

pipelines now being constructed from Baku, Azerbaijan to the port of Ceyhan, Turkey;

Whereas Georgia has also become a key player in the global war on terrorism by combating members of al Qaeda and other Muslim terrorist organizations, denying them sanctuary in remote areas such as the Pankisi Gorge, and working with the United States to help train border guards;

Whereas Georgia has recently increased its commitment of troops in Iraq and its contributions to help build peace and democracy in Afghanistan and Kosovo;

Whereas the United States supports Georgia's efforts to peacefully reestablish government control, security, and political stability in regions such as Abkhazia and South Ossetia;

Whereas the United States congratulates the Government of Georgia on the peaceful resolution of the conflict in Adjara and welcomes the restoration of democracy and political stability in that region; and

Whereas the United States supports representative democracy, political stability, economic growth, and peace in Georgia and throughout the Caucasus region: Now, therefore, be it

Resolved, that the Senate—

(1) congratulates the people of Georgia on the first anniversary of the Rose Revolution, the peaceful and bloodless protests that followed parliamentary elections deemed to be fraudulent, and for their commitment to democracy, peace, stability, and economic opportunity;

(2) commends President Mikheil Saakashvili for his vision of, and commitment to, a peaceful and democratic Georgia, the rule of law, an open market economy, regional cooperation, and closer integration into western institutions;

(3) supports the sovereignty, independence, territorial integrity, and democratic government of Georgia; and

(4) supports continued assistance to the people and Government of Georgia to help them consolidate the democratic process in their country.

URGING THE GOVERNMENT OF UKRAINE TO ENSURE A DEMOCRATIC, TRANSPARENT, AND FAIR ELECTION PROCESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent the Senate proceed to the immediate consideration of S. Res. 473, which was submitted earlier today by Senator MCCAIN.

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

The legislative clerk read as follows:

A resolution (S. Res. 473) urging the Government of Ukraine to ensure a democratic, transparent, and fair election process for the Presidential run-off election on November 21, 2004.

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

Mr. MCCONNELL. I ask unanimous consent the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid on the table, and any statements relating to this matter be printed in the RECORD.

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

The resolution (S. Res. 473) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 473

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 are prerequisites for that country's full integration into the Western community of nations as an equal member, including into organizations such as the North Atlantic Treaty Organization (NATO);

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), including provisions of the Copenhagen Document;

Whereas the election of Ukraine's next President will provide 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 the second round of the Presidential election takes place against the backdrop of past elections and improprieties in the first round of the election, which did not fully meet international standards;

Whereas it is the duty of government and public authorities of Ukraine at all levels to act in a manner consistent with all laws and regulations governing election procedures, and to ensure free and fair elections throughout the entire country, including preventing activities aimed at undermining the free exercise of political rights;

Whereas a genuinely free and fair election requires a period of political campaigning conducted in an environment in which administrative action, violence, intimidation, or detention do not hinder the parties, political associations, and the candidates from presenting their views and qualifications to the citizenry, including organizing supporters, conducting public meetings and events throughout the country, and enjoying unimpeded access to television, radio, print, and Internet media on a non-discriminatory basis;

Whereas a genuinely free and fair election requires that citizens be guaranteed the right and effective opportunity to exercise their civil and political rights, including the right to vote and the right to seek and acquire information upon which to make an informed vote, free from intimidation, undue influence, attempts at vote buying, threats of political retribution, or other forms of coercion by national or local authorities or others;

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 increasing control and manipulation of the media by national and local officials and others acting at their behest raise grave concerns regarding the commitment of the Ukrainian authorities to free and fair elections;

Whereas efforts by the national authorities in Ukraine to limit access to international broadcasting, including Radio Liberty and the Voice of America, represent an unacceptable infringement on the right of the Ukrainian people to independent information;

Whereas efforts by national and local officials of Ukraine and others acting at their behest to impose obstacles to free assembly, free speech, and a free and fair political campaign have taken place in Donetsk, Sumy, and elsewhere in Ukraine without condemnation or remedial action by the Government of Ukraine;

Whereas numerous substantial irregularities have taken place in recent Ukrainian parliamentary by-elections in the Donetsk region and in mayoral elections in Mukacheve, Romny, and Krasniy Luch;

Whereas intimidation, violence, and fraud during the April 18, 2004, mayoral election in Mukacheve, Ukraine, represent a deliberate attack on the democratic process;

Whereas in the period leading to the first round of the Presidential election, the government power structures used state resources such as schools, state factories, hospitals, and public transport systems to force students, state workers, and citizens who rely on state services for their livelihood to campaign against their will for the government-backed candidate;

Whereas there was notable partisan engagement of security services, military, and local police in support of the government-backed candidate;

Whereas there was a failure of national and local state-owned and private electronic media to provide impartial and fair coverage of, or access to, opposition candidates;

Whereas some election commission members affiliated with opposition candidates were dismissed from their duties just prior to election day;

Whereas there was collaboration with a foreign government to allow a foreign President to appear in Ukraine and express his opinions on one of the candidates just days before election day, in an effort to influence the vote, and a military parade, which was held in Kyiv 3 days prior to the election, was clearly an effort to intimidate voters; and

Whereas in the first round of the Presidential election in Ukraine that occurred on October 31, 2004, international observers noted fraud and other significant problems, including poorly maintained voter lists, which resulted in people being denied their right to vote, as well as many additional names on voter rolls for which no accounting could be made, prevalent interference by unauthorized persons into the electoral process, and credible reports of busings of voters among oblasts and polling stations for the purpose of multiple voting: Now, therefore, be it

Resolved, That the Senate—

(1) acknowledges and welcomes the strong relationship formed between the United States and Ukraine since the restoration of Ukraine's independence in 1991;

(2) recognizes that a precondition for the full integration of Ukraine into the Western community of nations, including as an equal member in institutions such as the North Atlantic Treaty Organization (NATO), is its establishment of a genuinely democratic political system;

(3) expresses its strong and continuing support for the efforts of the Ukrainian people to establish a full democracy, the rule of law, and respect for human rights in Ukraine;

(4) urges the Government of Ukraine to guarantee freedom of association and assembly, including the right of candidates, members of political parties, and others to freely assemble, to organize and conduct public events, and to exercise these and other rights free from intimidation or harassment by local or national officials or others acting at their behest;

(5) urges the Government of Ukraine to meet its Organization for Security and Co-operation in Europe (OSCE) commitments on democratic elections and to address issues previously identified by the Office of Democratic Institutions and Human Rights (ODIHR) of the OSCE in its final reports on the 2002 parliamentary elections and the 1999 Presidential elections, such as illegal interference by public authorities in the campaign and a high degree of bias in the media;

(6) urges the Ukrainian authorities to ensure—

(A) the full transparency of election procedures before, during, and after the second round of the 2004 Presidential election;

(B) free access for Ukrainian and international election observers;

(C) multiparty representation on all election commissions;

(D) unimpeded access by all parties and candidates to print, radio, television, and Internet media on a non-discriminatory basis;

(E) freedom of candidates, members of opposition parties, and independent media organizations from intimidation or harassment by government officials at all levels, including selective tax audits and other regulatory procedures, and in the case of media, license revocations, and libel suits;

(F) a transparent process for complaint and appeals through electoral commissions and within the court system that provides timely and effective remedies;

(G) vigorous prosecution of any individual or organization responsible for violations of election laws or regulations, including the application of appropriate administrative or criminal penalties;

(H) remedies to all improprieties reported in the first round of the Presidential election in Ukraine, including—

(i) the replacement at a polling station of any Territorial Election Commission member found to have engaged in fraud;

(ii) a complete review of voter lists in each polling station in order to correct inaccuracies;

(iii) equal time on state media and equal access to private media for the two runoff candidates; and

(iv) immediate prosecution of individuals who have violated the election law;

(7) further calls upon the Government of Ukraine to guarantee election monitors from the ODIHR, other participating states of the OSCE, Ukrainian political parties, representatives of candidates, nongovernmental organizations, and other private institutions and organizations, both foreign and domestic, unobstructed access to all aspects of the election process, including unimpeded access to public campaign events, candidates, news media, voting, and post-election tabulation of results and processing of election challenges and complaints;

(8) urges the President to fully employ the diplomatic and other resources of the Government of the United States to encourage the Government of Ukraine to ensure that the election laws and procedures of Ukraine are faithfully adhered to by all local and national officials, by others acting at their behest, and by all candidates and parties, during and subsequent to the Presidential campaign and election-day voting;

(9) strongly encourages the President to clearly communicate to the Government of Ukraine, to all parties and candidates in Ukraine, and to the people of Ukraine the high importance attached by the Government of the United States to this Presidential campaign as a central factor in determining the future relationship between the two countries;

(10) strongly encourages the President to consider visa bans and other targeted sanc-

tions on those responsible for encouraging or participating in any efforts to improperly influence the outcome of the election, whether through direct or indirect involvement; and

(11) pledges its enduring support and assistance to the people of Ukraine for the establishment of a fully free and open democratic system, the creation of a prosperous free market economy, the establishment of a secure independence and freedom from coercion, and Ukraine's assumption of its rightful place as a full and equal member of the Western community of democracies.

ORDER FOR PRINTING MAIDEN SPEECHES

Mr. McCONNELL. Mr. President, I ask unanimous consent that all maiden speeches by new Senators from the 108th Congress be printed as a Senate document, provided further that Senators have until the close of business tomorrow, Friday, November 19, to submit such statements.

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

ORDER FOR PRINTING TRIBUTES TO RETIRING SENATORS

Mr. McCONNELL. Mr. President, I ask unanimous consent that there be printed as individual Senate documents, a compilation of materials from the CONGRESSIONAL RECORD in tribute to retiring Senators of the 108th Congress.

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

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. McCONNELL. I ask unanimous consent the Senate proceed to executive session to consider the following nominations: No. 940, No. 941, and all nominations on the Secretary's desk in the Navy.

I ask unanimous consent the nominations be confirmed en bloc, the motions to reconsider be laid on the table, and the President be immediately notified of the Senate's action.

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

The nominations considered and confirmed en bloc are as follows:

EN BLOC IN THE AIR FORCE

The following named officers for appointment in the United States Air Force to the grade indicated under title 10, U.S.C., section 624:

To be major general

Brigadier General John H. Folkerts, 4060

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Lt. Gen. Bruce A. Wright, 5759

NOMINATIONS PLACED ON THE SECRETARY'S DESK

IN THE NAVY

PN2021 NAVY nominations (457) beginning ARMAND P ABAD, and ending MATTHEW P

ZENTZ, which nominations were received by the Senate and appeared in the Congressional Record of October 7, 2004.

NOMINATIONS PLACED ON THE CALENDAR

Mr. McCONNELL. I further ask unanimous consent that the following nominations be discharged from their respective committees and that they be placed on the calendar. From the Foreign Relations Committee, three nominations to the United Nations that are at the desk: PN 1847, PN 1846, PN 1975; from the HELP Committee, seven nominations: PN 1722, PN 1651, PN 1623, PN 1624, PN 2046, PN 1654, and PN 1509.

I finally ask unanimous consent the Senate resume legislative session.

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

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will return to legislative session.

ORDERS FOR FRIDAY, NOVEMBER 19, 2004

Mr. McCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. tomorrow, Friday, November 19. I further ask unanimous consent that following the prayer and pledge, the morning hour be deemed expired, and the Journal of proceedings be approved to date, the time for the two leaders be reserved, and the Senate then resume consideration of the conference report to accompany H.R. 1047, the miscellaneous tariffs bill, provided that there be 30 minutes divided with Chairman GRASSLEY in control of 10 minutes, Senator BAUCUS in control of 10 minutes, Senator FEINGOLD for up to 8 minutes, and Senator KOHL for up to 2 minutes; provided further that at the conclusion of that time the Senate proceed to the cloture vote on the conference report.

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

PROGRAM

Mr. McCONNELL. Mr. President, tomorrow the Senate will vote on cloture on the miscellaneous tariffs conference report. It is our expectation that cloture will be invoked by a large margin, and I hope we will complete our work on this measure in short order. Also, during tomorrow's session we are continuing to await the Omnibus appropriations conference report from the House of Representatives. Finally, we will also consider the intelligence reform legislation if it becomes available.