

and implementation of the Antigua Convention will offer the opportunity to strengthen conservation and management of these resources in important ways, including through enhanced efforts to ensure compliance and enforcement of agreed conservation and management measures.

The Antigua Convention draws upon relevant provisions of the 1982 United Nations Convention on the Law of the Sea (the "LOS Convention") and the 1995 United Nations Agreement on the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks (the "U.N. Fish Stocks Agreement"). The Antigua Convention gives effect to the provisions of the LOS Convention and U.N. Fish Stocks Agreement that recognize as essential, and require cooperation to conserve highly migratory fish stocks through regional fishery management organizations, by those with direct interests in them—coastal States with authority to manage fishing in waters under their jurisdiction and those nations and entities whose vessels fish for these stocks.

The United States, which played an instrumental role in negotiation of the revised Convention, has direct and important interests in the Antigua Convention and its early and effective implementation. United States fishing concerns, including the U.S. tuna industry, U.S. conservation organizations, and U.S. consumers, as well as those people who reside in those U.S. States bordering the Convention Area, have crucial stakes in the health of the oceans and their resources as promoted by the Antigua Convention.

I recommend that the Senate give early and favorable consideration to the Antigua Convention and give its advice and consent to ratification.

GEORGE W. BUSH.
THE WHITE HOUSE, May 16, 2005.

SENATE LEGAL COUNSEL AUTHORIZATION

Mr. FRIST. I ask unanimous consent the Senate now proceed to the consideration of S. Res. 143, which was submitted earlier today.

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

The legislative clerk read as follows:

A resolution (S. Res. 143) to authorize Senate Legal Counsel to appear in legal proceedings in the name of the Permanent Subcommittee on Investigations in connection with its investigation into the United Nations' "Oil-For-Food" Programme.

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

Mr. FRIST. Mr. President, this resolution concerns a request for representation in a civil action pending in Federal District Court in the District of Columbia. In this case, the United Nations is seeking to prevent an individual from complying with subpoenas for testimony and documents issued by the Permanent Subcommittee on In-

vestigations and other congressional committees in connection with their inquiries into allegations of fraud and corruption in the United Nations Oil for Food Program. The individual at issue, Mr. Robert Parton, is an investigator formerly associated with the Independent Inquiry Committee, an entity formed by the United Nations to conduct its own investigation into the program. The United Nations contends that its privileges and immunities, and its contracts with Mr. Parton, bar him from complying with the subcommittee's subpoenas.

Mr. President, subcommittee staff has been discussing for some time with United Nations and IIC counsel their concerns regarding United Nations privileges and how any such privileges might be accommodated consistent with the investigative needs of the subcommittee. The subcommittee does not desire adversely to affect the IIC's ongoing investigation of the Oil-for-Food Program. However, the subcommittee believes that it is possible for Mr. Parton to provide information needed by the subcommittee in the fulfillment of its responsibilities without doing so.

In the event, however, that the subcommittee's negotiations with the United Nations and the IIC do not resolve this matter, the enclosed resolution authorizes the Senate legal counsel, when directed by the Permanent Subcommittee on Investigations, or by the chairman and ranking minority member, acting jointly, to appear in the name of the subcommittee as *amicus curiae*, *intervenor*, *applicant* or *respondent* in *United Nations v. Robert Parton* or any related action or proceeding.

Mr. FRIST. I ask unanimous consent the resolution be agreed to the preamble be agreed to, and the motion to reconsider be laid on the table.

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

The resolution (S. Res. 143) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 143

Whereas, the Permanent Subcommittee on Investigations is conducting an inquiry into the United Nations' "Oil-for-Food" Programme;

Whereas, the Subcommittee has need to obtain access to evidence from an individual formerly associated with the Independent Inquiry Committee, a committee formed by the United Nations to investigate claims relating to the Programme;

Whereas, in the course of the Subcommittee's efforts to obtain access to such evidence, legal issues may arise requiring the Subcommittee to appear in the courts of the United States;

Whereas, pursuant to section 703(c), 706(a), and 713(a) of the Ethics in Government Act of 1978, 2 U.S.C. 288b(c), 288e(a), and 288f(a), the Senate may direct its Counsel to appear as *amicus curiae* or to intervene in the name of a subcommittee of the Senate in any legal actions in which the powers and responsibilities of Congress under the Constitution are placed in issue: Now, therefore, be it

Resolved, That the Senate Legal Counsel is authorized, when directed by the Permanent Subcommittee on Investigations, or by the Chairman and Ranking Minority Member, acting jointly, to appear in the name of the Subcommittee as *amicus curiae*, *intervenor*, *applicant* or *respondent* in *United Nations v. Robert Parton* or any other related action or proceeding.

ORDERS FOR TUESDAY, MAY 17, 2005

Mr. FRIST. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 9:45 a.m. on Tuesday, May 17. I further ask that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved, and the Senate then begin a period of morning business for up to 60 minutes, with the first 30 minutes under the control of the Democratic leader or his designee and the final 30 minutes under the control of the majority leader or his designee; provided that following morning business, the Senate resume consideration of H.R. 3, the highway bill. I further ask consent that there then be 30 minutes equally divided between the chairman and ranking member or designees prior to beginning the series of votes in relation to the pending amendments as under the original order.

I further ask unanimous consent that the Senate recess from 12:30 to 2:15 for the weekly party luncheons.

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

PROGRAM

Mr. FRIST. Tomorrow, following morning business, the Senate will resume consideration of the highway bill. Under a previous order, following the final 30 minutes for closing remarks, the Senate will proceed to a series of stacked votes on the pending amendments to the bill. Following the disposition of those amendments, the Senate will immediately vote on passage of the bill. Therefore, Senators should expect multiple rollcall votes beginning at approximately 11:30 a.m. tomorrow, culminating in passage of the highway bill.

ADJOURNMENT UNTIL 9:45 A.M. TOMORROW

Mr. FRIST. If there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 6:29 p.m., adjourned until Tuesday, May 17, 2005, at 9:45 a.m.

NOMINATIONS

Executive nominations received by the Senate May 16, 2005:

DEPARTMENT OF DEFENSE

DANIEL R. STANLEY, OF KANSAS, TO BE AN ASSISTANT SECRETARY OF DEFENSE, VICE POWELL A. MOORE.

ERIC S. EDELMAN, OF VIRGINIA, TO BE UNDER SECRETARY OF DEFENSE FOR POLICY, VICE DOUGLAS JAY FEITH.

DEPARTMENT OF THE TREASURY

SANDRA L. PACK, OF MARYLAND, TO BE AN ASSISTANT SECRETARY OF THE TREASURY, VICE TERESA M. RESSEL, RESIGNED.

DEPARTMENT OF STATE

PAUL A. TRIVELLI, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF NICARAGUA.

ANN LOUISE WAGNER, OF MISSOURI, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO LUXEMBOURG.

VICTORIA NULAND, OF CONNECTICUT, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICES, CLASS OF MINISTER-COUNSELOR, TO BE PERMANENT REPRESENTATIVE OF THE UNITED STATES OF AMERICA ON THE COUNCIL OF THE NORTH ATLANTIC TREATY ORGANIZATION, WITH THE RANK AND STATUS OF AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY.

TERENCE PATRICK MCCULLY, OF OREGON, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF MALI.

LARRY MILES DINGER, OF IOWA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF THE FIJI ISLANDS, AND TO SERVE CONCURRENTLY AND WITHOUT ADDITIONAL COMPENSATION AS AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF NAURU, THE KINGDOM OF TONGA, TUVALU, AND THE REPUBLIC OF KIRIBATI.

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

MICHAEL E. HESS, OF NEW YORK, TO BE AN ASSISTANT ADMINISTRATOR OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT, VICE ROGER P. WINTER, RESIGNED.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS CHIEF OF STAFF OF THE AIR FORCE, AND FOR APPOINTMENT TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTIONS 8033 AND 601:

To be general

GEN. TEED M. MOSELEY, 0000

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. JULIA A. KRAUS, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COL. DONALD M. BRADSHAW, 0000

COL. JAMES K. GILMAN, 0000

COL. DAVID A. RUBENSTEIN, 0000

COL. PHILIP VOLPE, 0000

DEPARTMENT OF THE TREASURY

JANICE B. GARDNER, OF VIRGINIA, TO BE ASSISTANT SECRETARY FOR INTELLIGENCE AND ANALYSIS, DEPARTMENT OF THE TREASURY. (NEW POSITION)