

effort to fight proliferation called the Proliferation Security Initiative. The United States and a number of our close allies, including Poland, have begun working on new agreements to search planes and ships carrying suspect cargo and to seize illegal weapons or missile technologies. Over time, we will extend this partnership as broadly as possible to keep the world's most destructive weapons away from our shores and out of the hands of our common enemies";

Whereas, since May 2003, more than 60 countries have indicated their support for the Proliferation Security Initiative;

Whereas, in September 2003, 11 countries agreed to and published the Proliferation Security Initiative Statement of Interdiction Principles, which, among other things, identifies specific steps for effectively interdicting shipments of weapons of mass destruction, their means of delivery, and related materials and for preventing proliferation facilitators, brokers, and middlemen from engaging in this deadly trade;

Whereas the Proliferation Security Initiative has led to the negotiation of bilateral ship boarding agreements designed to facilitate the interdiction of weapons of mass destruction, their means of delivery, and related materials, including agreements with the Governments of Panama, Liberia, and the Marshall Islands;

Whereas, United Nations Security Council Resolution 1540, proposed by President Bush and adopted unanimously by the Security Council on April 28, 2004, calls on all countries to take cooperative action to prevent trafficking in weapons of mass destruction, their means of delivery, and related materials;

Whereas the actions of the United States and its Proliferation Security Initiative partners Germany and Italy contributed to the interdiction of the ship "BBC China", a commercial ship carrying centrifuge components for Libya's illicit nuclear program, en route to Tripoli, and also contributed to the constructive decision made by the Government of Libya on December 19, 2003, to acknowledge its illegal weapons of mass destruction programs and its agreement to eliminate its weapons of mass destruction and long-range missile programs and rejoin the international community by eliminating all elements of its chemical and nuclear weapons programs, declaring all nuclear materials and activities to the International Atomic Energy Agency (IAEA), eliminating ballistic missiles with a range greater than 300 kilometers with payloads of 500 or more kilograms, accepting international inspections to ensure Libya's complete adherence to the Nuclear Non-proliferation Treaty, signing the Additional Protocol, eliminating all chemical weapons stocks and munitions and acceding to the Chemical Weapons Convention, and allowing immediate inspections and monitoring to verify all of these actions;

Whereas the Report of the United Nations Secretary-General's High Level Panel on Threats, Challenges, and Changes finds that "[r]ecent experience of the activities of the A.Q. Khan network has demonstrated the need for and the value of measures taken to interdict the illicit and clandestine trade in components for nuclear programs";

Whereas the same Report also welcomes "the voluntary Proliferation Security Initiative, under which more and more states are cooperating to prevent illicit trafficking in nuclear, biological and chemical weapons";

Whereas, acknowledging that existing non-proliferation agreements and export control regimes are necessary but no longer sufficient, the Secretary-General of the United Nations has stated: "I applaud the efforts of the Proliferation Security Initiative to fill a gap in our defenses";

Whereas the United States and many of its Proliferation Security Initiative partners

have conducted 14 ground, air, maritime, and tabletop interdiction exercises over the last 2 years, beginning with the Australian-led exercise Pacific Protector in September 2003; and

Whereas multiple countries have now participated in and observed air, land, and sea interdiction training exercises, in particular the October 2004 Team Samurai exercise, in which Japan, the United States, Australia, and France contributed operational assets and Canada, Cambodia, Germany, Greece, Italy, the Netherlands, New Zealand, Norway, Philippines, Poland, Portugal, Russia, Singapore, Spain, Sweden, Thailand, Turkey, and the United Kingdom participated as observers, and most recently in Exercise Ninfa '05, a joint maritime and ground interdiction exercise led by Portugal: Now, therefore be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of Congress that—

(1) the President is to be commended on the occasion of the second anniversary of the creation of the Proliferation Security Initiative for its broadening membership, increasing international support, and successful operational training and exercises;

(2) all the governments of countries coordinating and cooperating in intelligence sharing, training exercises, and legal agreements with the United States under the Proliferation Security Initiative, in particular the meetings of the PSI Operational Experts Group, are to be commended for their support in the global effort to prevent the proliferation of weapons of mass destruction, their means of delivery, and related materials;

(3) the Proliferation Security Initiative constitutes an important tool for coordinating diplomatic, law enforcement, customs, intelligence, and military capabilities against the illicit trade in weapons of mass destruction, their means of delivery, and related materials;

(4) all countries must work together, particularly under the auspices of the committee established pursuant to operative paragraph 4 of United Nations Security Council Resolution 1540, popularly called the "1540 Committee", to further the implementation of the provisions of Resolution 1540 relating to the international legal bases for continued, aggressive enforcement of all agreements, treaties, and regimes that aim through interdiction activities to end the illicit trade in weapons of mass destruction, their means of delivery, and related materials;

(5) the governments of all responsible countries should endorse the PSI Statement of Interdiction Principles and cooperate actively to interdict and disrupt illicit trade in weapons of mass destruction, their means of delivery, and related materials; and

(6) as evidenced in the historic December 19, 2003, decision of Libya to acknowledge and convert or dismantle its illegal weapons of mass destruction programs, the Proliferation Security Initiative can provide significantly enhanced enforcement of and adherence to the Treaty on the Non-proliferation of Nuclear Weapons, done at Washington, London, and Moscow July 1, 1968, and entered into force March 5, 1970 (commonly known as the "Nuclear Non-Proliferation Treaty"), the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction, with Annexes, done at Paris January 13, 1993, and entered into force April 29, 1997 (commonly known as the "Chemical Weapons Convention"), the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction, done at Washington, London, and Moscow April 10, 1972, and entered into force March 26, 1975 (commonly known as the "Bi-

ological Weapons Convention"), the safeguards system of the International Atomic Energy Agency, and the commitments and control lists of the Missile Technology Control Regime, the Australia Group, and the Nuclear Suppliers Group.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. ENSIGN. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on May 26, 2005, at 10 a.m., to conduct a hearing on "The Report to the Congress on International Economic and Exchange Rate Policies."

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. ENSIGN. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on Thursday, May 26, at 9:30 a.m., to consider comprehensive energy legislation.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. ENSIGN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Thursday, May 26, 2005, at 10:30 a.m., to hold a hearing on nominations.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. ENSIGN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Thursday, May 26, 2005, at 2:30 p.m., to hold a hearing on nominations.

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. ENSIGN. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to hold a hearing during the session of the Senate on Thursday, May 26, 2005 at 10 a.m. in SD-430.

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

COMMITTEE ON THE JUDICIARY

Mr. ENSIGN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a markup on Thursday, May 26, 2005, at 9:30 a.m. in Dirksen Room 226.

Agenda

I. Nominations Terrence W. Boyle, II, to be U.S. Circuit Judge for the Fourth Circuit; Brett M. Kavanaugh, to be U.S. Circuit Judge for the District of Columbia; Richard Griffin, to be U.S. Circuit Court Judge for the Sixth Circuit; David McKeague, to be U.S. Circuit Court Judge for the Sixth Circuit; Paul Clement, to be Solicitor General of the United States; Anthony Jerome Jenkins, to be U.S. Attorney for the

District of the Virgin Islands; Stephen Joseph Murphy III, to be U.S. Attorney for the Eastern District of Michigan; Gretchen C.F. Shappert, to be U.S. Attorney for the Western District of North Carolina; Rachel Brand, to be an Assistant Attorney General for the Office of Legal Policy; Alice S. Fisher, to be an Assistant Attorney General for the Criminal Division; and Regina B. Schofield, to be an Assistant Attorney General for the Office of Justice Programs.

II. Bills: S. 852, A bill to Create a Fair and Efficient System to Resolve Claims of Victims for Bodily Injury Caused by Asbestos Exposure, and for Other Purposes. [SPECTER, LEAHY, HATCH, FEINSTEIN, GRASSLEY, DEWINE, GRAHAM].

III. Matters: Senate Judiciary Committee Rules.

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

COMMITTEE ON VETERANS' AFFAIRS

Mr. ENSIGN. Mr. President, I ask unanimous consent that The Committee on Veterans' Affairs be authorized to meet during The session of The Senate on Thursday, May 26, 2005, for a committee hearing titled "Battling The Backlog: Challenges Facing The VA Claims Adjudication and Appeal Process".

The hearing will take place in Room 418 of the Russell Senate Office Building at 2 p.m.

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

PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

Mr. ENSIGN. Mr. President, I ask unanimous consent that The Permanent Subcommittee on Investigations be authorized to meet on Thursday, May 26, 2005, at 9 a.m., for a hearing entitled "The Container Security Initiative and The Customs-Trade Partnership Against Terrorism: Securing The Global Supply Chain or Trojan Horse?"

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. ENSIGN. Mr. President, I ask unanimous consent, pursuant to Rule 26.5(a) of The Standing Rules of The Senate, that The Select Committee on Intelligence be authorized to meet after conclusion of the first two hours after the meeting of The Senate commences on May 26, 2005.

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

SUBCOMMITTEE ON AVIATION

Mr. ENSIGN. Mr. President, I ask unanimous consent that The Subcommittee on Aviation be authorized to meet on Thursday, May 26, 2005, at 10 a.m. on Aviation Capacity and Congestion Challenge-Summer 2005 and Future Demand.

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

SUBCOMMITTEE ON CLEAN AIR, CLIMATE CHANGE, AND NUCLEAR SAFETY

Mr. ENSIGN. Mr. President, I ask unanimous consent that the Subcommittee on Clean Air, Climate

Change, and Nuclear Safety be authorized to meet on Thursday, May 26, 2005 at 9 a.m. to conduct an oversight hearing on the Nuclear Regulatory Commission.

The hearing will be held in SD 406.

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

SUBCOMMITTEE ON FEDERAL FINANCIAL MANAGEMENT, GOVERNMENT INFORMATION, AND INTERNATIONAL SECURITY

Mr. ENSIGN. Mr. President, I ask unanimous consent that the Subcommittee on Federal Financial Management, Government Information, and International Security be authorized to meet on Thursday, May 26, 2005, at 2:30 p.m., for a hearing regarding "An Assessment of Federal Funding for Private Research and Development."

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

SUBCOMMITTEE ON IMMIGRATION, BORDER SECURITY AND CITIZENSHIP

Mr. ENSIGN. Mr. President, I ask unanimous consent that the Subcommittee on Immigration, Border Security and Citizenship be authorized to meet to conduct a hearing on "The Need for Comprehensive Immigration Reform: Serving Our National Economy" on Thursday, May 26, 2005, at 2:30 p.m. in SD-226.

Witness List

Panel I: The Honorable Steven Law, Deputy Secretary, U.S. Department of Labor, Washington, DC.

Panel II: Tom Donahue, President and CEO, U.S. Chamber of Commerce, Washington, DC; Dan Griswold, Director of the Center for Trade Policy Studies, The CATO Institute, Washington, DC; and Douglas S. Massey, Ph.D., Professor, Princeton University, Princeton, NJ.

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

PRIVILEGE OF THE FLOOR

Mr. ALEXANDER. Mr. President, I ask unanimous consent that Ryon Ryu with Senator HAGEL's staff be granted the privilege of the floor during today's session.

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

TRANSPORTATION EQUITY ACT: A LEGACY FOR USERS

Mr. FRIST. Mr. President, I ask the Chair lay before the Senate a message from the House of Representatives on the bill (H.R. 3) to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes.

The PRESIDING OFFICER laid before the Senate the following message from the House of Representatives:

Resolved, That the House disagree to the amendment of the Senate to the bill (H.R. 3) entitled "An Act to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes," and ask a conference with the Senate

on the disagreeing votes of the two Houses thereon.

Mr. FRIST. Mr. President, I move that the Senate insist on its amendment, agree to the request for a conference, and the Chair appoint conferees, with a ratio of 16 to 14, with the names submitted at the desk.

The motion was agreed to, and the Presiding Officer appointed Mr. INHOFE, Mr. WARNER, Mr. BOND, Mr. VOINOVICH, Mr. CHAFEE, Ms. MURKOWSKI, Mr. THUNE, Mr. DEMINT, Mr. ISAKSON, Mr. VITTER, Mr. GRASSLEY, Mr. HATCH, Mr. SHELBY, Mr. ALLARD, Mr. STEVENS, Mr. LOTT, Mr. JEFFORDS, Mr. BAUCUS, Mr. LIEBERMAN, Mrs. BOXER, Mr. CARPER, Mrs. CLINTON, Mr. LAUTENBERG, Mr. OBAMA, Mr. CONRAD, Mr. INOUE, Mr. ROCKEFELLER, Mr. SARBANES, Mr. REED, Mr. JOHNSON conferees on the part of the Senate.

SMALL BUSINESS ACT

Ms. SNOWE. Mr. President, I rise today to address the consideration of H.R. 3, the Highway bill, in conference between the Senate and the House, and to engage the majority leader and Chairman INHOFE in a colloquy. It has come to my attention that the version of H.R. 3 passed by the House contains changes to the Small Business Act, which is under the exclusive jurisdiction of the small business committees in both chambers. Section 1821 of H.R. 3 as passed by the House would extend the benefits of the Historically Underutilized Business, HUBZone, program to non-metropolitan areas designated as Difficult Development Areas, DDAs, by the Secretary of Housing and Urban Development, but only if these DDAs are located in states and territories outside the continental United States. The HUBZone program exists to generate market-based development solutions in economically distressed areas by providing federal contracting advantages to small businesses which locate in HUBZones and employ HUB Zone residents.

The HUBZone contracting program is codified in the Small Business Act and is administered by the Office of Government Contracting and Business Development of the Small Business Administration. While the HUBZone provision was not included in the Senate version of H.R. 3, had the provision in the House bill proceeded through the Senate committee process, I would have certainly exercised my prerogatives as the Committee Chair.

Although I am not requesting a formal appointment as a conferee, I would like to ask my distinguished colleagues, the majority leader and the chairman of the Senate Committee on Environment and Public Works, to commit that no change to the Small Business Act or any program relating to the SBA will be negotiated or agreed to in the Highway bill conference without my consent as the Chair of the Senate Committee on Small Business and Entrepreneurship.