

committee budget resolution and proposed change to the committee rules and any other organizational business the committee needs to attend to.

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

COMMITTEE ON THE JUDICIARY

Mr. CRAIG. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a markup on Wednesday, January 26, 2005, at 9:30 a.m. in Senate Dirksen Office Building Room 226.

Agenda

I. Nominations: Alberto Gonzales to be the Attorney General of the United States.

II. Legislation: S. 5, Class Action Fairness Act of 2005.

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

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

Mr. CRAIG. Mr. President, I ask unanimous consent that the Committee on Small Business and Entrepreneurship be authorized to meet during the session of the Senate for an organization and business meeting on Wednesday, January 26, 2005, beginning at 9:30 a.m., in room 428A of the Russell Senate Office Building.

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. CRAIG. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on January 26, 2005, at 2:30 p.m. to hold a closed meeting.

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

SPECIAL COMMITTEE ON AGING

Mr. CRAIG. Mr. President, I ask unanimous consent that the Special Committee on Aging be authorized to meet today, Wednesday, January 26, 2005, from 10 a.m.–12 p.m. in Dirksen 628 for the purpose of conducting a hearing.

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

SUBCOMMITTEE ON CLEAN AIR, CLIMATE CHANGE AND NUCLEAR SAFETY

Mr. CRAIG. Mr. President, I ask unanimous consent that the Subcommittee on Clear Air, Climate Change, and Nuclear Safety be authorized to meet on Wednesday, January 26, 2005, at 10 a.m. to conduct a hearing regarding multiemissions legislation. The hearing will be held in SD 406.

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

PRIVILEGE OF THE FLOOR

Mr. SALAZAR. Mr. President, I ask unanimous consent that a congressional fellow in my office, John Plumb, from LaFayette, CO, be granted the privileges of the floor for the purposes of the bill introduction.

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

ADJOURNMENT UNTIL MONDAY, JANUARY 31, 2005, AT 1 P.M.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate now proceed to consideration of H. Con. Res. 21, the adjournment resolution; provided that the concurrent resolution be agreed to and the motion to reconsider be laid upon the table.

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

The concurrent resolution (H. Con. Res. 21) was agreed to, as follows:

H. CON. RES. 21

*Resolved by the House of Representatives (the Senate concurring)*, That when the House adjourns on the legislative day of Wednesday, January 26, 2005, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2 p.m. on Tuesday, February 1, 2005, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the Senate recesses or adjourns on Wednesday, January 26, 2005, or Thursday, January 27, 2005, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until noon on Monday, January 31, 2005, 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.

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

Passed the House of Representatives January 25, 2005.

CONGRATULATING VIKTOR YUSHCHENKO ON HIS ELECTION AS PRESIDENT OF UKRAINE

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate now proceed to consideration of S. Con. Res. 7, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 7) congratulating the people of Ukraine for conducting a democratic, transparent, and fair runoff presidential election on December 26, 2004, and congratulating Viktor Yushchenko on his election as President of Ukraine and his commitment to democracy and reform.

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

Mr. DURBIN. Mr. President, I ask unanimous consent to be added as a cosponsor of that concurrent resolution.

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

Mr. DURBIN. Mr. President, I would like to comment. We have a sizable Ukrainian-American population in Illinois, particularly Chicago, that fol-

lowed this election closely. My son lives in a section known as Ukraine Village, and the neighborhood was covered with orange ribbons in support of the newly elected president. So I am happy to join in passing this resolution.

Mr. McCONNELL. I thank my friend from Illinois.

Mr. President, I ask unanimous consent that the concurrent resolution be agreed to, the preamble be agreed to, and the motion to reconsider be laid upon the table.

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

The concurrent resolution (S. Con. Res. 7) was agreed to.

The preamble was agreed to.

The concurrent resolution, with its preamble, reads as follows:

S. CON. RES. 7

Whereas the establishment of a democratic, transparent, and fair election process for the 2004 presidential election in Ukraine and of a genuinely democratic political system have been prerequisites for that country's full integration into the international community of democracies;

Whereas the Government of Ukraine has accepted numerous specific commitments governing the conduct of elections as a participating State of the Organization for Security and Cooperation in Europe (OSCE);

Whereas the election of Ukraine's next president was seen as an unambiguous test of the extent of the Ukrainian authorities' commitment to implement these standards and build a democratic society based on free elections and the rule of law;

Whereas a genuinely free and fair election requires government and public authorities to ensure that candidates and political parties enjoy equal treatment before the law and that government resources are not employed to the advantage of individual candidates or political parties;

Whereas a genuinely free and fair election requires the full transparency of laws and regulations governing elections, multiparty representation on election commissions, and unobstructed access by candidates, political parties, and domestic and international observers to all election procedures, including voting and vote-counting in all areas of the country;

Whereas efforts by national and local officials and others acting at the behest of such officials to impose obstacles to free assembly, free speech, and a free and fair political campaign took place throughout Ukraine during the entire 2004 presidential election campaign without condemnation or remedial action by the Government of Ukraine;

Whereas on October 31, 2004, Ukraine held the first round of its presidential election and on November 21, 2004, Ukraine held a runoff presidential election between the two leading candidates, Prime Minister Viktor Yanukovich and opposition leader Viktor Yushchenko;

Whereas a consensus of Ukrainian and international election observers determined that the runoff election did not meet a considerable number of international standards for democratic elections, and these observers specifically declared that state resources were abused in support of Viktor Yanukovich, and that illegal voting by absentee ballot, multiple voting, assaults on electoral observers and journalists, and the use of counterfeit ballots were widespread;

Whereas following the runoff presidential election on November 21, 2004, tens of thousands of Ukrainian citizens engaged in

peaceful demonstrations in Kiev and elsewhere to protest the unfair election and the declaration by the Ukrainian Central Election Commission that Viktor Yanukovich had won a majority of the votes;

Whereas, on November 25, 2004, the Ukrainian Supreme Court blocked the publication of the official runoff election results thus preventing the inauguration of the next president of Ukraine until the Supreme Court examined the reports of voter fraud;

Whereas on November 27, 2004, the Parliament of Ukraine passed a resolution declaring that there were violations of law during the runoff presidential election on November 21, 2004, and that the results of the election did not reflect the will of the Ukrainian people;

Whereas on December 1, 2004, the Parliament of Ukraine passed a no confidence motion regarding the government of Prime Minister Viktor Yanukovich;

Whereas European mediators and current Ukrainian President Leonid Kuchma began discussions on December 1, 2004, to attempt to work out a resolution to the standoff between the supporters of both presidential candidates;

Whereas on December 3, 2004, the Ukrainian Supreme Court ruled that the runoff presidential election on November 21, 2004, was invalid and ordered a new presidential election to take place on December 26, 2004;

Whereas on December 8, 2004, the Parliament of Ukraine passed laws to reform the Ukrainian electoral process, including to reconstitute the Ukrainian Central Election Commission, and to close loopholes for fraud in preparation for a new presidential election;

Whereas on December 26, 2004, the people of Ukraine again went to the polls to elect the next president of Ukraine in what the consensus of domestic and international observers declared as a more democratic, transparent, and fair election process with fewer problems than the previous two rounds;

Whereas on January 10, 2005, the election victory of opposition leader Viktor Yushchenko was certified by the Ukrainian Central Election Commission; and

Whereas the runoff presidential election on December 26, 2004, signifies a turning point for Ukraine which offers new hope and opportunity to the people of Ukraine: Now, therefore, be it

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

(1) commends the people and Government of Ukraine for their commitment to democracy and their determination to end the political crisis in that country in a peaceful and democratic manner;

(2) congratulates the people and Government of Ukraine for ensuring a free and fair runoff presidential election which represents the true choice of the Ukrainian people;

(3) congratulates Viktor Yushchenko on his election as President of Ukraine;

(4) applauds the Ukrainian presidential candidates, the European Union and other European representatives, and the United States Government for the role they played in helping to find a peaceful resolution of the crisis;

(5) acknowledges and welcomes the strong relationship formed between the United States and Ukraine and expresses its strong and continuing support for the efforts of the Ukrainian people and the new Government of Ukraine to establish a full democracy, the rule of law, and respect for human rights; and

(6) pledges its assistance to the strengthening of a fully free and open democratic system in Ukraine, the creation of a prosperous free market economy in Ukraine, the reaffirmation of Ukraine's independence and territorial sovereignty, and Ukraine's full integration into the international community of democracies.

#### ORDERS FOR MONDAY, JANUARY 31, 2005

Mr. McCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn under the provisions of H. Con. Res. 21 until 1 p.m. on Monday, January 31. 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 there then be a period of morning business with Senators permitted to speak for up to 10 minutes each.

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

#### PROGRAM

Mr. McCONNELL. On Monday, the Senate will be in a period of morning business. It is our hope we will be able to consider any nominations available for Senate action. The nomination of Samuel Bodman was reported earlier today by the Energy and Natural Resources Committee. We hope that nomination can be cleared for action on Monday. We have no requests for a rollcall vote on the Bodman nomination. Therefore, rollcall votes are not anticipated during Monday's session.

Also, earlier today, Chairman SPECTER and the Judiciary Committee reported out the nomination of Alberto Gonzales to be Attorney General. We will consider that nomination, as well, next week.

#### ADJOURNMENT UNTIL 1 P.M., MONDAY, JANUARY 31, 2005

Mr. McCONNELL. Therefore, if there is no further business to come before the Senate, I ask unanimous consent the Senate stand in adjournment under the provisions of H. Con. Res. 21.

There being no objection, the Senate, at 5:30 p.m., adjourned until Monday, January 31, 2005, at 1 p.m.

#### CONFIRMATIONS

Executive nominations confirmed by the Senate Wednesday, January 26, 2005:

##### DEPARTMENT OF STATE

CONDOLEEZZA RICE, OF CALIFORNIA, TO BE SECRETARY OF STATE.

##### DEPARTMENT OF VETERANS AFFAIRS

JIM NICHOLSON, OF COLORADO, TO BE SECRETARY OF VETERANS AFFAIRS.

##### DEPARTMENT OF HEALTH AND HUMAN SERVICES

MICHAEL O. LEAVITT, OF UTAH, TO BE SECRETARY OF HEALTH AND HUMAN SERVICES.

THE ABOVE NOMINATION WAS APPROVED SUBJECT TO THE NOMINEE'S COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.