

a practical matter, the Chinese government is not about to approve that any of those companies be purchased by a foreign government or foreign company. There is no reciprocal opportunity for a United States corporation to acquire an oil company in China.

The Chinese Government is a Communist government. Its economy is emerging as market-driven economy under the umbrella of the Chinese Government. That causes a lot of tensions and interesting circumstances. The Chinese have joined the WTO. They have made all kinds of representations about opening their marketplace. But the fact is, once again, the largest oil companies, like most other major enterprises in China, are state controlled. It makes no sense that we would allow a Chinese state-controlled oil company to acquire, in this case Unocal, a United States oil company at a time when we would not be able to reciprocate and we would be prevented from acquiring a Chinese oil company if we wished to do so.

I don't know what the administration's position would be on this. They have a review process. To the extent that the review process takes place, I believe that review process ought to be expanded. But I hope we can avoid all of that by simply deciding as a Congress this is not something that meets our national interest. Our strategic, security, and economic national interest is not served by allowing this to happen.

I am introducing this legislation today, and I know that there are many Members of Congress who share my view that this is not a transaction that meets the strategic, security, and economic interests of this country. We must trade with China. China is an emerging nation with a very substantial imprint on the world economy. The free flow of commerce and market capital is important. I understand that. This legislation that I am offering is not in any way an attempt to send a message that we do not want good trade relations with China. But it is very much intended to send this message: reciprocal opportunities ought to exist in these transactions, and they would not and do not in this case involving CNOOC and Unocal.

It is also important to point out that the money with which CNOOC, a Chinese state-controlled oil company, would purchase a United States oil corporation would be in many ways attributable to deep subsidies by the Government of China for a state-owned enterprise in China that wishes to acquire a United States oil company.

For that reason I will introduce this bill today. I may well also offer it as an amendment to the appropriations bill on Monday.

By Mr. HATCH:

S. 1414. A bill to provide for the conduct of a study of the suitability and feasibility of establishing the Trail of the Ancients National Heritage Area in

the Four Corners region of the States of Utah, Colorado, Arizona, and New Mexico; to the Committee on Energy and Natural Resources.

Mr. HATCH. Mr. President, I rise today to introduce S. 1414, a bill that authorizes a study necessary for establishing the Trail of the Ancients National Heritage Area in the Four Corners region of the States of Utah, New Mexico, Colorado, and Arizona. I am joined by Senators BENNETT, BINGAMAN, DOMENICI, and ALLARD as cosponsors of this bill.

The Four Corners region in the Southwestern United States contains many of the most stunning and well-preserved archaeological sites in our country. It also offers monuments, museums, and other attractions which draw visitors from all over the world. The rare archaeology of this part of the world combined with an awesome natural setting makes this a region like no other. With this bill we hope to lay the groundwork to give this region the attention that it so richly deserves.

Six years ago, Congress voted to support a partnership among these four States and the Federal Government in order to construct an Interpretive Center at the intersection of the Four Corners. This Center has recently opened and now provides a wonderful physical locus for travel in the region. Visitors to this spot can stop, rest, learn about the area, and purchase goods produced by the local Tribes.

The designation of the surrounding region as a National Heritage Area would complement this experience at the Center and is the logical next step. Designation as a National Heritage Area would provide geographic and interpretive coherence to the region's remarkable landscape and the amazing cultural sites dispersed within it. Designation as a National Heritage Area would give visitors to this area an experience that integrates land, people, and history in a meaningful way.

The Four Corners region is also home to the Navaho, Hopi, and Ute Indian Tribes, whose ancestors contributed to this remarkable heritage. Ancestral Puebloan Indians lived here from about A.D. 1 to 1300 and left many of the distinctive sites and structures that are visible today. The Navaho and Ute are descendants of these early peoples. The history of this area stretches even further back in time, to the Paleo-Indian era of at least 10,000 years ago. Remains from this era provide a glimpse into a way of life very different from today. The area also features sites that chronicle the more recent history of the region's native peoples, and of the immigrants who came to this area as our country expanded to the West.

This bill provides for the Secretary of the Interior to conduct the suitability and feasibility study in cooperation with the Four Corners Heritage Council. This Council is a critical partner in the study, and is prepared to take the lead in this task. The Council consists of members from all four States in the

Four Corners area. These members are appointed by the governor of each State and include representatives from the private sector, local communities, and the Tribes. We are fortunate to have such a well-established entity with a good track record of accomplishments to take on the study task.

The bill follows the new guidelines for National Heritage Areas recently passed by this body and was crafted in consultation with the National Park Service and the Four Corners Heritage Council. Once passed, this bill should move easily through the process to completion. Final designation of this area as the Trail of the Ancients National Heritage Area would link many of the cultural and recreational sites in the region for the benefit of local communities and visitors to the area. Designation of the area would not impose restrictions on private property or require acquisition of additional land.

S. 1414 is the first step in the national heritage area designation process. Designation of this area as the Trail of the Ancients National Heritage Area would give these remarkable historic treasures the national prominence they deserve, and would provide a structure for the State and local communities to promote heritage tourism and economic development. I urge my colleagues to support this bill.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1226. Mr. SANTORUM submitted an amendment intended to be proposed by him to the bill H.R. 3057, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table.

SA 1227. Mr. LUGAR submitted an amendment intended to be proposed by him to the bill H.R. 3057, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 1226. Mr. SANTORUM submitted an amendment intended to be proposed by him to the bill H.R. 3057, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table, as follows:

On page 326, between lines 10 and 11, insert the following:

SUPPORT FOR DEMOCRACY IN IRAN

SEC. 6113. (a) \$10,000,000 shall be made available to the Department of State for the President to provide, notwithstanding any other provision of law, financial and political assistance, including the awarding of grants, to foreign and domestic individuals, organizations, and entities that support democracy and the promotion of democracy in Iran. Such assistance may include the awarding of grants to independent pro-democracy radio and television broadcasting organizations that broadcast into Iran.

(b) Financial and political assistance may be provided under this section to any individual, organization, or entity that, as determined by the President—

(1) opposes the use of terrorism;

(2) advocates the adherence by the Government of Iran to nonproliferation regimes for nuclear, chemical, and biological weapons and materiel;

(3) is dedicated to democratic values and supports the adoption of a democratic form of government in Iran;

(4) is dedicated to respect for human rights, including the fundamental equality of women;

(5) works to establish equality of opportunity for people; and

(6) supports freedom of the press, freedom of speech, freedom of association, and freedom of religion.

(c) The President shall consult with the Committees on Appropriations of the Senate and the House of Representatives not later than 15 days before obligating funds for the provision of assistance under this section to any individual, organization, or entity.

(d) The amount appropriated by title V under the heading "GLOBAL ENVIRONMENTAL FACILITY" is hereby reduced by \$10,000,000.

SA 1227. Mr. LUGAR submitted an amendment intended to be proposed by him to the bill H.R. 3057, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2006, and for other purposes, which was ordered to lie on the table; as follows:

On page 326, between lines 9 and 10, insert the following:

**TITLE VII—MULTILATERAL
DEVELOPMENT BANK REFORM**

SEC. 7001. SHORT TITLE.

This title may be cited as the "Development Bank Reform and Authorization Act of 2005".

SEC. 7002. DEFINITIONS.

In this title:

(1) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—The term "appropriate congressional committees" means the Committee on Foreign Relations of the Senate and the Committee on Financial Services of the House of Representatives.

(2) **GROUP OF 7.**—The term "Group of 7" means Canada, France, Germany, Italy, Japan, the United Kingdom, and the United States.

(3) **GROUP OF 8.**—The term "Group of 8" means the Group of 7 and Russia.

(4) **MULTILATERAL DEVELOPMENT BANKS.**—The term "multilateral development banks" means the African Development Bank, the Asian Development Bank, the European Bank for Reconstruction and Development, the Inter-American Development Bank, the World Bank, and any subsidiary or affiliate of such institutions.

(5) **PERSON.**—The term "person" includes a government, a government-controlled entity, a corporation, a company, an association, a firm, a partnership, a society, and a joint stock company, as well as an individual.

(6) **SECRETARY.**—Except as otherwise provided, the term "Secretary" means the Secretary of the Treasury.

(7) **WORLD BANK.**—The term "World Bank" means the International Bank for Reconstruction and Development, the International Development Association, the International Finance Corporation, and the Multilateral Investment Guarantee Agency and any subsidiary or affiliate of such institutions.

SEC. 7003. ANTICORRUPTION PROPOSAL AND REPORT.

(a) **PROPOSAL.**—The Secretary shall develop a proposal for a mechanism or program, that includes consideration of an anticorruption trust and of a set aside of

loans or grants, that could be established at the multilateral development banks—

(1) to assist poor countries in investigations and prosecutions of fraud and corruption related to a loan, grant, or credit of the multilateral development banks;

(2) to provide the means for hands-on prosecutorial training and education in order to better equip recipient countries to fight fraud and corruption; and

(3) to build the capacity of agencies in recipient countries to prevent fraud and corruption.

(b) **REPORT.**—Not later than September 1, 2006, the Secretary shall submit to the appropriate congressional committees a report on the proposal required by subsection (a).

SEC. 7004. PROMOTION OF POLICY GOALS AT MULTILATERAL DEVELOPMENT BANKS.

Title XV of the International Financial Institutions Act (22 U.S.C. 262o et seq.) is amended by adding at the end the following:

"SEC. 1505. PROMOTION OF POLICY GOALS.

"(a) DEFINITIONS.—In this section:

"(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term 'appropriate congressional committees' means the Committee on Foreign Relations of the Senate and the Committee on Financial Services of the House of Representatives.

"(2) MULTILATERAL DEVELOPMENT BANKS.—The term 'multilateral development banks' means the African Development Bank, the Asian Development Bank, the European Bank for Reconstruction and Development, the Inter-American Development Bank, the World Bank, and any subsidiary or affiliate of such institutions.

"(3) PERSON.—The term 'person' includes a government, a government-controlled entity, a corporation, a company, an association, a firm, a partnership, a society, and a joint stock company, as well as an individual.

"(4) SECRETARY.—Except as otherwise provided, the term 'Secretary' means the Secretary of the Treasury.

"(5) WORLD BANK.—The term 'World Bank' means the International Bank for Reconstruction and Development, the International Development Association, the International Finance Corporation, and the Multilateral Investment Guarantee Agency, and any subsidiary or affiliate of such institutions.

"(b) TRANSPARENCY.—

"(1) PUBLICATION OF STATEMENTS.—

"(A) IN GENERAL.—Not later than 60 calendar days after a meeting of the board of directors of a multilateral development bank, the Secretary shall provide for publication on the website of the Department of the Treasury of—

"(i) the justification for each vote by the United States Executive Director at the multilateral development bank on any policy, loan, grant, or credit before the board of directors of the bank; and

"(ii) any official position statement issued at the meeting by such United States Executive Director at the bank concerning—

"(I) a lending, grant, or guarantee operation which would result or be likely to result in significant social or environmental effects; or

"(II) an institutional policy or strategy of the bank, including operational policies, anticorruption policies, and sector or thematic strategies that were subject to public consultation or public comment period.

"(B) REDACTED MATERIAL.—The Secretary may redact material from the material to be made available under subparagraph (A) if the Secretary determines such material is too sensitive for public distribution.

"(2) INFORMATION DISCLOSURE.—The Secretary shall instruct the United States Exec-

utive Director at each multilateral development bank to use the voice and vote of the United States to make available to the public all draft country strategies not less than 120 calendar days prior to consideration of such strategies by the board of directors of the bank.

"(c) STRENGTHENING DEVELOPMENT BANK ADMINISTRATION.—The Secretary shall instruct the United States Executive Director at each multilateral development bank to inform the bank of, and use the voice and vote of the United States to achieve at the bank, the following United States policy goals:

"(1) Each multilateral development bank should require annual mandatory financial disclosure of any possible or apparent conflict of interest by each employee of the bank, consultant to the bank, or independent expert to the bank whose duties and responsibilities include, through decision or the exercise of judgment, the taking of any action regarding—

"(A) contracting or procurement;

"(B) developing, administering, managing, or monitoring loans, grants, programs, projects, subsidies, or other conferred financial or operational benefits provided by the bank; or

"(C) evaluating or auditing any project, program or entity.

"(2) Each multilateral development bank should reform the 'pressure to lend' incentive structure at such bank by linking project design and implementation and results to staff performance appraisals and should require that staff increase its focus on monitoring existing loans.

"(3) Each multilateral development bank should continue strengthening whistleblower policies at the bank to the level of emerging standards reflected in national and international law in the Sarbanes-Oxley Act of 2002 (15 U.S.C. 7201 et seq.), and the Inspector General Act of 1978 (5 U.S.C. App.).

"(4) Each multilateral development bank should continue strengthening voluntary disclosure programs for firms and individuals participating in projects financed by such banks, to the level of emerging best-practices as expressed in the Department of Defense Guidelines for Voluntary Disclosure and the audit policy of the Environmental Protection Agency.

"(5) All loan, credit, guarantee, and grant documents and other agreements with borrowers should include provisions for the financial resources and conditionality necessary to ensure that a person who obtains financial support from a multilateral development bank complies with applicable bank policies and national and international laws in carrying out the terms and conditions of such documents and agreements, including bank policies and national and international laws pertaining to the comprehensive assessment and transparency of the activities supported, such as those concerning public consultation, access to information, public health, safety, and environmental protection.

"(6) Each multilateral development bank should develop, if it has not already done so, clear procedures setting forth a clear and uniform definition of sanctionable misconduct and the circumstances under which a person will be barred from receiving a loan, contract, grant, or credit from such bank, should make such procedures available to the public, and should make the identities of such person available to the public.

"(7) Each multilateral development bank should coordinate policies consistent with best practices across international institutions on issues including common definitions

of fraud and corruption, debarment procedures, procurement and consultant guidelines, and fiduciary standards so that a person that is debarred by one multilateral development bank is ineligible to conduct business with the other multilateral development banks during the specified ineligibility period.

“(d) ANTICORRUPTION PRACTICES.—

“(1) VOICE AND VOTE.—The Secretary shall instruct the United States Executive Director at each multilateral development bank to inform the bank of the United States anticorruption policy described in paragraph (2)(A), and to use the voice and vote of the United States to achieve such policy at the bank.

“(2) ANTICORRUPTION POLICY.—

“(A) IN GENERAL.—The anticorruption policy referred to in paragraph (1) is a policy that requires a person (including beneficiaries of investment loans and grants made by a multilateral development bank), as well as a bidder, supplier, or contractor under a contract financed by a multilateral development bank to observe the highest standard of ethics during the procurement and execution of such a contract. Such a standard of ethics should be consistent with those in the Foreign Corrupt Practices Act of 1977 (Public Law 95-213; 91 Stat. 1496) and prohibit corrupt practices, fraudulent practices, collusive practices, and coercive practices.

“(B) DEFINITIONS.—In this paragraph:

“(i) COERCIVE PRACTICE.—The term ‘coercive practices’ means harming or threatening to harm, directly or indirectly, persons, or their property, to influence the issuance, receipt, execution, or performance of any contract, loan, credit, grant, or other conferred financial or operational benefit provided by each multilateral development bank.

“(ii) COLLUSIVE PRACTICE.—The term ‘collusive practices’ means a scheme or arrangement between 2 or more bidders, with or without the knowledge of the Borrower, designed to establish bid prices at artificial, noncompetitive levels.

“(iii) CORRUPT PRACTICE.—The term ‘corrupt practice’ means the offering, giving, receiving, or soliciting, directly or indirectly, of anything of value to influence the action of a public official (including staff of a multilateral development bank) in the issuance, receipt, execution, or performance of any contract, loan, credit, grant, or other conferred financial or operational benefit by each multilateral development bank.

“(iv) FRAUDULENT PRACTICE.—The term ‘fraudulent practice’ means a misrepresentation or omission of facts in order to influence the issuance, receipt, execution, or performance of any contract, loan, credit, grant, or other conferred financial or operational benefit by each multilateral development bank.

“(e) STRENGTHENING DEVELOPMENT BANK AUDITING.—

“(1) IN GENERAL.—The Secretary shall instruct the United States Executive Director at each multilateral development bank to inform the bank of, and use the voice and vote of the United States to achieve at the bank, the United States policy goal that each multilateral development bank, that has not already done so, should—

“(A) establish an independent investigation office and an internal auditing function that is free from interference in determining the scope of investigations and internal auditing, performing work, and communicating results, and that regularly report to the board of directors of the bank;

“(B) adopt and implement an internationally recognized internal controls framework, allocate adequate staffing and budget to au-

dit, require external auditor attestations of internal controls, over external financial reporting and forensic audits of loans where fraud is suspected; and

“(C) develop and formally adopt a procedure for the confidential voluntary reporting of misconduct by individuals and firms participating in bank-financed projects in exchange for leniency.

“(2) CORRUPTION INVESTIGATION INFORMATION CENTER.—The Secretary shall instruct the United States Executive Director at each multilateral development bank to inform the bank of, and use the voice and vote of the United States to achieve at the bank, the United States policy goals that—

“(A) the banks should create a Corruption Investigation Information Center to be staffed by the banks and charged with maintaining a relational investigative database for use by investigators from all the banks. Such database should contain forensic, financial, and transnational information pertaining to projects finance by a bank that is developed as a result of investigations within a bank, for use by all banks as a means to taking collective enforcement action against entities, individuals, and officials engaged in corruption in connection with a project finance by a bank; and

“(B) the banks should explore the creation of a program to provide incentives for companies to report their own fraudulent or corrupt transactions in exchange for a reduced sanction.

“(3) INDEPENDENT INVESTIGATIVE FUNCTION.—

“(A) IN GENERAL.—The Secretary shall instruct the United States Executive Director at each multilateral development bank to inform the bank of, and use the voice and vote of the United States to achieve at the bank, the establishment of an independent investigative function to investigate corruption in their operational activities.

“(B) REPORT.—Each year, the United States Executive Director of each multilateral development should submit to the Secretary a report on—

“(i) the status of the investigative function at the Director’s bank;

“(ii) the Director’s views as to whether the investigative function remains operationally independent and capable of carrying out its mission; and

“(iii) what policies, practices, or procedures are needed to strengthen the investigative function at each bank.

“(f) COMPENSATION PACKAGES FOR PEOPLE NEGATIVELY AFFECTED BY DEVELOPMENT BANK PROJECTS.—

“(1) VOICE AND VOTE.—The Secretary shall instruct the United States Executive Director at each multilateral development bank to use the voice and vote of the United States to achieve the policy described in paragraphs (2) and (3) at the bank.

“(2) COMPENSATION POLICY.—Each multilateral development bank should, for each project funded by the bank where compensation, including resettlement or rehabilitation assistance, is to be provided to persons adversely impacted by the project, require that a fair, impartial, independent, transparent, and responsive mechanism be established for, or included in the design and financing of, the project to receive, adjudicate, and resolve complaints from a person who is eligible for compensation if such person, not more than 6 years after the date of the completion of the project, finds that the compensation is either inadequate or improperly implemented.

“(3) REPORT ON RESETTLEMENT.—Each multilateral development bank should publish in its annual report the number of people that have been resettled by projects funded by such bank during the previous fiscal year

and report on the rehabilitation status of resettled people in relevant project documents.

“(g) EVALUATION.—The Secretary shall instruct the United States Executive Director at each multilateral development bank to inform the bank of, and use the voice and vote of the United States to achieve at the bank, the following goals:

“(1) Each multilateral development bank should make the results of project and non-project operations evaluations available to the public, including through the Internet Web site of the bank. Such information should include data on the number of projects evaluated per year as a percentage of total projects carried out.

“(2) Each multilateral development bank should require that all loans, grants, credits, policies, and strategies, including budget support, prepared by the bank include specific outcome and output indicators to measure results, and that the indicators and results be published periodically during the execution and at the completion of the appropriate project or program, and at the number of years after such completion determined to be appropriate for such loan, grant, credit, policy, or strategy.

“(3) Each multilateral development bank should promote rigorous independent evaluation of projects and policies to ensure that the intent of such projects and policies is realized. Each bank should encourage applicants and borrowers to agree, in consultation with an independent evaluator or evaluators, to design projects to facilitate the evaluation of outcomes. Rigorous independent evaluations should measure the impact on those served by a loan, grant, or credit and should have a carefully constructed comparison group to help measure the impacts of the loan, grant, or credit.

“(h) QUALIFICATION POLICY.—

“(1) VOICE AND VOTE.—The Secretary shall instruct the United States Executive Director at each multilateral development bank to encourage the bank to implement the qualification policy for borrowing countries described in paragraph (2), and use the voice and vote of the United States to achieve such policy at each bank.

“(2) QUALIFICATION POLICY FOR BORROWING COUNTRIES.—The qualification policy for borrowing countries referred to in paragraph (1) is a policy that requires, in addition to the standards in effect on the date of the enactment of the Development Bank Reform and Authorization Act of 2005, each multilateral development bank to qualify a country for budget support, adjustment lending, policy lending for nonproject loans, grants, or credits, or other loans directed to the country’s budget based on transparency in procurement and fiduciary requirements and requiring the borrowing country to make its budget available to the public before funds are disbursed to that country.

“(i) MICROFINANCE AND BUSINESS DEVELOPMENT.—The Secretary shall inform the management of each multilateral development bank and the public that it is the policy of the United States to encourage microfinance services for the poor and very poor (as that term is defined in section 259 of the Foreign Assistance Act of 1961 (22 U.S.C. 2214a)), and micro-, small-, and medium-enterprise development programs, because of the merit of these programs in addressing poverty and economic growth, particularly in a country where the government of such country ranks poorly in the World Bank Institute’s governance indicators.

“(j) EXTRACTIVE INDUSTRY TRANSPARENCY.—

“(1) REQUIREMENTS FOR RESOURCE ASSISTANCE.—The Secretary shall instruct the United States Executive Director at each multilateral development bank to inform the

bank and the public and use their voice and vote of the United States so that any investment, loan, credit, grant, or guarantee made by a multilateral development bank for extraction or export of oil, gas, coal, timber, or other natural resource should not be provided unless the recipient government has in place, or is taking the necessary steps to establish prior to June 2008, functioning systems for—

“(A) accurately accounting for all revenues received by a borrowing government from a person and all payments to a government in connection with the extraction or export of natural resources, such as gas, oil, oil shale, tar sands, coal, any metal, mineral, or timber;

“(B) the independent auditing of such payments and such revenues by a credible, functionally independent auditor applying international auditing standards, and making publicly available the auditor’s findings and recommendations, including a reconciliation of aggregate payments and revenues;

“(C) verifying government receipts against company payments made by each person, including widespread dissemination of annual payment information in a manner that does not create competitive disadvantage or disclose proprietary information;

“(D) establishing a legal framework for disclosure of payments from a person or contracts with a person and outlining the level and extent of disclosure or payment information by persons in the extractive industries;

“(E) making available to the public all contracts between the government of such country or any person owned or controlled by such government, and any person that is engaged in the extraction or export of natural resources through a project or program supported by a bank, unless an appropriate person, including the person that is engaged in such extraction or export, determines such disclosure would cause substantial competitive harm;

“(F) adopting internal control and audit procedures for handling resource revenue receipts through internal government accounts or special fund arrangements and clearly describing and disclosing to the public the spending of such receipts from such accounts or funds;

“(G) establishing a national audit body or equivalent organization which is independent of the executive, that would provide timely reports for the legislative, and public on the financial integrity of government accounts; and

“(H) applying the revenue transparency approach described in this paragraph equally and fully to all extractive companies operating in the country, including State-owned entities.

“(2) REQUIREMENTS FOR SPONSORS OF RESOURCE PROJECTS.—The Secretary shall inform the management of each multilateral development bank and the public that it is the policy of the United States that any multilateral development bank assistance, including any investment, loan, or guarantee, provided to public or private sector sponsors for the extraction or export of natural resources should only be provided if the government of the country has in place or is taking necessary steps to establish the functioning systems described in subparagraphs (A) through (G) in paragraph (1) and if the sponsors of such projects publicly disclose revenue payments made to the government of such country.

“(3) COMPLIANCE WITH TRANSPARENCY GUIDELINES PRIOR TO APPROVAL OF ASSISTANCE.—In furtherance of the policy described in paragraphs (1) and (2), not later than 3 years after the date of the enactment of the Development Bank Reform and Authorization Act of 2005, the Secretary shall inform

the management of each multilateral development bank and the public that it is the policy of the United States to oppose any secondary or follow-up investment, loan, credit, grant, or guarantee if the recipient government does not have in place the systems described in subparagraphs (A) through (G) of paragraph (1).

“(4) REPORT TO CONGRESS.—Not later than June 1, 2006, and annually thereafter, the Secretary of the Treasury shall submit to Congress and make available on the web site of the Department of the Treasury, a report that includes, for each multilateral development bank, the following:

“(A) A description of the assistance approved during the previous fiscal year for project or program development set out in paragraph (1) or (2).

“(B) An assessment of the extent to which each country receiving such assistance is implementing a program that complies with the policy set out in paragraph (1), based on all relevant information including the views of the international institutions and of civil society organizations.

“(C) An assessment of the extent to which a person that received such assistance has disclosed payments to governments and agreed to contract disclosure, as described in subparagraphs (D) and (E) of paragraph (1).”.

SEC. 7005. CONTRIBUTIONS TO MULTILATERAL DEVELOPMENT BANKS.

(a) WORLD BANK.—The International Development Association Act (22 U.S.C. 284 et seq.) is amended by adding at the end the following new section:

“SEC. 23. FOURTEENTH REPLENISHMENT.

“(a) CONTRIBUTION AUTHORITY.—

“(1) IN GENERAL.—The United States Governor of the Association is authorized to contribute on behalf of the United States \$2,850,000,000 to the fourteenth replenishment of the resources of the Association.

“(2) SUBJECT TO APPROPRIATIONS.—Any commitment to make the contribution authorized by paragraph (1) shall be effective only to such extent or in such amounts as are provided in advance in appropriations Acts.

“(b) AUTHORIZATION OF APPROPRIATIONS.—For the contribution authorized by subsection (a), there are authorized to be appropriated, without fiscal year limitation, \$2,850,000,000 for payment by the Secretary of the Treasury.”.

(b) AFRICAN DEVELOPMENT BANK FUND.—The African Development Fund Act (22 U.S.C. 290g et seq.) is amended by adding at the end the following new section:

“SEC. 218. TENTH REPLENISHMENT.

“(a) CONTRIBUTION AUTHORITY.—

“(1) IN GENERAL.—The United States Governor of the Fund is authorized to contribute on behalf of the United States \$407,000,000 to the tenth replenishment of the resources of the Fund.

“(2) SUBJECT TO APPROPRIATIONS.—Any commitment to make the contribution authorized by paragraph (1) shall be effective only to such extent or in such amounts as are provided in advance in appropriations Acts.

“(b) AUTHORIZATION OF APPROPRIATIONS.—For the contribution authorized by subsection (a), there are authorized to be appropriated, without fiscal year limitation, \$407,000,000 for payment by the Secretary of the Treasury.”.

(c) ASIAN DEVELOPMENT FUND OF THE ASIAN DEVELOPMENT BANK.—The Asian Development Bank Act (22 U.S.C. 285 et seq.) is amended by adding at the end the following new section:

“SEC. 32. EIGHTH REPLENISHMENT.

“(a) CONTRIBUTION AUTHORITY.—

“(1) IN GENERAL.—The United States Governor of the Bank is authorized to contribute

on behalf of the United States \$461,000,000 to the eighth replenishment of the resources of the Fund.

“(2) SUBJECT TO APPROPRIATIONS.—Any commitment to make the contribution authorized by paragraph (1) shall be effective only to such extent or in such amounts as are provided in advance in appropriations Acts.

“(b) AUTHORIZATION OF APPROPRIATIONS.—For the contribution authorized by subsection (a), there are authorized to be appropriated, without fiscal year limitation, \$461,000,000 for payment by the Secretary of the Treasury.”.

SEC. 7006. REPORTS TO CONGRESS.

(a) REPORTS FROM THE GOVERNMENT ACCOUNTABILITY OFFICE.—

(1) SENSE OF CONGRESS ON ACCESS TO INFORMATION.—It is the sense of Congress that—

(A) to evaluate the compliance of the multilateral development banks with the policies of the United States described in section 1505 of the International Financial Institutions Act, as added by section 7004 of this title, and to prepare the reports required by this section, the Comptroller General of the United States should have full and complete access to financial information relating to the multilateral development banks, including information related to the performance, accountability, oversight, financial transactions, organization, and activities of the multilateral development banks;

(B) the Secretary should seek to conclude memorandums of understanding with the multilateral development banks to ensure that the United States will have access to documents related to information described in subparagraph (A); and

(C) the Secretary of the Treasury should facilitate access by the Comptroller General of the United States to the financial information described in subparagraph (A).

(2) REPORT ON REFORMS AT THE MULTILATERAL DEVELOPMENT BANKS.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall prepare and submit to the appropriate congressional committees a report on the extent of the implementation of the reforms called for by the Group of 8 or by the Group of 7, starting with the 2000 Okinawa Summit, as delineated in *communiqué* AEIs, chairman’s statements, and other official communication through the summit or finance ministerial processes of the Group of 8 or the Group of 7.

(3) REPORT ON FINANCIAL STRUCTURE OF THE WORLD BANK.—Not later than 2 years after the date of enactment of this Act, the Comptroller General of the United States shall prepare and submit to the appropriate congressional committees a report on the appropriateness of the World Bank’s equity-loan ratio to best address financial risks and development goals.

(4) REPORT ON EFFECTIVENESS OF MULTILATERAL DEVELOPMENT BANKS.—Not later than 3 years after the date of the enactment of this Act, the Comptroller General of the United States shall—

(A) conduct a review of the effectiveness of each multilateral development bank in achieving the mission of such bank as set out in the articles of agreement of such bank, specifically poverty reduction and economic development; and

(B) submit to the appropriate congressional committees a report on the findings of the review.

(5) REPORT ON CONSISTENCY OF MULTILATERAL DEVELOPMENT BANK PRACTICES WITH STATUTORY POLICIES.—Not later than 3 years after the date of the enactment of this Act, the Comptroller General of the United States shall prepare and submit to the appropriate

congressional committees a report on the extent to which the practices of the multilateral development banks are consistent with the policies of the United States, as expressly contained in Federal law applicable to the multilateral development banks.

(b) REPORTS ON IMPLEMENTATION OF POLICY GOALS.—

(1) NEW REQUIREMENTS.—

(A) INITIAL REPORT.—Not later than September 1, 2006, the Secretary shall submit a report to the appropriate congressional committees that describes the actions taken by the United States Executive Director at each multilateral development bank to implement the policy goals described in this Act and the amendments made by this Act and any other actions that should be taken to implement such goals.

(B) UPDATES.—The Secretary shall submit to the appropriate congressional committees an annual update of the report required by subparagraph (A) for each of the fiscal years 2007, 2008, and 2009.

(2) REPORT ON EXISTING REQUIREMENTS.—

(A) INITIAL REPORT.—Not later than September 1, 2006, the Secretary shall submit a report to the appropriate congressional committees that describes the actions taken by the United States Executive Director at each multilateral development bank to implement the policy goals described in section 1504 of title XV of the International Financial Institutions Act (22 U.S.C. 2206-3) and any other actions that should be taken to implement such goals.

(B) UPDATES.—The Secretary shall submit to the appropriate congressional committees an annual update of the report required by subparagraph (A) for each of the fiscal years 2007, 2008, and 2009.

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 the oversight hearing previously scheduled before the Committee on Energy and Natural Resources on Tuesday, July 19, at 10 a.m., in Room SD-366 of the Dirksen Senate Office Building in Washington, DC, has been rescheduled for 2:30 p.m. of that same day.

The purpose of the oversight hearing is to receive testimony regarding the effects of the U.S. nuclear testing program on the Marshall Islands.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510-6150.

For further information, please contact Josh Johnson or David Marks.

AUTHORITY FOR COMMITTEES TO MEET

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

Mr. DEWINE. Mr. President, I ask unanimous consent that the Subcommittee on Federal Financial Man-

agement, Government Information, and International Security be authorized to meet on Friday, July 15, 2005, at 9:30 a.m., for a hearing regarding "Securing American Sovereignty: A Review of the United States' Relationship with the WTO."

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

PRIVILEGE OF THE FLOOR

Mr. MCCONNELL. Mr. President, I ask unanimous consent that Harry Christy, a detailee from the Secret Service working on my staff, and Joe Bowab, a detailee of the staff of the Foreign Relations Committee, be granted privileges of the floor for the remaining time of the debate on H.R. 3057.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. LEAHY. Mr. President, I ask unanimous consent that Eric Williams, an intern in my office, be given floor privileges for the duration of the consideration of the State-Foreign Operations appropriations bill today or any other day it may extend.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that Bill Martin, a fellow with the office of Senator SUNUNU, be granted the privilege of the floor during debate on the Foreign Operations bill.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

NOTICE: REGISTRATION OF MASS MAILINGS

The filing date for 2005 second quarter mass mailings is Monday, July 25, 2005. If your office did no mass mailings during this period, please submit a form that states "none."

Mass mailing registrations, or negative reports, should be submitted to the Senate Office of Public Records, 232 Hart Building, Washington, DC., 20510-7116.

The Public Records office will be open from 9:00 a.m. to 5:30 p.m. on the filing date to accept these filings. For further information, please contact the Public Records office.

COLIN L. POWELL RESIDENTIAL PLAZA

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 1413, introduced earlier today.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A bill (S. 1413) to redesignate the Crowne Plaza in Kingston, Jamaica, as the Colin L. Powell Residential Plaza.

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

Mr. FRIST. I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid on the table, and any statements relating to the bill be printed in the RECORD.

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

The bill (S. 1413) was read the third time and passed, as follows:

S. 1413

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. DESIGNATION OF COLIN L. POWELL RESIDENTIAL PLAZA.

(a) DESIGNATION.—The Federal building in Kingston, Jamaica, formerly known as the Crowne Plaza and now a staff housing facility for the United States mission in Jamaica, shall be known and designated as the "Colin L. Powell Residential Plaza".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the Federal building referred to in subsection (a) shall be deemed to be a reference to the Colin L. Powell Residential Plaza.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. FRIST. I ask unanimous consent that the Senate immediately proceed to executive session to consider the following nominations on today's Executive Calendar: 202 through 210.

I further ask unanimous consent the nominations be confirmed en bloc, the motion to reconsider be laid upon the table, and the President be immediately notified of the Senate's action, and the Senate then resume legislative session.

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

The nominations considered and confirmed en bloc are as follows:

IN THE AIR FORCE

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

Maj. Gen. Terry L. Gabreski, 2941

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 brigadier general

Col. David G. Ehrhart, 5401

Col. Richard C. Harding, 9947

IN THE ARMY

The following named officer for appointment in the United States Army 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. Walter L. Sharp, 4862

The following named officer for appointment in the United States Army 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

Maj. Gen. John F. Kimmons, 1861

The following named officer for appointment in the Reserve of the Army to the