

1978, 2 U.S.C. §§288b(a) and 288c(a)(2), the Senate may direct its counsel to represent employees of the Senate with respect to any subpoena, order, or request for testimony relating to their official responsibilities;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate can, by administrative or judicial process, be taken from such control or possession but by permission of the Senate;

Whereas, when it appears that evidence under the control or in the possession of the Senate is needed for the promotion of justice, the Senate will take such action as will promote the ends of justice consistent with the privileges of the Senate: Now, therefore, be it

Resolved, That Tim Henseler and Jim Pittrizzi are authorized to testify in the case of *United States v. Daniel Bayly, et al.*, except concerning matters for which a privilege should be asserted.

SEC. 2. The Senate Legal Counsel is authorized to represent Tim Henseler and Jim Pittrizzi in connection with the testimony authorized in section one of this resolution.

AUTHORIZING TESTIMONY, DOCUMENT PRODUCTION, AND LEGAL REPRESENTATION

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 395, 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. 395) to authorize testimony, document production, and legal representation in *Ulysses J. Ward v. Dep't of the Army*.

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

Mr. FRIST. Mr. President, this resolution concerns a request for testimony, documents, and representation in an administrative proceeding before the Merit Systems Protection Board. The appellant in this administrative action is challenging his termination from employment by the U.S. Army Corps of Engineers for, among other things, transmitting to the office of Senator LAMAR ALEXANDER a written communication threatening to appellant's coworkers. The Corps has requested testimony at a deposition, and, if necessary, at an administrative hearing, of Joshua Thomas, a former employee of Senator ALEXANDER's office who received the communication. Senator ALEXANDER would like Mr. Thomas to be able to provide such testimony and any necessary documents.

The enclosed resolution would authorize Mr. Thomas to testify and produce documents in this matter with representation by the Senate Legal Counsel.

Mr. FRIST. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, and any statements relating to the resolution be printed in the RECORD.

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

The resolution (S. Res. 395) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 395

Whereas, in the case of *Ulysses J. Ward v. Dep't of the Army*, No. AT-0752-04-0526-I-1, pending before the Merit Systems Protection Board, testimony and documents have been requested from Joshua Thomas, a former employee of the office of Senator Lamar Alexander;

Whereas, pursuant to sections 703(a) and 704(a)(2) of the Ethics in Government Act of 1978, 2 U.S.C. §§288b(a) and 288c(a)(2), the Senate may direct its counsel to represent employees of the Senate with respect to any subpoena, order, or request for testimony relating to their official responsibilities;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate may, by the judicial or administrative process, be taken from such control or possession but by permission of the Senate;

Whereas, when it appears that evidence under the control or in the possession of the Senate may promote the administration of justice, the Senate will take such action as will promote the ends of justice consistently with the privileges of the Senate: Now, therefore, be it

Resolved that Joshua Thomas is authorized to testify and produce documents in the case of *Ulysses J. Ward v. Dep't of the Army*, except concerning matters for which a privilege should be asserted.

SEC. 2. The Senate Legal Counsel is authorized to represent Joshua Thomas in connection with the testimony authorized in section one of this resolution.

150TH ANNIVERSARY OF THE FOUNDING OF THE PENNSYLVANIA STATE UNIVERSITY

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 396, which was submitted earlier today by Senator SANTORUM.

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

The legislative clerk read as follows:

A resolution (S. Res. 396) commemorating the 150th anniversary of the founding of The Pennsylvania State University.

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

Mr. FRIST. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, and any statements relating to the resolution be printed in the RECORD.

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

The resolution (S. Res. 396) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 396

Whereas in 1854, the Farmers' High School was founded in Centre County, Pennsylvania

in response to the State Agricultural Society's interest in establishing an educational institution to bring general education and modern farming methods to the farmers of the Commonwealth of Pennsylvania;

Whereas in 1855, the Farmers' High School was granted a permanent charter by the Pennsylvania General Assembly;

Whereas the Morrill Land-Grant Act of 1862 provided for the distribution of grants of public lands owned by the Federal Government to the States for establishing and maintaining institutions of higher learning;

Whereas in 1863, the Commonwealth accepted a grant of land provided through such Act, establishing one of the first two land-grant institutions in the United States, and designated the Farmers' High School, renamed the Agricultural College of Pennsylvania, as the Commonwealth's sole land-grant institution;

Whereas in 1874, the Agricultural College of Pennsylvania was renamed The Pennsylvania State College and in 1953, such was renamed The Pennsylvania State University;

Whereas with a current enrollment of 83,000, The Pennsylvania State University consists of 11 academic schools, 20 additional campuses located throughout the Commonwealth, the College of Medicine, The Dickinson School of Law, and The Pennsylvania College of Technology;

Whereas 1 in every 8 Pennsylvanians with a college degree, 1 in every 720 Americans, 1 in every 50 engineers, and 1 in every 4 meteorologists are alumni of The Pennsylvania State University;

Whereas formed in 1870, The Pennsylvania State University Alumni Association is the largest dues-paying alumni association in the nation;

Whereas The Pennsylvania State University has the largest outreach effort in United States higher education, delivering programs to learners in 87 countries and all 50 States;

Whereas The Pennsylvania State University consistently ranks in the top 3 universities in terms of SAT scores received from high school seniors;

Whereas The Pennsylvania State University annually hosts the largest student-run philanthropic event in the world, which benefits the Four Diamonds Fund for families with children being treated for cancer;

Whereas the missions of instruction, research, outreach and extension continue to be the focus of The Pennsylvania State University;

Whereas The Pennsylvania State University is renowned for the following: the rechargeable heart pacemaker design, the heart-assist pump design, 4 astronauts to have flown in space including the first African-American, and the first institution to offer an Agriculture degree; and

Whereas The Pennsylvania State University is one of the most highly regarded research universities in the nation, with an outreach extension program that reaches nearly 1 out of 2 Pennsylvanians a year and an undergraduate school of immense scope and popularity: Now, therefore, be it

Resolved, That the Senate commemorates the 150th anniversary of the founding of The Pennsylvania State University and congratulates its faculty, staff, students, alumni, and friends on the occasion.

EXPRESSING SENSE OF THE SENATE ON THE TRANSITION OF IRAQ

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate

proceed to the immediate consideration of S. Res. 397, which was submitted earlier today by Senators FRIST and DASCHLE.

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

The legislative clerk read as follows:

A resolution (S. Res. 397) expressing the sense of the Senate on the transition of Iraq to a constitutionally elected government.

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

Mr. FRIST. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, and any statements relating to this resolution be printed in the RECORD.

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

The resolution (S. Res. 397) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 397

Whereas June 30, 2004, marks Iraq's assumption of sovereignty and the beginning of the transition of Iraq to a free and constitutionally elected government, which is to be established by December 31, 2005;

Whereas the Senate congratulates the Iraqi people, expresses its appreciation to the Iraqi Interim Government, and reaffirms the United States desire for the people of Iraq to live in peace and freedom;

Whereas the successful transition of Iraq to a constitutionally elected government requires that Iraq develop the capacity to provide security to its citizens, defend its borders, deliver essential services, create a transparent and credible political process, and set the conditions for economic prosperity;

Whereas the people of Iraq have a long tradition of cultural and technological achievement and a talented and dedicated population;

Whereas the United States desires peace and prosperity for the citizens of Iraq;

Whereas more than three decades of dictatorial rule have deprived the people of Iraq of the benefits of that tradition and history, caused extraordinary personal suffering, and robbed the people of Iraq of the opportunity to reach their full potential;

Whereas establishing security is a prerequisite to the successful transition to democracy and reconstruction of Iraq;

Whereas providing security to the people of Iraq will require a well-trained and well-equipped police force, a professional military accountable to civilian leadership, the disbanding of militias, and a fair and efficient judicial system;

Whereas the current program to train and equip Iraq security services could benefit from better vetting of candidates, expanded training time, follow-on field training with experienced police and military professionals, and the accelerated provision of equipment and resources;

Whereas the administration of the institutions of government and the delivery of essential services in Iraq will require technical expertise and training not yet fully developed in Iraq;

Whereas Iraq faces a shortage of essential services, including sanitation, safe water, and a reliable supply of electricity;

Whereas economic prosperity in Iraq will require viable financial institutions, condi-

tions that encourage private investment, and the significant reduction of foreign debt incurred by the regime of Saddam Hussein;

Whereas the people of Iraq were the victims of three decades of economic mismanagement under the regime of Saddam Hussein, and have inherited \$120,000,000,000 in debt incurred by that regime;

Whereas Prime Minister Allawi has requested assistance from the international community to aid in the rebuilding and security of Iraq, including assistance from the neighbors of Iraq to improve intelligence-sharing and to tighten controls of the borders with Iraq in order to prevent the infiltration of terrorists and illicit goods, and assistance from the North Atlantic Treaty Organization (NATO) to train and equip Iraqi Security Forces;

Whereas the international community, through a unanimous vote of the United Nations Security Council in Resolution 1546 (2004), called on United Nations member states and international and regional organizations to contribute to a multinational force in Iraq and a dedicated force to provide security for the United Nations presence in Iraq, to help Iraq build the capability of its security forces and governing institutions, to aid in rebuilding the capacity for governance in Iraq, and to commit additional resources to reconstruct and develop the economy of Iraq;

Whereas since the adoption of United Nations Security Council Resolution 1546, some members of the international community who have long expressed concern for the plight of the people of Iraq, and who voted for the adoption of the Resolution in the Security Council, have failed to respond to the urgent needs of the people of Iraq;

Whereas improved security in Iraq and the increased capacity of the people of Iraq to provide essential services will reduce the burdens on United States military personnel in the region;

Whereas the United States supports the determination of the Iraqi Interim Government to defeat the loyalists to Saddam Hussein, radical militias, common criminals, and terrorists who make up the insurgency in Iraq;

Whereas the United States is committed to assisting Iraq in reasserting its full sovereignty, consistent with United Nations Security Council Resolution 1546;

Whereas the Senate acknowledges the efforts and sacrifices of the Armed Forces, other employees of the United States Government, contractors, and their counterparts in the coalition to promote Iraq's security, recovery, and transition; and

Whereas the United States and other members of the international community have a profound stake in the success of the transition of Iraq to a constitutionally elected government: Now, therefore, be it

Resolved, That it is the sense of the Senate that—

(1) the members of the Armed Forces and their families have performed courageously and nobly and have earned the deep gratitude of the people of the United States;

(2) success in Iraq is a global priority and therefore demands cooperation from all states and international organizations;

(3) states and international organizations should fulfill their commitments to contribute what resources and skills they can to the establishment and security of an independent Iraq with a constitutionally elected government;

(4) states and international organizations should fulfill the financial commitments they have already made to the reconstruction of Iraq;

(5) the international community should establish, to the highest standards, additional police training academies inside and outside

of Iraq, contribute additional trainers to those academies, and dedicate experienced police to train Iraq police officers in the field;

(6) the North Atlantic Treaty Organization (NATO) is uniquely qualified to respond to the call for assistance in United Nations Security Council Resolution 1546 (2004) to meet the needs of the people of Iraq for security and stability, including by assisting in training the Iraqi military, providing security for elections in Iraq, and helping secure the borders of Iraq and should, therefore, respond positively to the request of Interim Iraqi Prime Minister Allawi to provide training, equipment, and other forms of technical assistance that his government determines is appropriate to help Iraq's security forces defeat terrorism and reduce Iraq's reliance on foreign forces;

(7) in order to ensure that the United Nations can play the leading role called for by United Nations Security Council Resolution 1546, member states should contribute additional military and security forces, and other resources as appropriate, to provide security for a United Nations presence in Iraq;

(8) countries unable to contribute security personnel to help stabilize Iraq should contribute to the transition of Iraq in other ways, including by providing technical experts, civil engineers, municipal management advisers, and to fill other needs requested by the Iraqi government;

(9) countries holding debt incurred under the Saddam Hussein regime should meaningfully reduce amounts of that debt;

(10) the United States is committed to a free and peaceful Iraq; and

(11) it is appropriate to thank coalition partners and other countries that have helped promote security, stability, reconstruction, and democracy in Iraq.

Mr. FRIST. Mr. President, I do want to make a very brief statement on this resolution submitted by Senator DASCHLE and myself expressing the sense of the Senate on the transition of Iraq to a constitutionally elected government.

This resolution does a number of things. I will mention a couple. First, it congratulates Iraq on its transition to a free and constitutionally elected government. All of this is in reference to Iraq's assumption of full sovereignty on June 30, which will occur while we are on recess, and its transition to democracy in the months ahead.

Secondly, it expresses the Senate's appreciation for the service, courage, and commitment of the Iraqi interim government to a free and a democratic Iraq. It commends all members of the U.S. Armed Forces and their families for their noble and courageous service in this cause. It affirms that success in Iraq is a global priority that demands cooperation from all States and international organizations. It calls on the international community to assist Iraq in the training of police and security forces. It calls on NATO to respond positively to Iraqi Prime Minister Allawi's request of NATO to assist Iraq in the training and equipping of Iraq security forces. It urges countries that cannot provide security forces or similar resources to assist Iraq in other ways such as providing financial assistance or forgiving Iraq's debt.

The resolution thanks the U.S. coalition partners and other countries that

have joined us in Iraq for their efforts in promoting Iraq's security, stability, reconstruction, and transition to democracy.

In particular, I also thank Senator SESSIONS for originating the idea of this resolution and for turning it into real language for his colleagues to consider. He initially proposed such a resolution that provided certain language. At that time, he was working in a bipartisan manner with Senator LIEBERMAN and other Members of both sides of the aisle on this bipartisan resolution. He later joined with Senators LINDSEY GRAHAM, JOE BIDEN, TOM DASCHLE, and myself—most of us have actually been in Iraq recently—to hammer out a resolution that not only celebrates the liberation of Iraq and its transition to full sovereignty but also prescribes a number of steps that should be taken in the coming months to ensure those fruits of our efforts are realized.

I thank Senator DASCHLE and his colleagues for their help in fine-tuning this resolution so the entire Senate can endorse it. It is a good resolution. The importance of its passage I do not think can be underscored given the fact we are about a week before Iraq's transition to full sovereignty. It sends a timely message, the right message, of thanks to our coalition partners and our support to the Iraqi interim government and the Iraqi people who are endeavoring to defeat terrorism and secure the blessings of democracy.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. If the distinguished majority leader will yield, following the meeting with the President this morning, which I had the good fortune of being able to attend, the one message that came out of the meeting to me is that the hero today in Iraq is the Prime Minister of Iraq. He is a man of great courage who has had a number of assassination attempts on his life, even when he did not live in Iraq, because of the people who were trying to get rid of him, and I wish him well. He is a man of courage. To take on this responsibility knowing that the evil forces that are in that country are out to dispense with him says a lot about the kind of man he is.

Speaking personally of the meeting at the White House this morning, I repeat the one thing that came out of that meeting today is the forceful nature of the man who is leading that country as of next Wednesday.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. FRIST. I will just add to the comments of my friend from Nevada that I had the opportunity to meet with the Prime Minister a little over 2 weeks ago when we were in Baghdad.

I know Senator DASCHLE and Senator BIDEN and Senator GRAHAM also had the opportunity to meet with the Prime Minister on their recent trip. I mention that because 4 weeks ago nobody knew that he was going to be

Prime Minister. In fact, he didn't know. It was not a position that he had asked for. The interim government, through this selection process, asked him to step forward, and he did just that. Uniformly, the people who met him and who have talked with him since he has assumed this position have been impressed with his courage, his determination, and his understanding of the role that is before him.

I should also add the distinguished assistant Democratic leader and I had the opportunity to meet with the President of Iraq who will be working with the Prime Minister. He, too, is very impressive in terms of his leadership and his vision, and the boldness we know is going to be required.

GAO HUMAN CAPITAL REFORM ACT OF 2004

Mr. FRIST. Mr. President, I ask unanimous consent that the Government Affairs Committee be discharged from further consideration of H.R. 2751, and the Senate proceed to its immediate consideration.

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

The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 2751) to provide new human capital flexibilities with respect to the GAO, and for other purposes.

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

Mr. FRIST. I ask unanimous consent the bill be read a third time and passed, the motion to reconsider be laid on the table, and any statements relating to the bill be printed in the RECORD.

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

The bill (H.R. 2751) was read the third time and passed.

EMPLOYEES OF THE DISTRICT OF COLUMBIA COURTS AS PARTICI- PANTS IN LONG TERM CARE IN- SURANCE FOR FEDERAL EM- PLOYEES.

Mr. FRIST. I ask unanimous consent the Senate now proceed to immediate consideration of Calendar No. 590, S. 2322.

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

The legislative clerk read as follows:

A bill (S. 2322) to amend chapter 90 of title 5, United States Code, to include employees of the District of Columbia courts as participants in long term care insurance for Federal employees.

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

Mr. FRIST. I ask unanimous consent the bill be read a third time and passed, the motion to reconsider be laid on the table, and any statements relating to the bill be printed in the RECORD.

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

The bill (S. 2322) was read the third time and passed, as follows:

S. 2322

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

SECTION 1. LONG TERM CARE INSURANCE COVERAGE FOR EMPLOYEES OF THE DISTRICT OF COLUMBIA COURTS.

Section 9001(1) of title 5, United States Code, is amended—

(1) in subparagraph (C), by striking “and”;

(2) in subparagraph (D), by striking the period and inserting a semicolon and “and”;

and

(3) by adding at the end the following:“(E) an employee of the District of Columbia courts.”.

APPOINTMENT

The PRESIDING OFFICER. The Chair, on behalf of the majority leader, pursuant to Public Law 105-277, Section 710, 2(A)(ii), appoints the following individual to serve as a member of the Parents Advisory Council on Youth Drug Abuse: Laurens Tullock of Tennessee.

ADJOURNMENT OF THE HOUSE AND SENATE

Mr. FRIST. I ask unanimous consent that the Senate now proceed to the consideration of S. Con. Res. 120, the adjournment resolution, which is at the desk.

I further ask unanimous consent the concurrent resolution be agreed to and the motion to reconsider be laid on the table.

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

The concurrent resolution (S. Con. Res. 120) was agreed to, as follows:

S. CON. RES. 120

Resolved by the Senate (the House of Representatives concurring). That when the Senate recesses or adjourns on any day from Thursday, June 24, 2004, through Monday, June 28, 2004, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until noon on Tuesday, July 6, 2004, or at such other time on that day as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the House adjourns on the legislative day of Thursday, June 24, 2004, or Friday, June 25, 2004, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2:00 p.m. on Tuesday, July 6, 2004, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Majority Leader of the Senate and the Speaker of the House, or their respective designees, acting jointly after consultation with the Minority Leader of the Senate and the Minority Leader of the House, shall notify the Members of the Senate and the House, respectively, to reassemble at such place and time as they may designate whenever, in their opinion, the public interest shall warrant it.

UNANIMOUS CONSENT AGREEMENT—H.R. 4200, S. 2400, S.2401, S. 2402, S. 2403

Mr. FRIST. Mr. President, with respect to H.R. 4200, which passed the