

S. 3180

At the request of Mr. LEMIEUX, the name of the Senator from Utah (Mr. BENNETT) was added as a cosponsor of S. 3180, a bill to prohibit the use of funds for the termination of the Constellation Program of the National Aeronautics and Space Administration, and for other purposes.

S. RES. 477

At the request of Mr. MENENDEZ, the names of the Senator from Wisconsin (Mr. FEINGOLD), the Senator from California (Mrs. FEINSTEIN), the Senator from Vermont (Mr. LEAHY) and the Senator from Pennsylvania (Mr. CASEY) were added as cosponsors of S. Res. 477, a resolution honoring the accomplishments and legacy of Cesar Estrada Chavez.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. KAUFMAN (for himself, Mr. VOINOVICH, Mr. AKAKA, and Mr. LIEBERMAN):

S. 3196. A bill to amend the Presidential Transition Act of 1963 to provide that certain transition services shall be available to eligible candidates before the general election; to the Committee on Homeland Security and Governmental Affairs.

Mr. KAUFMAN. Mr. President, I rise to discuss a bill I am introducing today, the Pre-Election Presidential Transition Act of 2010, bipartisan legislation that concerns both our national security and America's democratic institutions.

I am proud to be joined by my colleague from Ohio, Senator VOINOVICH in introducing this bill. I also want to thank our cosponsors, Chairman AKAKA of the Oversight of Government Management Subcommittee as well as Chairman LIEBERMAN of the Homeland Security and Governmental Affairs Committee.

I am appreciative of their support and for their input while drafting this bill.

I also would like to thank the Partnership for Public Service, a leading nonpartisan, nonprofit organization in the area of government accountability and reform. Their recent "Ready to Govern" report on the 2008-2009 transition made a number of important recommendations that are included in our bill.

As the strong, bipartisan support for this bill demonstrates, this is not a political issue.

After the attacks of September 11, we face new security challenges that require close cooperation between outgoing and incoming administrations, and the recent economic crisis underscores the importance of a smooth handoff on domestic policy as well.

This was highlighted in a recent article by Martha Kumar, a respected political scientist at Towson University and Director of the nonpartisan White House Transition Project. As Professor Kumar recounts in her December 2009

article in Presidential Studies Quarterly, a threat to President Obama's inauguration brought together the incoming and outgoing senior national security personnel in the White House Situation Room the morning of his swearing-in.

In the hours before then-President-elect Obama was to take office, intelligence sources had indicated a possible plot to attack the National Mall during the ceremony. Thankfully, this threat proved a false alarm.

But, as Kumar explains, that Situation Room meeting between advisers to President Bush and President-elect Obama was a powerful example of why transition planning is so important.

In their meeting that morning, those on both sides worked well together as a team. This was so because they had met frequently in the weeks beforehand and had undergone joint emergency preparedness exercises together.

This occurred in no small part because the administration of former President George W. Bush made it a high priority. The former President and his White House staff deserve great credit for their work during their final months in office. By appointing his chief of staff, Joshua Bolton, as his transition point-person and convening a formal Transition Coordinating Council, President Bush created a successful model for a 21st century transfer of power.

Presidential inaugurations have always been moments of celebration for Americans, as we reaffirm the elective nature of our government. But they also represent moments of potential vulnerability.

In the earliest years of our history, that vulnerability inhabited the untested nature of our institutions. In an era when elected government was rare, the transition from one executive administration to another, particularly those between parties, brought fears of political or social unrest.

The primary example of such a transition remains that from the administration of John Adams to that of Thomas Jefferson, the first between opponents of different parties to contest the Presidency.

The peaceful nature of the 1801 transition came as a welcome surprise to some. The early American writer and novelist, Margaret Bayard Smith, whose brother, James Bayard, held the Senate seat from Delaware I now occupy, attended that inauguration. In a letter to her daughter, she described it thus:

I have this morning witnessed one of the most interesting scenes a free people can ever witness. The changes of administration, which in every government and in every age have most generally been epochs of confusion, villainy, and bloodshed, in this our happy country take place without any species of distraction or disorder.

It is also notable that the greatest political crisis in our history occurred during the period between election day in November 1860 and Abraham Lin-

coln's inauguration the following March. The States that seceded did so amid a palpable uncertainty of national leadership.

Today, however, our concern is less with political stability than with national security.

During the Cold War, when fears of a power vacuum caused a renewed focus on continuity of government, Congress passed the Presidential Transition Act of 1963. It formalized several important elements of a successful transition, including public funds for transition staff, use of office space and equipment from the General Services Administration, reimbursement for travel by the President-elect and Vice President-elect, and their use of franked mail. It was amended in 1998 to permit the President-elect and Vice President-elect to supplement public transition funding with private donations and laid out requirements for disclosing their sources.

In 2004, Congress took an important step by including provisions in the Intelligence Reform and Terrorism Prevention Act that allow transition personnel to request FBI background checks for potential appointees. This helps ensure that, on January 20 when the new President is sworn in, the most critical national security positions are immediately filled.

While some aspects of a successful Presidential transition process have been formalized by these acts, much of what has become necessary for a safe and smooth transition is still left to chance.

Fortune favors the prepared.

We were very lucky that the first transition of the post-September 11 era was carried out smoothly and with great preparation by both the outgoing and incoming administrations.

As I said a few moments ago, we owe great thanks to former President Bush for making this a priority and committing staff and resources to the process.

I also commend those who worked on both the Obama transition team as well as those from Senator MCCAIN's campaign who engaged in some transition planning before election day.

Most importantly, our bill will go a long way in removing the stigma that has historically caused candidates to hide or even delay important transition planning until after election day.

We all recognize that the first priority of any Presidential campaign is to win the election. I certainly understand why, in the past, candidates have been wary of revealing that they have engaged in pre-election transition planning.

But we cannot afford to lose critical planning time because of fears that a candidate might be accused by a rival of "measuring the drapes" prematurely. We must also ensure that incumbents make the necessary preparations in case they lose bids for reelection.

Candidate transition planning is an act of responsibility, not presumptuousness.

With the security and domestic policy challenges we face today, it must become the norm for any major party nominee to begin making arrangements for a transition long before election day.

The bill my colleagues and I are introducing will both formalize many of the recent transition's successes and provide additional resources to help nominees begin their transition efforts earlier.

The Pre-Election Presidential Transition Act of 2010 encourages eligible Presidential candidates to accept transition office space and a broad array of services from the General Services Administration immediately after their nominating conventions.

Presently, candidates must wait until after election day before these resources become available. We know that this is too late, since both campaigns in 2008, and others in recent years, began informal transition planning months in advance.

Under our bill, salaries for candidates' transition staff, travel expenses, and allowances are funded exclusively by separate funds raised by their campaigns prior to the election.

Eligible candidates would be authorized to set up a separate account to support these activities. They would be able to transfer money from their campaign accounts into this transition account as well as raise funds separately.

Those candidates eligible to receive GSA-provided services and access to facilities include major party candidates. Third-party candidates would be eligible if they met the same criteria used by the Commission on Presidential Debates to participate in general election debates.

The GSA would distribute to candidates a report on modern transitions, including a bibliography of resources. This report would also be released to the public and posted on the Internet to educate the press and public on the importance of early transition planning.

Of course, under the bill services and information to candidates would be provided on an equal basis and without regard to political affiliation, and they would have to be used only for transition purposes.

Because a transition depends on the careful attention of those both preparing to assume power and those leaving it, our bill also authorizes appropriations for the outgoing administration to use in planning and coordinating transition activities across departments and agencies. It recommends adopting the Bush model of a transition coordinating council, staffed by both outgoing appointees and career managers from each agency. This council would meet regularly with representatives from the major nominees and update them on transition matters.

The bill also encourages the outgoing administration to prepare comprehensive briefing materials for incoming of-

ficials on a range of issues and potential areas of concern.

My colleagues and I approach this as pragmatists, and our goal is not to tie the hands of an administration. It is to inspire responsible preparation. This bill is not about telling an outgoing President what to do; rather, it lays out a strongly suggested model for how to do the right thing.

The only new requirement it sets for the outgoing President is the submission of two reports to Congress in the months before election day describing the activities being undertaken to prepare for the transfer of power.

But the model it suggests has worked and can serve as a blueprint for transitions to come.

My first job in politics after JOE BIDEN was elected to the Senate in 1972 was to help him set up his Senate office in Delaware. My last job, before I was appointed to his Senate seat was as co-chair of his Vice Presidential Transition Team.

I can tell you from experience, setting up a Senate office is tough, but it is nothing like setting up a White House.

I was there in the room when then-President-elect Obama and Vice President-elect Biden convened their first transition meetings right after election day. I cannot stress more forcefully how important it was in those meetings that the Obama-Biden transition had begun much earlier.

There simply is not enough time between November and January to get everything done that needs to be done.

These are the reasons why I hope my colleagues will join us in supporting this legislation to make our presidential transitions smoother and safer.

We cannot afford to leave something this important to chance.

Again, I want to thank my friend and colleague from Ohio, Senator VOINOVICH, for his help in pulling this bill together as well as Senators AKAKA and LIEBERMAN for their support and leadership.

I look forward to working with them on the Homeland Security and Governmental Affairs Committee to move this measure through the Congress.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 3196

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Pre-Election Presidential Transition Act of 2010".

SEC. 2. CERTAIN PRESIDENTIAL TRANSITION SERVICES MAY BE PROVIDED TO ELIGIBLE CANDIDATES BEFORE GENERAL ELECTION.

(a) IN GENERAL.—Section 3 of the Presidential Transition Act of 1963 (3 U.S.C. 102 note) is amended by adding at the end the following new subsection:

"(b)(1)(A) In the case of an eligible candidate, the Administrator—

"(i) shall notify the candidate of the candidate's right to receive the services and facilities described in paragraph (2) and shall provide with such notice a description of the nature and scope of each such service and facility; and

"(ii) upon notification by the candidate of which such services and facilities such candidate will accept, shall, notwithstanding subsection (b), provide such services and facilities to the candidate during the period beginning on the date of the notification and ending on the date of the general elections described in subsection (b)(1).

The Administrator shall also notify the candidate of the services provided under sections 7601(c) and 8403(b) of the Intelligence Reform and Terrorism Prevention Act of 2004.

"(B) The Administrator shall provide the notice under subparagraph (A)(i) to each eligible candidate—

"(i) in the case of a candidate of a major party (as defined in section 9002(6) of the Internal Revenue Code of 1986), on one of the first 3 business days following the last nominating convention for such major parties; and

"(ii) in the case of any other candidate, as soon as practicable after an individual becomes an eligible candidate (or, if later, at the same time as notice is provided under clause (i)).

"(C)(i) The Administrator shall, not later than January 1 of 2012 and of every 4th year thereafter, prepare a report summarizing modern presidential transition activities, including a bibliography of relevant resources.

"(ii) The Administrator shall promptly make the report under clause (i) generally available to the public (including through electronic means) and shall include such report with the notice provided to each eligible candidate under subparagraph (A)(i).

"(2)(A) Except as provided in subparagraph (B), the services and facilities described in this paragraph are the services and facilities described in subsection (a) (other than paragraphs (2), (3), (4), and (7) thereof), but only to the extent that the use of the services and facilities is for use in connection with the eligible candidate's preparations for the assumption of official duties as President or Vice-President.

"(B) The Administrator—

"(i) shall determine the location of any office space provided to an eligible candidate under this subsection;

"(ii) shall, as appropriate, ensure that any computers or communications services provided to an eligible candidate under this subsection are secure;

"(iii) shall offer information and other assistance to eligible candidates on an equal basis and without regard to political affiliation; and

"(iv) may modify the scope of any services to be provided under this subsection to reflect that the services are provided to eligible candidates rather than the President-elect or Vice-President-elect, except that any such modification must apply to all eligible candidates.

"(C) An eligible candidate, or any person on behalf of the candidate, shall not use any services or facilities provided under this subsection other than for the purposes described in subparagraph (A), and the candidate or the candidate's campaign shall reimburse the Administrator for any unauthorized use of such services or facilities.

"(3)(A) Notwithstanding any other provision of law, an eligible candidate may establish a separate fund for the payment of expenditures in connection with the eligible candidate's preparations for the assumption of official duties as President or Vice-President, including expenditures in connection

with any services or facilities provided under this subsection (whether before such services or facilities are available under this section or to supplement such services or facilities when so provided). Such fund shall be established and maintained in such manner as to qualify such fund for purposes of section 501(c)(4) of the Internal Revenue Code of 1986.

“(B)(i) The eligible candidate may—

“(I) transfer to any separate fund established under subparagraph (A) contributions (within the meaning of section 301(8) of the Federal Election Campaign Act of 1971 (2 U.S.C. 431(8))) the candidate received for the general election for President or Vice-President or payments from the Presidential Election Campaign Fund under chapter 95 of the Internal Revenue Code of 1986 the candidate received for the general election; and

“(II) solicit and accept amounts for receipt by such separate fund.

“(ii) Any expenditures from the separate fund that are made from such contributions or payments described in clause (i)(I) shall be treated as expenditures (within the meaning of section 301(9) of such Act (2 U.S.C. 431(9))) or qualified campaign expenses (within the meaning of section 9002(11) of such Code), whichever is applicable.

“(iii) An eligible candidate establishing a separate fund under subparagraph (A) shall (as a condition for receiving services and facilities described in paragraph (2)) comply with all requirements and limitations of section 5 in soliciting or expending amounts in the same manner as the President-elect or Vice-President-elect, including reporting on the transfer and expenditure of amounts described in subparagraph (B)(i) in the disclosures required by section 5.

“(4)(A) In this subsection, the term ‘eligible candidate’ means, with respect to any presidential election (as defined in section 9002(10) of the Internal Revenue Code of 1986)—

“(i) a candidate of a major party (as defined in section 9002(6) of such Code) for President or Vice-President of the United States; and

“(ii) any other candidate who has been determined by the Administrator to be among the principle contenders for the general election to such offices.

“(B) In making a determination under subparagraph (A)(ii), the Administrator shall—

“(i) ensure that any candidate determined to be an eligible candidate under such subparagraph—

“(I) meets the requirements described in Article II, Section 1, of the United States Constitution for eligibility to the office of President;

“(II) has qualified to have his or her name appear on the ballots of a sufficient number of States such that the total number of electors appointed in those States is greater than 50 percent of the total number of electors appointed in all of the States; and

“(III) has demonstrated a significant level of public support in national public opinion polls, so as to be realistically considered among the principal contenders for President or Vice-President of the United States; and

“(ii) consider whether other national organizations have recognized the candidate as being among the principal contenders for the general election to such offices, including whether the Commission on Presidential Debates has determined that the candidate is eligible to participate in the candidate debates for the general election to such offices.”.

(b) ADMINISTRATOR REQUIRED TO PROVIDE TECHNOLOGY COORDINATION UPON REQUEST.—Section 3(a)(10) of the Presidential Transition Act of 1963 (3 U.S.C. 102 note) is amended to read as follows:

“(10) Notwithstanding subsection (b), consultation by the Administrator with any President-elect, Vice-President-elect, or eligible candidate (as defined in subsection (h)(4)) to develop a systems architecture plan for the computer and communications systems of the candidate to coordinate a transition to Federal systems if the candidate is elected.”.

(c) COORDINATION WITH OTHER TRANSITION SERVICES.—

(1) SECURITY CLEARANCES.—Section 7601(c) of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 435b note) is amended—

(A) by striking paragraph (1) and inserting:

“(1) DEFINITION.—In this section, the term ‘eligible candidate’ has the meaning given such term by section 3(h)(4) of the Presidential Transition Act of 1963 (3 U.S.C. 102 note).”, and

(B) by striking “major party candidate” in paragraph (2) and inserting “eligible candidate”.

(2) PRESIDENTIALLY APPOINTED POSITIONS.—Section 8403(b)(2)(B) of such Act (5 U.S.C. 1101 note) is amended to read as follows:

“(B) OTHER CANDIDATES.—After making transmittals under subparagraph (B), the Office of Personnel Management shall transmit such electronic record to any other candidate for President who is an eligible candidate described in section 3(h)(4)(B) of the Presidential Transition Act of 1963 (3 U.S.C. 102 note) and may transmit such electronic record to any other candidate for President.”.

(d) CONFORMING AMENDMENTS.—Section 3 of the Presidential Transition Act of 1963 (3 U.S.C. 102 note) is amended—

(1) in subsection (a)(8)(B), by striking “President-elect” and inserting “President-elect or eligible candidate (as defined in subsection (h)(4)) for President”; and

(2) in subsection (e), by inserting “, or eligible candidate (as defined in subsection (h)(4)) for President or Vice-President,” before “may designate”.

SEC. 3. AUTHORIZATION OF TRANSITION ACTIVITIES BY THE OUTGOING ADMINISTRATION.

(a) IN GENERAL.—The President of the United States, or the President's delegate, may take such actions as the President determines necessary and appropriate to plan and coordinate activities by the Executive branch of the Federal Government to facilitate an efficient transfer of power to a successor President, including—

(1) the establishment and operation of a transition coordinating council comprised of—

(A) high-level officials of the Executive branch selected by the President, which may include the Chief of Staff to the President, any Cabinet officer, the Director of the Office of Management and Budget, the Administrator of the General Services Administration, and the Director of the Office of Personnel Management; and

(B) any other persons the President determines appropriate;

(2) the establishment and operation of an agency transition directors council which includes career employees designated to lead transition efforts within Executive Departments or agencies;

(3) the development of guidance to Executive Departments and agencies regarding briefing materials for an incoming administration, and the development of such materials; and

(4) the development of computer software, publications, contingency plans, issue memoranda, memoranda of understanding, training and exercises (including crisis training and exercises), programs, lessons learned from previous transitions, and other items

appropriate for improving the effectiveness and efficiency of a Presidential transition that may be disseminated to eligible candidates (as defined in section 3(h)(4) of the Presidential Transition Act of 1963, as added by section 2(a)) and to the President-elect and Vice-President-elect.

Any information and other assistance to eligible candidates under this subsection shall be offered on an equal basis and without regard to political affiliation.

(b) REPORTS.—

(1) IN GENERAL.—The President of the United States, or the President's delegate, shall provide to the Committee on Oversight and Government Reform of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate reports describing the activities undertaken by the President and the Executive Departments and agencies to prepare for the transfer of power to a new President.

(2) TIMING.—The reports under paragraph (1) shall be provided six months and three months before the date of the general election for the Office of President of the United States.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this section.

Mr. VOINOVICH. Mr. President, every 4 to 8 years our country achieves a feat that is very much the exception to the rule when placed in the context of the long roll of history: through universal suffrage the people select a new president, and the president-elect assumes power in a peaceful manner.

It is a testament to the dedication and professionalism of past presidents, presidents-elect, civil servants and private citizens that this latter task, the presidential transition, is now seen by many Americans as routine; a new president is selected in November, and in January, he or she swaps places with the incumbent president. Life goes on as normal.

Of course, the task of transferring command of an organization with more than 5 million employees and a \$3.7 trillion annual budget is a bit more complex than our recent successful track record may suggest. Domestic and international threats further complicate this process.

Perhaps more than any of its counterparts, the Bush-Obama transition was dealt the longest odds for attaining the uneventful standard our country has come to expect from transfers of power. As my colleagues well know, the Bush-Obama transition was the first of the modern era to occur during wartime, and the first to follow a general election in which the incumbent president or vice-president did not vie for the presidency. The Bush-Obama transition was also the first to occur in the post-September 11th world, and the first since the largest reorganization of government in over 6 decades. As the candidates entered the last week of the campaign season, the second worst month in the history for the Standard & Poor's 500 was drawing to a close after that index had plunged 27 percent in 4 weeks' time.

These challenges would be more than enough for any well-disciplined transition effort to confront. Yet in January

2010, shortly before the anniversary of President Obama's inauguration, the American public learned through press accounts of still another threat confronted by the outgoing and incoming administrations. In the days preceding the Presidential Inauguration, intelligence reports surfaced that al-Shabaab, a Somali terrorist organization with ties to al-Qaeda, was planning an attack on the crowds that would gather to witness the administration of the oath of office to the 44th President of the U.S. The threat was taken so seriously that the Secretary of Defense did not attend the inaugural ceremonies in order to ensure continuity of the Nation's national security apparatus.

Fortunately this plot did not materialize. But threats like these emphasize the importance of a new president being ready to govern from day one.

Despite the challenges faced by the Bush-Obama transition, this most recent transfer of power most closely approached our transition ideal. Both the President and President-elect understood the gravity of the tasks before them, and undertook early and robust planning efforts. President Bush began preparing his administration for the transition earlier than any other presidency when he directed then White House Chief of Staff Joshua Bolten in late 2007 to ensure "that the transition is as effective as possible, especially in the national security area." For his part, President-elect Obama established the largest transition organization to date. At its peak, the Obama-Biden Transition Project's staff numbered 450, with a total budget of more than \$12 million, \$7 million of which came from private contributions.

In many ways, this most recent transition effort was the best case scenario. The transition succeeded because of the character and values of those tasked with leading the effort, individuals like Gail Lovelace, Joshua Bolten, Clay Johnson, John Podesta, and Christopher Lu.

But for critical events like a presidential transition, we cannot always be assured that such productive organizations and working relationships will develop. One need look no further than the acrimonious relationship between the outgoing Clinton administration and the incoming Bush administration, or the internal dissension in President-elect Carter's transition team, to find examples of dysfunctional transitions.

Of course, presidential personalities and uncontrollable circumstances will always be a driving factor in the success of future presidential transitions. But we in Congress can contribute to future successes by providing sufficient assistance and formal avenues to more robust transition planning, and by working to address the stigma that has unfortunately been associated with so-called "presumptuous" transition planning before the general election.

As my colleagues know, the formal mechanisms used by the federal gov-

ernment to transfer power were established in March 1964 with enactment of the Presidential Transition Act, PTA. The Presidential Transition Act of 1963 extends certain government services to the president-elect, including staff salaries, travel expenses, office space, postal reimbursement, and communications equipment. With the exception of substantive amendments in 2000 to provide for a transition directory and activities designed to "acquaint key prospective Presidential appointees with the types of problems and challenges that most typically confront new political appointees," and a provision of the Intelligence Reform and Terrorism Prevention Act of 2004 to provide for expedited security clearances for transition team members and prospective presidential appointees, the architecture our country uses to achieve a successful transition remains largely the same almost a half-century on.

So I am pleased to today join the distinguished junior Senator from Delaware, Senator EDWARD KAUFMAN, in introducing legislation to contribute to the future success of presidential transitions. Prior to returning to the U.S. Senate as a Member, Senator KAUFMAN served as one of the Obama-Biden Transition Project's twelve board members, where he gained first-hand experience in the challenges associated with transitioning the Federal Government.

I am happy to also be joined by two of the U.S. Senate's most ardent champions of good governance: the Chairman and of the Committee on Homeland Security and Governmental Affairs, Senator JOSEPH LIEBERMAN, and my longtime friend and colleague on the Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia, Senator DANIEL AKAKA.

The Pre-Election Presidential Transition Act of 2010 would extend to the major party candidates and certain third-party candidates a select list of the services currently provided to the president-elect under the PTA. These benefits include office space, communications services, printing and binding expenses, and briefings and workshops designed to acquaint key potential administration staff with the problems and challenges they are likely to face. The bill would also provide candidates with assistance from the General Services Administration in designing systems architecture compatible with federal systems.

To encourage more deliberate transition preparation in the executive branch, the Pre-Election Presidential Transition Act also authorizes funding for the establishment of a transition coordinating council and an agency transition directors council modeled on the coordinating bodies that functioned so successfully during the Bush-Obama transition. The assistance extended to the candidates by these authorized functions would be provided

on the same terms as those employed during the last transition, on an equal basis and without regard to a candidate's political affiliation. The bill would also require the President, or the President's designee, to report to Congress in presidential election years on the preparations being made to ensure a smooth transition.

We in Congress cannot, and should not, dictate the roles and decision-making processes employed by the outgoing and incoming administrations; as a former mayor and governor, I know how fluid and dynamic transfers of power can be. So I am especially pleased that Senator KAUFMAN's bill is not prescriptive. Rather, the Pre-Election Presidential Transition Act provides assistance that candidates can reject or accept at their discretion, and the authorized activities included in the bill for coordinating bodies in the executive branch respect separation of powers issues by allowing, but not requiring, the use of these best practices.

Perhaps most importantly, the Pre-Election Presidential Transition Act provides valuable transition assistance to candidates at an earlier time than ever before. Regardless of the various unique obstacles a president-elect faces, each transition since the Nixon administration has been provided formal assistance for a very short period of time—76 days during the most recent transition. Of course, candidates can begin preparing for the transition before the general election. But in the home stretch of a presidential election, every spare dollar and body are employed to help the candidate win, and preparing to govern often falls by the wayside.

Senator KAUFMAN's bill will contribute to earlier, more robust transition planning by providing candidates with the means, the architecture, and the sanction associated with an equitable and impartial assistance mechanism to combat unfortunate dispersions of the transition planning process, like the comments directed at then Senator Obama's transition activities during the campaign.

Candidates taking deliberate steps to ensure a smooth transition should not be criticized as presumptuously "measuring the White House drapes" before the election; they should be encouraged and supported. The Pre-Election Presidential Transition Act seeks to achieve that goal.

I urge my colleagues to join in supporting the Pre-Election Presidential Transition Act.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 478—EXPRESSING SUPPORT FOR DESIGNATION OF MARCH AS "NATIONAL WHOLE CHILD MONTH"

Mrs. HAGAN submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions: