

pianist who performed hundreds of concerts in Europe and the United States during the late 19th and early 20th centuries;

Whereas Paderewski donated the bulk of the proceeds of his concerts to charitable causes, including the establishment of the American Legion's Orphans and Veterans Fund;

Whereas, during World War I, Paderewski worked for the independence of Poland and served as the first Premier of Poland;

Whereas, in December 1919, Paderewski resigned as Premier of Poland, and in 1921 he left politics to return to his music;

Whereas the German invasion of Poland in 1939 spurred Paderewski to return to political life;

Whereas Paderewski fought against the Nazi dictatorship in World War II by joining the exiled Polish Government to mobilize the Polish forces and to urge the United States to join the Allied Forces;

Whereas, on June 29, 1941, Paderewski died in exile in the United States while all of Europe was imperiled by war and occupation;

Whereas, by the direction of President Franklin D. Roosevelt, the remains of Paderewski were placed alongside the honored dead of the United States in Arlington National Cemetery, where President Roosevelt said, "He may lie there until Poland is free.";

Whereas, in 1963, President John F. Kennedy honored Paderewski by placing a plaque marking his remains at the Mast of the Maine at Arlington National Cemetery;

Whereas, in 1992, President George H.W. Bush, at the request of Lech Walesa, the first democratically elected President of Poland since World War II, ordered the remains of Paderewski to be returned to his native Poland;

Whereas, on June 26, 1992, the remains of Paderewski were removed from the Mast of the Maine at Arlington National Cemetery and returned to Poland 3 days later;

Whereas, on July 5, 1992, the remains of Paderewski were interred in a crypt at the St. John Cathedral in Warsaw, Poland; and

Whereas Paderewski wished his heart to be forever enshrined in the United States, where his lifelong struggle for democracy and freedom had its roots and was cultivated, and now his heart remains at the Shrine of the Czestochowa in Doylestown, Pennsylvania: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the accomplishments of Ignacy Jan Paderewski as a musician, composer, statesman, and philanthropist;

(2) on the 65th anniversary of his death, acknowledges the invaluable efforts of Ignacy Jan Paderewski in forging close ties between Poland and the United States; and

(3) recognizes Poland as an ally and strong partner in the war against global terrorism.

Mr. HAGEL. Mr. President, on behalf of my colleagues Senators MIKULSKI, DURBIN, MURKOWSKI, and VOINOVICH, I rise to submit a resolution recognizing the accomplishments of Ignacy Jan Paderewski on the 65th anniversary of his death on June 29, 1941.

Born in Poland in 1860, Paderewski is remembered for his contributions as a musician, philanthropist, statesman, and as one of the great men of his time. Paderewski was a brilliant and popular pianist who performed hundreds of concerts in Europe and the United States during the late 19th and early 20th centuries, donating the proceeds to numerous charitable causes. During World War I, Paderewski played a central role in helping achieve Poland's independ-

ence, serving as the first Premier of Poland from 1919 until 1922, when he left politics and returned to music.

The German invasion of Poland in 1939 spurred Paderewski to return to politics where he fought against Nazi Germany in World War II and joined the exiled Polish Government, where he helped mobilize Polish forces against the Nazis.

Paderewski died in 1941. At the direction of President Franklin D. Roosevelt, Paderewski's remains were placed alongside America's honored dead in Arlington National Cemetery. He did not live to see the U.S. and Allied Forces free Europe from the tyranny of Nazi control. Paderewski's legacy inspired movements throughout Europe, including Solidarity in Poland.

In 1992, Solidarity Leader Lech Walesa, the first democratically elected President of Poland since World War II, asked U.S. President George H.W. Bush to return Paderewski's remains to his native homeland. On July 5, 1992, Paderewski's remains were interred in a crypt at the St. John Cathedral in Warsaw, Poland.

Mr. President, Ignacy Jan Paderewski's life and legacy is testimony to the enduring bonds between the United States and Poland. As we near the 65th anniversary of Paderewski's death on June 29, 1941, my colleagues and I are honored to submit this resolution honoring Ignacy Jan Paderewski and ask that it be appropriately referred.

SENATE RESOLUTION 492—TO AMEND THE STANDING RULES OF THE SENATE TO PROHIBIT MEMBER FROM USING CHARITABLE FOUNDATIONS FOR PERSONAL GAIN

Mr. BAUCUS submitted the following resolution; which was referred to the Committee on Rules and Administration:

S. RES. 492

Resolved,

SECTION 1. PROHIBITION ON USING CHARITIES FOR PERSONAL OR POLITICAL GAIN.

(a) IN GENERAL.—Rule XXXVII of the Standing Rules of the Senate is amended by adding at the end the following:

"13. (a) A Member of the Senate shall not use for personal or political gain any organization—

"(1) which is described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code; and

"(2) the affairs over which such Member or the spouse of such Member is in a position to exercise substantial influence.

"(b) For purposes of this paragraph, a Member of the Senate shall be considered to have used an organization described in subparagraph (a) for personal or political gain if—

"(1) a member of the family (within the meaning of section 4946(d) of the Internal Revenue Code of 1986) of the Member is employed by the organization;

"(2) any of the Member's staff is employed by the organization;

"(3) an individual or firm that receives money from the Member's campaign com-

mittee or a political committee established, maintained, or controlled by the Member serves in a paid capacity with or receives a payment from the organization;

"(4) the organization pays for travel or lodging costs incurred by the Member for a trip on which the Member also engages in political fundraising activities; or

"(5) another organization that receives support from such organization pays for travel or lodging costs incurred by the Member.

"(c)(1) A Member of the Senate and any employee on the staff of a Member to which paragraph 9(c) applies shall disclose to the Secretary of the Senate the identity of any person who makes an applicable contribution and the amount of any such contribution.

"(2) For purposes of this subparagraph, an applicable contribution is a contribution—

"(A) which is to an organization described in subparagraph (a);

"(B) which is over \$200; and

"(C) of which such Member or employee, as the case may be, knows.

"(3) The disclosure under this subparagraph shall be made not later than 6 months after the date on which such Member or employee first knows of the applicable contribution.

"(4) The Secretary of the Senate shall make available to the public all disclosures filed pursuant to this subparagraph as soon as possible after they are received.

"(d)(1) The Select Committee on Ethics may grant a waiver to any Member with respect to the application of this paragraph in the case of an organization which is described in subparagraph (a)(1) and the affairs over which the spouse of the Member, but not the Member, is in a position to exercise substantial influence.

"(2) In granting a waiver under this subparagraph, the Select Committee on Ethics shall consider all the facts and circumstances relating to the relationship between the Member and the organization, including—

"(A) the independence of the Member from the organization;

"(B) the degree to which the organization receives contributions from multiple sources not affiliated with the Member;

"(C) the risk of abuse; and

"(D) whether the organization was formed prior to and separately from such spouse's involvement with the organization.".

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on January 1, 2007.

Mr. BAUCUS. Mr. President, the resolution I am submitting aims to ensure that charities under the control of Senators can be viewed in the most ethical terms.

Mahatma Gandhi once said: "Men say that I am a saint losing myself in politics. The fact is that I am a politician trying my hardest to be a saint."

That sums up the purpose of my resolution. We in the Senate run for office to do good. We try to make the country better. We try to serve. We strive to do the right thing.

As much as we try, however, even innocent gestures can be perceived as self-serving, or at worst, unethical.

Some of us have started charities that we believe help to serve our country and important public needs.

Senators may innocently employ staff who they trust at the charity. Senators may use lawyers who they are familiar with to ensure that requirements are met. Senators may accept

contributions from corporations because the funds will be spent on a worthy cause.

The activities that I have listed may betray nothing more than an innocent effort to carry out charitable works. But the public has a right to be skeptical. The public has a right to know what companies—that may or may not have business before the Senate—are donating to charities controlled by Senators.

My resolution would not ban Senators from starting charities. But it would address the healthy skepticism that the public has expressed about the rules governing charities controlled by Members of Congress.

As the Washington Post noted in an editorial on Tuesday, March 7 “[W]hen lawmakers have a personal interest in the charity, the opportunities for abuse are greatly magnified.”

Because of the potential for abuse, and because of the perception of abuse, I believe that rules governing charities controlled by Senators should be “greatly magnified.”

I am glad that the bill reported by the Homeland Security Committee takes a step to provide more disclosure in this area. The Homeland Security Committee bill would require disclosure of gifts by lobbyists to charities controlled by Members of Congress.

This is a good first step, but I think we can do better.

My resolution would do the following: First, it would require that any gift over \$200 to a charity substantially influenced by a Senator be disclosed if the Senator or their senior staff are aware of the gift. While disclosing gifts from lobbyists is important, it is equally imperative that gifts from corporations and individuals are also disclosed.

Second, my resolution prohibits Senators from using a charity they substantially influence for what can be perceived as their personal gain.

How does the resolution do this? Under Senate Rule XXXVII, concerning conflicts of interest, a Senator would be barred from deriving personal gain from a charity that they substantially influence.

The resolution defines personal gain in the following way: (1) When a Senator or their family member is employed by the charity in a paid capacity (2) When a member of the Senator's staff is employed by the charity in a paid capacity (3) When an individual or firm that receives income from the Senator's political action committee serves in a paid capacity to the charity (4) When the charity pays for travel or lodging costs by the Senator on a trip where the Senator also engages in political fund raising (5) And, finally, when another charity receives payment from the Senator's charity to pay for the Senator's travel and lodging.

In vetting this proposal, I have heard concerns that prohibition on a Senator's family serving in a paid capacity of a charity they substantially influence may be too broad. The example of

my friend Senator ELIZABETH DOLE is raised. When her husband, Senator Bob Dole served as our distinguished majority leader, Senator ELIZABETH DOLE served as the president of the American Red Cross. The purpose of my resolution is not to clamp down on this from occurring.

That is why my resolution would allow Senators to seek a waiver from the Senate Ethics Committee when a family member has substantial influence over a charity, and the family member's influence over the charity clearly does not provide any benefit to the Senator.

I know that some Senators may argue that more rules do not ensure ethical conduct. That is true. Every Senator is responsible for behaving ethically. My resolution will not automatically make unethical arrangements ethical. Nor should the resolution be viewed as a statement on the ethical conduct of members that currently maintain and control charities. As Ecclesiastes chapter 3, verse 17 says, “God shall judge the righteous and the wicked.”

My resolution simply aims to do better—to give the public confidence that when a Senator starts a charitable organization it is for charitable purposes. It is to fulfill the commandment expressed in Deuteronomy that “Every man shall give as he is able.”

My resolution has been endorsed by the watchdog groups Public Citizen and the National Committee on Responsive Philanthropy.

I urge the Senate to support my resolution.

SENATE RESOLUTION 493—CALLING ON THE GOVERNMENT OF THE UNITED KINGDOM TO ESTABLISH IMMEDIATELY A FULL, INDEPENDENT, PUBLIC JUDICIAL INQUIRY INTO THE MURDER OF NORTHERN IRELAND DEFENSE ATTORNEY PAT FINUCANE, AS RECOMMENDED BY INTERNATIONAL JUDGE PETER CORY AS PART OF THE WESTERN PARK AGREEMENT AND A WAY FORWARD FOR THE NORTHERN IRELAND PEACE PROCESS

Mr. DEWINE (for himself and Mr. DODD) submitted the following resolution; which was referred to the committee on Foreign Relations:

Whereas human rights defense attorney and solicitor Patrick Finucane was brutally murdered in front of his wife and children at his home in Belfast on February 12, 1989;

Whereas numerous international bodies and nongovernmental human rights organizations have made note of serious allegations of collusion between loyalist paramilitaries and British security forces in the murder of Mr. Finucane;

Whereas, in July 2001, the Irish and British Governments made new commitments in the Weston Park Agreement to hold public inquiries into high profile murders if the Honorable Judge Peter Cory recommended such action, and both governments understood that such an inquiry would be held under the

United Kingdom Tribunals of Inquiry (Evidence) Act 1921;

Whereas Judge Cory found sufficient evidence of collusion to warrant a public inquiry into the murder of Patrick Finucane and recommended that such an inquiry take place without delay;

Whereas, in his conclusions, Judge Cory set out the necessity and importance of a public inquiry into the Finucane case and that the failure to hold a public inquiry as soon as reasonably possible could be seen as a denial of the agreement at Weston Park;

Whereas, on May 6, 2004, Judge Cory testified in Congress before the United States Helsinki Commission and presented his report, which is replete with evidence of possible collusion relating to activities of the army intelligence unit and the Royal Ulster Constabulary (RUC) in the Finucane case;

Whereas the United Kingdom adopted new legislation after the public release of the Cory Report, the United Kingdom Inquiries Act of 2005, which severely limits the procedures of an independent inquiry and which has been rejected as inadequate by Judge Cory, the Finucane family, the Irish Government, and human rights groups;

Whereas, on March 15, 2005, Judge Cory submitted written testimony to the Committee on International Relations of the United States House of Representatives stating that the new legislation is “unfortunate to say the least” and “would make a meaningful inquiry impossible”;

Whereas the written statement of Judge Cory also stated that his recommendation for a public inquiry into the Finucane case “contemplated a true public inquiry constituted and acting pursuant to the provisions of the 1921 Act” and not the United Kingdom Inquiries Act of 2005;

Whereas section 701 of the Foreign Relations Authorization Act, Fiscal Year 2003 (Public Law 107-228) and House Resolution 128, 106th Congress, agreed to April 20, 1999, support the establishment of an independent, judicial inquiry into the murder of Patrick Finucane; and

Whereas the Senate expresses deep regret with respect to the British Government's failure to honor its commitment to implement recommendation of Judge Cory in full: Now therefore, be it

Resolved, That the Senate—

(1) commends the Finucane family, wife Geraldine and son Michael, who have testified 5 times before the United States Congress (Geraldine in 2000, 2004, and 2005 and Michael in 1997 and 1999), for their courageous campaign to seek the truth in this case of collusion;

(2) welcomes the passage of a resolution by the Dail Eireann on March 8, 2006, calling for the establishment of a full, independent, public judicial inquiry into the murder of Patrick Finucane as the most recent expression of support for the Finucane family by the Government of Ireland;

(3) acknowledges the United States Helsinki Commission charged with human rights monitoring for their work in highlighting this case;

(4) supports the efforts of the Honorable Mitchell Reiss, special envoy of President Bush for the Northern Ireland Peace Process, in pushing for the full implementation of the Weston Park Agreement and the establishment of an independent, judicial inquiry into the murder of Patrick Finucane; and

(5) calls on the Government of the United Kingdom—

(A) to reconsider its position on the Finucane case to take full account of the objections of the family of Patrick Finucane, Judge Cory, officials of the United States