

SEC. 9. REPORTING REQUIREMENT.

Not later than March 31, 2010, the President, acting through the Council, shall transmit to Congress a report on the programs established under sections 4 and 5. The report shall include a description of activities carried out under the programs, an evaluation of the effectiveness of the programs, and recommendations concerning reauthorization of the programs and funding levels for the programs in succeeding fiscal years.

SA 1103. Mr. MCCONNELL (for Mr. STEVENS (for himself and Mr. INOUE)) proposed an amendment to the bill S. 361, to develop and maintain an integrated system of ocean and coastal observations for the Nation's coasts, oceans and Great Lakes, improve warnings of tsunamis and other natural hazards, enhance homeland security, support maritime operations, and for other purposes; as follows:

Amend the title so as to read "A bill to develop and maintain an integrated system of ocean and coastal observations for the Nation's coasts, oceans and Great Lakes, improve warnings of tsunamis and other natural hazards, and for other purposes."

SA 1104. Mr. ENSIGN submitted an amendment intended to be proposed by him to the bill H.R. 2360, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 69, line 12, after "presence:", insert the following: "Provided further, That of the amount made available under this heading, an amount shall be available for the Transportation Security Administration to develop a plan to research, test, and implement multi compartment bins to screen passenger belongings at security checkpoints:"

NOTICES OF HEARINGS/MEETINGS**COMMITTEE ON ENERGY AND NATURAL RESOURCES**

Mr. DOMENICI. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Committee on Energy and Natural Resources.

The hearing will take place on Tuesday, July 12 at 10 a.m. in room 366 of the Dirksen Senate Office Building in Washington, DC.

The purpose of this hearing is to consider the nominations of: Jill L. Sigal, of Wyoming, to be Assistant Secretary of Energy for Congressional and Intergovernmental Affairs, David R. Hill, of Missouri, to be General Counsel of the Department of Energy, and James A. Rispoli, of Virginia, to be Assistant Secretary of Energy for Environmental Management.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. DOMENICI. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Committee on Energy and Natural Resources.

The hearing will take place on Thursday, July 14 at 10 a.m. in room 366 of

the Dirksen Senate Office Building in Washington, DC.

The purpose of this hearing is to consider the nominations of: R. Thomas Weimer, of Colorado, to be an Assistant Secretary of the Interior, and Mark A. Limbaugh, of Idaho to be an Assistant Secretary of the Interior.

MEASURE READ THE FIRST TIME—H.R. 748

Mr. MCCONNELL. Mr. President, I understand there is a bill at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the title of the bill for the first time.

The legislative clerk read as follows:

A bill (H.R. 748) to amend Title 18, United States Code, to prevent the transportation of minors in circumvention of certain laws relating to abortion, and for other purposes.

Mr. MCCONNELL. Mr. President, I ask for a second reading and, in order to place the bill on the calendar under rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection is heard. The bill will proceed to a second reading on the next legislative day.

UNANIMOUS CONSENT AGREEMENT—H.R. 2360

Mr. MCCONNELL. Mr. President, I ask unanimous consent that on Monday, July 11, the Senate proceed to the consideration of calendar No. 129, H.R. 2360, the Homeland Security Appropriations bill. I further ask that the committee-reported amendment be agreed to and considered as original text for the purpose of further amendment, and that all first-degree amendments be filed at the desk by 4 p.m. on Monday, July 11, with the exception of amendments to be proposed by the leaders. I further ask that first-degree amendments be subject to relevant second degrees and no points of order be waived by this agreement.

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

EXECUTIVE SESSION**EXECUTIVE CALENDAR**

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to executive session; provided further, that the Agriculture Committee be discharged from further consideration of the following nomination: Richard Raymond; provided further that the Senate proceed to its consideration and the following nominations on the calendar en bloc: 192 and 193. I further ask that the nominations be confirmed en bloc, the motions to reconsider be laid upon the table, the President being immediately notified of the Senate's action, a colloquy be printed in the RECORD, and the Senate resume legislative session.

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

The nominations considered and confirmed are as follows:

DEPARTMENT OF AGRICULTURE

Richard A. Raymond, of Nebraska, to be Under Secretary of Agriculture for Food Safety.

DEPARTMENT OF JUSTICE

James B. Letten, of Louisiana, to be United States Attorney for the Eastern District of Louisiana for the term of four years.

Rod J. Rosenstein, of Maryland, to be United States Attorney for the District of Maryland for the term of four years.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now return to legislative session.

APPOINTMENT OF CONFEREES—H.R. 6

Mr. MCCONNELL. Mr. President, I ask unanimous consent that with respect to H.R. 6, the Energy bill, the Senate insist on its amendment, request a conference with the House, and the Chair be authorized to appoint conferees on the part of the Senate with an 8-to-6 ratio.

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

The Chair appointed from the Committee on Energy and Natural Resources, Mr. DOMENICI, Mr. CRAIG, Mr. THOMAS, Mr. ALEXANDER, Ms. MURKOWSKI, Mr. BURR, Mr. BINGAMAN, Mr. AKAKA, Mr. DORGAN, Mr. WYDEN, Mr. JOHNSON; and from the Committee on Finance, Mr. GRASSLEY, Mr. HATCH, and Mr. BAUCUS conferees on the part of the Senate.

UNANIMOUS CONSENT AGREEMENT—S. RES. 186, S. RES. 187, S. RES. 188, S. RES. 189, AND S. RES. 190

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed en bloc to the consideration of the following resolutions: S. Res. 186, S. Res. 187, S. Res. 188, S. Res. 189, and S. Res. 190.

The PRESIDING OFFICER. Without objection, the Senate will proceed en bloc.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the resolutions be agreed to, the preambles be agreed to, and the motions to reconsider be laid upon the table, all en bloc.

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

AFFIRMING THE IMPORTANCE OF A NATIONAL WEEKEND OF PRAYER

The resolution (S. Res. 186) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 186

Affirming the importance of a national weekend of prayer for the victims of genocide and crimes against humanity in Darfur,

Sudan, and expressing the sense of the Senate that July 15 through 17, 2005, should be designated as a national weekend of prayer and reflection for the people of Darfur.

Whereas, on July 22, 2004, Congress declared that genocide was taking place in Darfur, Sudan;

Whereas, on September 9, 2004, Secretary of State Colin L. Powell testified to the Senate Committee on Foreign Relations that 'genocide has been committed in Darfur';

Whereas, on September 21, 2004, President George W. Bush stated to the United Nations General Assembly that 'the world is witnessing terrible suffering and horrible crimes in the Darfur region of Sudan, crimes my government has concluded are genocide';

Whereas Article 1 of the Convention on the Prevention and Punishment of the Crime of Genocide, done at Paris December 9, 1948, and entered into force January 12, 1951, states that '[t]he Contracting Parties confirm that genocide, whether committed in time of peace or in time of war, is a crime under international law which they undertake to prevent and to punish';

Whereas fundamental human rights, including the right to freedom of thought, conscience, and religion, are protected in numerous international agreements and declarations;

Whereas the United Nations Security Council, in Security Council Resolution 1591, condemned the 'continued violations of the N'djamena Ceasefire Agreement of 8 April 2004 and the Abuja Protocols of 9 November 2004 by all sides in Darfur and the deterioration of the security situation and negative impact this has had on humanitarian assistance efforts';

Whereas President Bush declared on June 30, 2005, "Yet the violence in Darfur region is clearly genocide. The human cost is beyond calculation."

Whereas it is estimated that more than 2,000,000 people have been displaced from their homes and remain in camps in Darfur, Chad, and elsewhere;

Whereas while United States government assistance and African Union monitoring has mitigated violence in some regions of Darfur, religious leaders, genocide survivors, and world leaders have expressed grave concern, over the atrocities still occurring there and for the thousands that may still be dying; and

Whereas it is appropriate that the people of the United States, leaders and citizens alike, unite in prayer for the people of Darfur and reflect upon the situation in Darfur: Now, therefore, be it

Resolved, That it is the sense of the Senate—

(1) that the weekend of July 15 through 17, 2005, should be designated as a National Weekend of Prayer and Reflection for the people of Darfur, Sudan;

(2) to encourage the people of the United States to observe that weekend by praying for an end to the genocide and crimes against humanity and for lasting peace in Darfur, Sudan; and

(3) to urge all churches, synagogues, mosques, and religious institutions in the United States to consider the people of Darfur in their activities and to observe the National Weekend of Prayer and Reflection with appropriate activities and services.

AUTHORIZING THE TAKING OF VIDEO IMAGES IN THE SENATE CHAMBER

The resolution (S. Res. 187) was agreed to, as follows:

S. RES. 187

Resolved,

SECTION 1. AUTHORIZATION OF TAKING OF VIDEO IMAGES IN SENATE CHAMBER.

(a) AUTHORIZATION.—Subject to subsection (b), paragraph 1 of rule IV of the Rules for the Regulation of the Senate Wing of the United States Capitol and Senate Office Buildings (prohibiting the taking of pictures in the Senate Chamber) is temporarily suspended for the purpose of permitting the C-SPAN television network to take, during a period the Senate is in recess, video images of the Senate Chamber.

(b) LIMITATION ON USE OF IMAGES.—The C-SPAN television network may use video images taken under subsection (a) solely for inclusion in a documentary on the history of the United States Capitol which the network is preparing.

(c) ARRANGEMENTS.—The Sergeant at Arms and Doorkeeper of the Senate shall make the necessary arrangements to carry out this resolution, including such arrangements as are necessary to ensure that the taking of video images under this resolution does not disrupt any proceeding of the Senate.

AUTHORIZING REPRESENTATION BY SENATE LEGAL COUNSEL

The resolution (S. Res. 188) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 188

Whereas, the United States Congress has been named as a defendant in the case of *LaFreniere v. Congress of the United States*, Civ. No. 05-1368, pending in the United States District Court for the Northern District of California;

Whereas, pursuant to sections 703(a) and 704(a)(1) of the Ethics in Government Act of 1978, 2 U.S.C. §§288b(a) and 288c(a)(1), the Senate may direct its counsel to defend in civil actions the Senate when there is placed in issue the validity of any action taken by the Senate in its official capacity;

Whereas, pursuant to section 708(c) of the Ethics in Government Act of 1978, 2 U.S.C. §288g(c), the Senate may direct its counsel to perform other duties: Now, therefore, be it

Resolved, That the Senate Legal Counsel, in conjunction with counsel for the House of Representatives, is authorized to represent the United States Congress in the case of *LaFreniere v. Congress of the United States*.

Mr. FRIST. Mr. President, this resolution concerns a pro se civil action filed against the Congress. The plaintiff contends that article III, §2, cl. 1, of the Constitution, which extends the judicial power to all cases arising under the Constitution, "preempts" the later ratified 11th amendment to the Constitution, which affords the States an immunity from certain suits. Plaintiff seeks a judicial order directing the Congress to rescind the 11th amendment and \$30 million in damages.

This suit is subject to dismissal on numerous threshold grounds, including lack of constitutional standing, sovereign and legislative immunity, and the political question doctrine, as well as on the merits. This resolution authorizes the Senate Legal Counsel, in conjunction with counsel for the House of Representatives, to represent the Congress in this suit and to move for its dismissal.

CONGRATULATING MICHAEL CAMPBELL ON HIS VICTORY IN THE U.S. OPEN

The resolution (S. Res. 189) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 189

Whereas on June 19, 2005, Michael Campbell, a citizen of New Zealand, won the United States Golf Association's Open Championship ("U.S. Open");

Whereas the U.S. Open was held at Pinehurst No. 2, one of the most storied and difficult courses in professional golf;

Whereas Michael Campbell's even par 280 was 2 strokes better than any other golfer in the field;

Whereas Michael Campbell showed great perseverance and resolve by becoming the first golfer to come from behind to win the U.S. Open in 7 years;

Whereas Michael Campbell became the first New Zealander to win one of golf's 4 major tournaments since Bob Charles won the British Open in 1963;

Whereas New Zealand has long been a prominent fixture on the stage of international sports, winning 2 of the last 3 America's Cup yacht races and 3 gold medals and 2 silver medals at the 2004 Summer Olympic Games in Athens, Greece;

Whereas the competitive spirit and success of these athletes is reflective of the bravery and skill of New Zealand's seagoing indigenous explorers, the Maori, of whom Michael Campbell is a descendent;

Whereas Michael Campbell's Maori-Scottish heritage is representative of the great cooperation between, and harmonious blending of, Polynesian and European cultures;

Whereas New Zealand was a staunch ally in every major conflict of the 20th Century and its people made heroic efforts and enormous sacrifices to help protect freedom and democracy throughout the world;

Whereas New Zealand has contributed regularly to international peacekeeping operations, remains steadfast in their alliance in the fight against terrorism and extremism, and continues to assist in the reconstruction of Iraq and Afghanistan; and

Whereas New Zealand remains a close ally: Now, therefore, be it

Resolved, That the Senate—

(1) commends Michael Campbell for his outstanding achievement in winning the U.S. Open;

(2) celebrates Michael Campbell's victory as a proud moment for New Zealand;

(3) recognizes Michael Campbell's victory as an opportunity to—

(A) highlight the strong relationship and rich history between the United States and New Zealand; and

(B) foster greater collaboration and friendship between these 2 great nations; and

(4) expresses arohanui to the peoples of Aotearoa, our friends in the Land of the Long White Cloud.

100TH ANNIVERSARY OF MESA VERDE NATIONAL PARK

The resolution (S. Res. 190) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 190

Whereas Mesa Verde National Park was created 100 years ago by an Act of Congress and signed into law by President Theodore