

ban on public assembly and gave police the authority to use lethal force;

Whereas subsequent to declaring Mr. Kibaki the winner, the head of the Election Commission of Kenya (ECK) stated that he did not know who won the presidential election;

Whereas in the aftermath of the election announcement, significant violence began and continues to flare;

Whereas on January 1, 2008, 4 commissioners on the ECK issued a statement which called for a judicial review and tallying of the vote;

Whereas the head of the European Union Election Observation Mission stated that “[l]ack of transparency, as well as a number of verified irregularities . . . cast doubt on the accuracy of the results of the presidential election as announced by the ECK” and called for an international audit of the results;

Whereas the Attorney General of Kenya has called for an independent investigation of the tallying of votes and for the votes to be retallied;

Whereas observers from the East African Community have called for an investigation into irregularities during the tallying process and for those responsible for such irregularities to be held accountable;

Whereas some estimates indicate that at least 700 people have died and as many as 250,000 have been displaced as a result of this violence, which continues;

Whereas the economic cost to Kenya of the violence and civil unrest in the wake of the disputed polls is estimated at \$1,000,000,000;

Whereas the Assistant Secretary of State for African Affairs traveled to Nairobi in an attempt to mediate between the 2 leading presidential candidates and has stated that “serious flaws in the vote tallying process damaged the credibility of the process” and that the United States should not “conduct business as usual” in Kenya; and

Whereas Kenya has been a valuable strategic, political, diplomatic, and economic partner to those in the subregion, region, and to the United States and has been 1 of the major recipients of United States foreign assistance in sub-Saharan Africa for decades: Now, therefore, be it

Resolved, That the Senate—

(1) commends the Kenyan people for their commitment to democracy and respect for the democratic process, as evidenced by the high voter turnout and peaceful voting on election day;

(2) strongly condemns the violence in Kenya;

(3) urges all politicians and political parties to immediately desist from the reactivation, support, and use of militia organizations that are ethnic-based or otherwise constituted;

(4) calls on the 2 leading presidential candidates to—

(A) engage in an internationally brokered dialogue, which results in a new political dispensation that is supported by Kenyan civil society; and

(B) respect the will of the Kenyan people;

(5) simultaneously—

(A) supports a call for electoral justice in Kenya, including a thorough and credible independent audit of election results with the possibility, depending on what is discovered, of a recount or retallying of votes, or a rerun of the presidential elections within a specified time period; and

(B) encourages any political settlement to take into account these recommendations;

(6) calls on Kenyan security forces to refrain from use of excessive force and respect the human rights of Kenyan citizens;

(7) calls for those who are found guilty of committing human rights violations to be held accountable for their actions;

(8) calls for an immediate end to the restrictions on the media, and on the rights of peaceful assembly and association;

(9) condemns threats to civil society leaders and human rights activists who are working towards a peaceful, just, and equitable political solution to the current electoral crisis;

(10) holds all political actors in Kenya responsible for the safety and security of civil society leaders and human rights advocates;

(11) calls on the international community, United Nations aid organizations, and all neighboring countries to provide assistance to Kenyan refugees who have fled in search of greater security;

(12) encourages others in the international community to work together and use all diplomatic means at their disposal to persuade relevant political actors to commit to a peaceful resolution to the current crisis; and

(13) urges the President of the United States to—

(A) support diplomatic efforts to facilitate a dialogue between leaders of the Party of National Unity, the Orange Democratic Movement, and other relevant actors;

(B) consider the imposition of personal sanctions, including a travel ban and asset freeze on leaders in the Party of National Unity, the Orange Democratic Movement, and other relevant actors who refuse to engage in meaningful dialogue to end the current crisis; and

(C) conduct a review of current United States aid to Kenya for the purpose of restricting all nonessential assistance to Kenya, unless all parties are able to establish a peaceful, political resolution to the current crisis, which is credible with the Kenyan people.

EXTENSION OF THE PROTECT AMERICA ACT OF 2007

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of H.R. 5104, a 15-day FISA extension, received from the House earlier today; that the bill be read a third time, passed, and the motion to reconsider be laid upon the table; that any statements relating to this matter be printed in the RECORD.

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

The bill (H.R. 5104) was ordered to be read a third time, was read the third time, and passed.

Mr. REID. Mr. President, I appreciate the cooperation of my colleagues, especially Senator McCONNELL. We are going to do our very best to have an agreement shortly so we can move to finish Senate action on this. There has been a lot of time spent on this by a lot of people—people in the Intelligence Committee, Democrats and Republicans; members of the Judiciary Committee, Democrats and Republicans.

There is an effort to try to resolve this. We have had a number of good meetings today. This will allow us to do that. Our goal is to get it done quickly so we can get it to the House and complete a conference prior to the 15 days being extended.

UNANIMOUS CONSENT AGREEMENT—H.R. 5140

Mr. REID. Mr. President, I now ask unanimous consent that the adoption of a motion to proceed to H.R. 5140, the economic stimulus package, not displace any pending measures.

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

ORDER OF BUSINESS

Mr. REID. Mr. President, let me say that we are going to work real hard tomorrow and the next day to get a lot of work done. We have so much to do. This is a relatively short work period. We have the stimulus package. We have foreign intelligence that we have to do. We have a lands bill from the Energy Committee. We have an agreement to move forward on that. We would like to finish the Indian health bill, if we can. We have a lot to do.

That being the case, we are going to have to have a vote this coming Monday. We are going to do it later rather than earlier, but we are going to have to work on Tuesday. Tuesday is Super Tuesday. I had talked to the Republican leader earlier hoping we could work something out, that we would not have to be in. Certainly, it is no one's fault, even though there is a lot of finger pointing going on. But we were not able to get much work done yesterday and today. So losing those 2 days, I do not see any alternative.

I know a number of people would like to go home on Super Tuesday, but they can vote absentee, and I think the country will survive without Senators being there on election day. I hope everyone here understands we have a limited amount of time to do a lot of work.

MEASURE READ THE FIRST TIME—H.R. 5140

Mr. REID. Mr. President, I understand that H.R. 5140 is now here and at the desk.

The PRESIDING OFFICER. The Senator is correct.

Mr. REID. Mr. President, I ask for its first reading.

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

The legislative clerk read as follows:

A bill (H.R. 5140) to provide economic stimulus through recovery rebates to individuals, incentives for business investment, and an increase in conforming and FHA loan limits.

Mr. REID. I ask, Mr. President, that further work on this matter be terminated now, so I object to its second reading.

The PRESIDING OFFICER. Objection is heard.

ORDERS FOR WEDNESDAY, JANUARY 30, 2008

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand