americans hanging from trees or bleeding to death from the lashings of whips. In not acting, this body failed to protect the liberty of which Webster spoke.

According to the archives of the Tuskegee Institute, 4,472 Americans died by lynching starting in 1882. Three-fourths of these acts of hatred were perpetrated against black men, women, and children. Many times these lynchings were not lone acts by a few white men. Rather, they were angry gangs or mobs whipped into frenzies by skewed mentalities of right and wrong.

One of those who suffered this awful fate was an African American named Zachariah Walker of Coatesville, VA. In 1911, Walker was dragged from a hospital bed where he was recovering from a gunshot wound. Accused of killing a white man—which he claimed was in self-defense—Walker was burned alive at the stake without a trial.

Such horrendous acts were not just a regional phenomenon of the South. States like Illinois, Ohio, Michigan, and even the Washington, DC area experienced mob violence. Lynching was not just a regional problem; it was a national crime, which occurred in 46 States of our country.

Despite the national scope of these acts, the Senate failed to pass any of the nearly 200 anti-lynching bills introduced in Congress during the first half of the twentieth century. After three bills were passed by the House of Representatives, they faced filibusters on this Senate floor.

Seven Presidents from 1890 to 1952 asked that such laws be passed. A Federal law would have afforded more protection to the innocent and would have brought the resources of the Federal Government to bear on those responsible for such egregious acts. Sadly, only one percent of such acts were prosecuted by the State or local authorities. I am proud to say Virginia passed an anti-lynching law which logically accounts for relatively fewer lynchings than in any other States in our region.

During the winter of 1937-1938, one grisly lynching captivated this body's attention. The previous April, two African Americans were taken from their jail cells in Mississippi, were whipped and slowly torched to death. Senator Champ Clark of Missouri posted photographs of the brutality back here in the cloakroom. For six weeks, this

body debated legislation to make lynching a Federal crime. For six weeks. In the end, those in favor of the pending anti-lynching bill failed to enact cloture to break the filibuster.

Historians will no doubt disagree as to a single reason why Senators blocked anti-lynching legislation in the 1920's to 1940's. My desire here is not to get into motivations.

Regardless of their reasoning, our reason tells us that it was wrong and it is appropriate to apologize for this lack of action.

Thankfully justice in our Nation has moved forward and left such despicable acts to history. In ignoring the protections of our Founding Fathers that everyone is innocent until proven guilty, the Senate turned its back on the most helpless in our society at a time when the weak needed protection.

I stand here today as a proud Senator from a Southern State. I look around this chamber and know of its abundance of honor and integrity throughout its history.

As Ephesians teaches us, "all things that are reproved are made manifest by light."

My fellow Senators, this simple, dignified apology is appropriate. It is not about any reparations. I respectfully urge my colleagues to reprove this tragedy and pass this resolution this month, February, in commemoration of Black History Month.

I shall close with the words of our Resolution:

Whereas an apology offered in the spirit of true repentance moves the United States toward reconciliation and may become central to a new understanding, on which improved racial relations can be forged: Now, therefore, be it

*Resolved*, That the Senate—

Apologizes to the victims of lynching for the failure of the Senate to enact anti-lynching legislation;

Expresses the deepest sympathies and most solemn regrets of the Senate to the descendants of victims of lynching, the ancestors of whom were deprived of life, human dignity, and the constitutional protections accorded all citizens of the United States; and

Remembers the history of lynching, to ensure that these tragedies will be neither forgotten nor repeated.

**SENATE RESOLUTION 40—SUPPORTING THE GOALS AND IDEAS OF NATIONAL TIME OUT DAY TO PROMOTE THE ADOPTION OF THE JOINT COMMISSION ON ACCREDITATION OF HEALTHCARE ORGANIZATIONS' UNIVERSAL PROTOCOL FOR PREVENTING ERRORS IN THE OPERATING ROOM**

Ms. LANDRIEU (for herself, Mr. DURBIN, and Mr. SANTORUM) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 40

Whereas according to an Institute of Medicine report entitled "To Err is Human: Building a Safer Health System", published in 2000, between 44,000 and 98,000 hospitalized people in the United States die each year due

to medical errors, and untold thousands more suffer injury or illness as a result of preventable errors;

Whereas there are more than 40,000,000 inpatient surgery procedures and 31,000,000 outpatient surgery procedures performed annually in the United States;

Whereas for the first time, nurses, surgeons, and hospitals throughout the country are being required by the Joint Commission on Accreditation of Healthcare Organizations to adopt a common set of operating room procedures in order to help curb the alarming number of deaths and injuries due to medical errors;

Whereas the Joint Commission on Accreditation of Healthcare Organizations has developed a universal protocol, endorsed by more than 50 national healthcare organizations, which calls for surgical teams to call a "time out" before surgeries begin in order to verify the patient's identity, the procedure to be performed, and the site of the procedure;

Whereas 4,579 accredited hospitals, 1,261 ambulatory care facilities, and 131 accredited office-based surgery centers were required by the Joint Commission on Accreditation of Healthcare Organizations to adopt the universal protocol beginning July 1, 2004;

Whereas the Association of periOperative Registered Nurses has created an Internet website and distributed 55,000 tool kits to healthcare professionals throughout the country to assist them in implementing the universal protocol; and

Whereas the Association of periOperative Registered Nurses, the Joint Commission on Accreditation of Healthcare Organizations, the American College of Surgeons, the American Society of Anesthesiologists, the American Hospital Association, and the American Society for Healthcare Risk Management celebrate National Time Out Day on June 22, 2005, to promote the adoption of the Joint Commission on Accreditation of Healthcare Organizations' universal protocol for preventing errors in the operating room: Now, therefore, be it

*Resolved*, That the Senate—

(1) supports the goals and ideas of National Time Out Day, as designated by the Association of periOperative Registered Nurses and endorsed by the American College of Surgeons, the American Society of Anesthesiologists, the American Hospital Association, and the American Society for Healthcare Risk Management, to promote the adoption of the Joint Commission on Accreditation of Healthcare Organizations' universal protocol for preventing errors in the operating room; and

(2) congratulates perioperative nurses and representatives of surgical teams for working together to reduce medical errors to ensure the improved health and safety of surgical patients.

Ms. LANDRIEU. Mr. President, we have all heard the expression, "To err is human." We teach our children that mistakes are okay because we learn from them. However, there are some mistakes that are more costly to make than others. In 2000, the Institute of Medicine released a report entitled, "To Err is Human: Building a Safer Health System." The report revealed the following devastating statistic: every year, between 44,000 and 98,000 hospitalized people in the United States die due to medical errors.

Science has not yet found a cure to cancer or even the common cold, but it has discovered a way to prevent the thousands of fatalities that occur every

year due to medical errors. The Joint Commission on Accreditation of Healthcare Organizations developed a universal protocol that calls for surgical teams to literally call a "time out" before surgeries begin. This "time out" serves a brief period for surgeons and nurses to verify the patient's identity, the procedure to be performed, and the site of the procedure. Endorsed by the American College of Surgeons, the American Society of Anesthesiologists, the American Hospital Association, the Association of periOperative Registered Nurses, and the American Society for Healthcare Risk Management, this idea of a "time out" may seem almost simplistic, but the fact of the matter is even the best surgeon in the world can make a very costly mistake if he or she does not stop for a moment for surgery and take a "time out."

Therefore, it is my pleasure to rise today to submit this resolution, which promotes a National Time Out Day and promotes the adoption of the Joint Commission on Accreditation of Healthcare Organization's universal protocol for preventing errors in the operating room.

To err may be human, but for the thousands of relatives that are currently sitting in a hospital waiting room, waiting for a loved one to come out of surgery, human error is not an acceptable answer.

**SENATE RESOLUTION 41—CONGRATULATING THE NEW ENGLAND PATRIOTS ON THEIR VICTORY IN SUPER BOWL XXXIX**

Mr. KENNEDY (for himself, Mr. KERRY, Mr. REED, Mr. CHAFEE, Mr. DODD, and Mr. LIEBERMAN) submitted the following resolution; which was considered and agreed to:

S. RES. 41

Whereas, on Sunday, February 6, 2005 the New England Patriots defeated the Philadelphia Eagles 24-21 in Super Bowl XXXIX, in Jacksonville, Florida;

Whereas this victory is the second consecutive Super Bowl championship for the New England Patriots and their third Super Bowl championship in the past four years;

Whereas all three Super Bowl victories by the New England Patriots were cliffhangers and were won by three points in each game;

Whereas the New England Patriots have set a National Football League record this season by winning 21 consecutive games;

Whereas Head Coach Bill Belichick and Assistant Coaches Romeo Crennel and Charlie Weiss of the New England Patriots brilliantly created successful game plans throughout the season;

Whereas wide receiver Deion Branch of the New England Patriots tied a Super Bowl record by catching eleven passes and was named Most Valuable Player in the Super Bowl;

Whereas extraordinary efforts by other players of the New England Patriots, including Tom Brady, Troy Brown, Teddy Bruschi, Corey Dillon, David Givens, Rodney Harrison, Willie McGinest, Richard Seymour, Adam Vinatieri, and Mike Vrabel, also contributed to the Super Bowl victory;

Whereas the offensive linemen of the New England Patriots, Matt Light, Joe Andruzzi, Dan Koppen, Stephen Neal, and Brandon

Gorin deserve great credit for protecting quarterback Tom Brady and blocking for running back Corey Dillon in the Super Bowl; and

Whereas owner Bob Kraft of the New England Patriots deserves great credit for his strong support of the team, and for his gracious acknowledgement that the Super Bowl Championship would not have been possible without the strong support of the millions of fans throughout New England: Therefore be it

*Resolved*, That the Senate of the United States congratulates the New England Patriots on their dramatic victory Super Bowl XXXIX.

SENATE RESOLUTION 42—EX-  
PRESSING THE SENSE OF THE  
SENATE ON PROMOTING INITIA-  
TIVES TO DEVELOP AN HIV VAC-  
CINE

Mr. LUGAR submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 42

Whereas more than 20,000,000 people have died of the acquired immune deficiency syndrome (hereinafter referred to as "AIDS") between 1984 and 2004;

Whereas AIDS claimed the lives of more than 3,000,000 people in 2004, and nearly 8,500 people die each day from AIDS;

Whereas an estimated 40,000,000 people around the world are living with the human immunodeficiency virus (hereinafter referred to as "HIV") or AIDS;

Whereas an estimated 14,000 people become infected with HIV every day;

Whereas there will be 45,000,000 new HIV infections by 2010 and nearly 70,000,000 deaths by 2020;

Whereas an estimated 14,000,000 children have lost 1 or both parents to AIDS, and this number is expected to increase to 25,000,000 by 2010;

Whereas a child loses a parent to AIDS every 14 seconds;

Whereas more than 90 percent of the people infected with HIV live in the developing world;

Whereas more than 70 percent of the people infected with HIV live in sub-Saharan Africa;

Whereas communities and countries are struggling with the devastating human and economic toll that HIV and AIDS has taken on them;

Whereas the HIV/AIDS pandemic threatens political and regional stability and has contributed to broader economic and social problems, including food insecurity, labor shortages, and the orphaning of generations of children;

Whereas the United States is leading global efforts to combat the HIV/AIDS pandemic through its \$15,000,000,000 Emergency Plan for AIDS Relief and its commitment to the Global Fund to Fight AIDS, Tuberculosis and Malaria;

Whereas, through the World Health Organization, the Joint United Nations Programme on HIV/AIDS (UNAIDS), and the Global Fund to Fight AIDS, Tuberculosis and Malaria, the international community is cooperating multilaterally to combat HIV/AIDS;

Whereas developing an HIV vaccine is especially challenging due to the complicated nature of the virus;

Whereas many biotechnology companies have not invested in the development of HIV vaccines;

Whereas during the years 2001 and 2002, only 7 HIV vaccine candidates entered clinical trials, and only 1 of those candidates en-

tered advanced human testing, but it proved ineffective;

Whereas the International AIDS Vaccine Initiative (IAVI) has been a very effective and positive force in the development of an HIV vaccine and has been instrumental in laying the groundwork for developing an HIV vaccine;

Whereas the Bill and Melinda Gates Foundation, the Rockefeller Foundation, and other public and private organizations are pursuing a variety of initiatives to develop an HIV vaccine, including establishing BIO Ventures for Global Health to help small biotechnology companies address the problems they confront in developing new medical products for poor countries;

Whereas, in June 2003, an international group of scientists proposed the creation of a Global HIV Vaccine Enterprise;

Whereas, since that time the Global HIV Vaccine Enterprise has been established, creating an alliance of the world's leading scientists and independent organizations committed to accelerating the development of a preventive HIV vaccine by enhancing coordination, information sharing, and collaboration globally;

Whereas the members of the Group of Eight (Canada, France, Germany, Italy, Japan, Russia, the United Kingdom, and the United States) met in Sea Island, Georgia in June 2004 and reaffirmed their commitment to combat the global HIV/AIDS pandemic by accelerating and coordinating efforts to develop an HIV vaccine;

Whereas at the meeting in Sea Island, Georgia, under the President's leadership, the Group of Eight endorsed the establishment of the Global HIV Vaccine Enterprise;

Whereas the United States has an HIV vaccine research and development center at the National Institutes of Health, and the President announced funding for the establishment of a second HIV vaccine research and development center in the United States that will become a key compound of the Global HIV Vaccine Enterprise;

Whereas the Global HIV Vaccine Enterprise has developed and published a shared scientific strategy that addresses the major obstacles to the development of an HIV vaccine, summarizes current scientific priorities, and describes an initial strategic approach to addressing these priorities; and

Whereas an HIV vaccine has the potential to prevent new HIV and AIDS cases, which would save millions of lives and dramatically reduce the negative economic consequences of HIV and AIDS: Now, therefore, be it

*Resolved*,

**SECTION 1. SENSE OF THE SENATE ON THE DEVELOPMENT OF AN HIV VACCINE.**

It is the sense of the Senate that—

(1) the President should seek to build on the initiative of the members of the Group of Eight (Canada, France, Germany, Italy, Japan, Russia, the United Kingdom, and the United States) to develop a vaccine to curtail the spread of the human immunodeficiency virus (hereinafter referred to as "HIV") and should mobilize necessary economic and scientific support for the Global HIV Vaccine Enterprise, an alliance of the world's leading scientists and independent organizations committed to accelerating the development of a preventive HIV vaccine by enhancing coordination, information sharing, and collaboration globally;

(2) the President should continue to urge the members of the Group of Eight and other countries to garner support from their own economic, scientific, and philanthropic communities for the development of an HIV vaccine;

(3) the members of the Group of Eight should follow-up the June 2004 meeting in

Sea Island, Georgia with official and private meetings, conferences, and other events to further explore and implement initiatives concerning the Global HIV Vaccine Enterprise;

(4) the members of the Group of Eight should leverage financial contributions from the international philanthropic community to provide funding, including funding to the private sector, to promote the development of an HIV vaccine;

(5) the members of the Group of Eight should include the scientific and political leadership of those countries most affected by the pandemic of HIV and the acquired immune deficiency syndrome (hereinafter referred to as "AIDS"); and

(6) the members of the Group of Eight should develop a specific plan for furthering efforts towards this goal prior to the meeting of the Group of Eight planned for June 2005 in the United Kingdom.

**SEC. 2. THE GLOBAL HIV VACCINE ENTERPRISE.**

The Senate urges the President to continue the efforts of the United States to generate global support for the Global HIV Vaccine Enterprise by carrying out an initiative that—

(1) is in coordination and partnership with the members of the Group of Eight, the private sector, and other countries, especially those countries most affected by the HIV/AIDS pandemic;

(2) encourages the members of the Group of Eight to act swiftly to mobilize money and resources to support the Global HIV Vaccine Enterprise;

(3) includes a strategic plan to prioritize the scientific and other challenges to the development of an HIV vaccine, as set out in the Scientific Strategic Plan developed by the Global HIV Vaccine Enterprise, to coordinate research and product development efforts, and to encourage greater use of information-sharing networks and technologies;

(4) encourages the establishment of a number of coordinated global HIV vaccine development centers that have a sufficient number of researchers who possess the scientific expertise necessary to advance the development of an HIV vaccine; and

(5) increases cooperation, communication, and sharing of information on issues related to HIV and AIDS among regulatory authorities in various countries.

Mr. LUGAR. Mr. President, I rise to submit a resolution expressing the Sense of the Senate on promoting initiatives to develop an HIV vaccine.

On June 6, 2004, I introduced Senate Resolution 398 urging the President to promote initiatives to develop an HIV vaccine. While I am encouraged by the progress that has taken place in the months since I submitted that resolution, much remains to be done to develop an effective HIV vaccine. Because of the gravity and urgency of this issue, I am submitting my resolution.

The HIV/AIDS pandemic is unlike any disease in history and has profound implications for political stability, development, and human welfare. The sheer magnitude of the crisis is overwhelming. An estimated 40,000,000 people around the world live with HIV or AIDS, and nearly 8,500 people die every day from AIDS. Last year alone, more than 3 million people died from AIDS. Every 14 seconds, a child loses a parent to AIDS. An estimated 14,000,000 children have lost one or both parents to AIDS, and this number is expected to

increase to 25 million by 2010. According to recent projections from the World Health Organization and the Joint United Nations Program on HIV/AIDS, UNAIDS, if the pandemic spreads at its current rate, there will be 45 million new infections by 2010 and nearly 70 million deaths by 2020. Sub-Saharan Africa has been hardest hit by the disease, with more than 75 percent of the people infected with HIV living in the region.

The U.S. is leading global efforts to combat the pandemic through its \$15 billion Emergency Plan for AIDS Relief and its commitment to the Global Fund to Fight AIDS, Tuberculosis, and Malaria. But the human and economic toll of the HIV pandemic demands that these activities be complemented by accelerated efforts to develop an HIV vaccine. An HIV vaccine would prevent new HIV and AIDS cases, which could save millions of lives and dramatically reduce the negative social and economic consequences of the disease. Yet, HIV vaccine development is still not prominent on national or international public health agendas.

Developing an HIV vaccine is particularly challenging because HIV is one of the most complicated viruses ever identified. In addition, many private sector biotechnology companies have not invested money and expertise in the search for an HIV vaccine. Developing an HIV vaccine, therefore, is unlikely to occur without a well-coordinated and focused global research effort.

The Global HIV Vaccine Enterprise is mobilizing such an effort. The Enterprise is an alliance of the world's leading scientists and independent organizations around the world committed to accelerating the development of a preventive vaccine for HIV/AIDS. The Enterprise, like the Human Genome Project, seeks to promote a new level of coordination and information-sharing to address a complex scientific problem. In addition, the HIV Vaccine Enterprise is intended to accelerate progress by promoting international public-private collaboration.

The International AIDS Vaccine Initiative, IAVI, has been instrumental in laying the groundwork for the Enterprise. The IAVI is an international organization that collaborates with developing countries, governments, and international agencies dedicated to accelerating the development of a vaccine to halt the AIDS epidemic. The IAVI, however, cannot accomplish this task alone. Here in the United States, the Bill and Melinda Gates Foundation and the Rockefeller Foundation have joined forces to help address the financial problems faced by small biotechnology companies. They founded BIO Ventures for Global Health to help small biotechnology companies address the problems they confront in developing new medical products for poor countries. The wider application of this model would greatly improve the development of vaccines and other medi-

cines aimed at improving health in the developing world.

Under President Bush's leadership, the Members of the Group of Eight Industrialized Nations, G-8, during their meeting at Sea Island last June, endorsed the Global HIV Vaccine Enterprise. At the meeting, President Bush announced plans to establish a second HIV Vaccine Research and Development Center in the United States, in addition to the one already operating at the U.S. National Institutes of Health. Recently, the President announced funding for that second center, the Center for HIV/AIDS Vaccine Immunology, CHAVI, which will become a key component of the Enterprise.

I commend the President's leadership on this critically important issue. The G-8's endorsement of the Global HIV Vaccine Enterprise is a big step forward in the development of an HIV vaccine. My resolution acknowledges the President's and the G-8's actions towards this goal and urges them to continue to cooperate with other countries, particularly those hit hardest by the HIV/AIDS pandemic, to achieve this important objective.

#### NOTICES OF HEARINGS/MEETINGS

##### COMMITTEE ON RULES AND ADMINISTRATION

Mr. LOTT. Mr. President, I wish to announce that the Committee on Rules and Administration will meet on Tuesday, February 8, 2005, at 9:30 a.m., to conduct its organization meeting for the 109th Congress.

For further information regarding this hearing, please contact Susan Wells at the Rules and Administration Committee on 224-6352.

#### AUTHORITY FOR COMMITTEES TO MEET

##### COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. FRIST. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet on Monday, February 7, 2005, at a time and location to be determined to hold a business meeting to consider the nominations of Michael Chertoff to be Secretary of Homeland Security, and Allen Weinstein to be Archivist of the United States.

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

#### PRIVILEGE OF THE FLOOR

Mr. SPECTER. Mr. President, I ask unanimous consent that the privilege of the floor be extended to the following staffers for the duration of S. 5: Harold Kim, Ryan Triplette, Hannibal Kemerer, Nathan Morris, Rita Lari Jocum, Kevin O'Scannlain, Brendan Dunn, and Scott Will, all from the Judiciary Committee.

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

Mr. ALLEN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant bill clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

#### APPOINTMENTS

The PRESIDING OFFICER. The Chair, on behalf of the President of the Senate, and after consultation with the Democratic Leader, pursuant to Public Law 106-286, appoints the following members to serve on the Congressional-Executive Commission on the People's Republic of China: the Senator from Montana, Mr. BAUCUS; the Senator from Michigan, Mr. LEVIN; the Senator from California, Mrs. FEINSTEIN; and the Senator from North Dakota, Mr. DORGAN.

#### CONGRATULATING THE NEW ENGLAND PATRIOTS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 41, submitted earlier today by Senators KENNEDY, KERRY, and REED.

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

The assistant legislative clerk read as follows:

A resolution (S. Res. 41) congratulating the New England Patriots on their victory in Super Bowl XXXIX.

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

#### CONGRATULATING THE NEW ENGLAND PATRIOTS

Mr. KENNEDY. Mr. President, I welcome this opportunity to congratulate the New England Patriots for winning yesterday's exciting Super Bowl against the Philadelphia Eagles, 24-21.

What a year our sports teams in New England have had. The Patriots won the Super Bowl and the Boston Red Sox won the World Series. It doesn't get much better than that.

The Patriots deserve great credit for another brilliant season. They have shattered the NFL record by winning 21 straight games. The previous record was held by the Miami Dolphins in 1972, who won 15 straight games.

With nine seconds left in the game yesterday, Rodney Harrison intercepted his second pass of the day, clinching the Patriot's second straight Super Bowl and their third Super Bowl championship in 4 years.

All three of those Super Bowl victories were by the same narrow margin—three points. In their two previous Super Bowl victories, they won by last-second field goals. This year, the field