

nominee and tax returns for the 3 years preceding the time of his or her nomination, and copies of other relevant documents requested by the Committee, such as a proposed blind trust agreement, necessary for the Committee's consideration; and,

(3) Copies of other relevant documents the Committee may request, such as responses to questions concerning the policies and programs the nominee intends to pursue upon taking office. At the request of the chairman or the ranking minority member, a nominee shall be required to submit a certified financial statement compiled by an independent auditor. Information received pursuant to this subsection shall be made available for public inspection; provided, however, that tax returns shall, after review by persons designated in subsection (C) of this rule, be placed under seal to ensure confidentiality.

C. Procedures for Committee inquiry. The Committee shall conduct an inquiry into the experience, qualifications, suitability, and integrity of nominees, and shall give particular attention to the following matters:

(1) A review of the biographical information provided by the nominee, including, but not limited to, any professional activities related to the duties of the office to which he or she is nominated;

(2) A review of the financial information provided by the nominee, including tax returns for the 3 years preceding the time of his or her nomination;

(3) A review of any actions, taken or proposed by the nominee, to remedy conflicts of interest; and

(4) A review of any personal or legal matter which may bear upon the nominee's qualifications for the office to which he or she is nominated. For the purpose of assisting the Committee in the conduct of this inquiry, a majority investigator or investigators shall be designated by the chairman and a minority investigator or investigators shall be designated by the ranking minority member. The chairman, ranking minority member, other members of the Committee and designated investigators shall have access to all investigative reports on nominees prepared by any Federal agency, except that only the chairman, the ranking minority member, or other members of the Committee, upon request, shall have access to the report of the Federal Bureau of Investigation. The Committee may request the assistance of the General Accounting Office and any other such expert opinion as may be necessary in conducting its review of information provided by nominees.

D. Report on the Nominee. After a review of all information pertinent to the nomination, a confidential report on the nominee shall be made in the case of judicial nominees and may be made in the case of non-judicial nominees by the designated investigators to the chairman and the ranking minority member and, upon request, to any other member of the Committee. The report shall summarize the steps taken by the Committee during its investigation of the nominee and the results of the Committee inquiry, including any unresolved matters that have been raised during the course of the inquiry.

E. Hearings. The Committee shall conduct a public hearing during which the nominee shall be called to testify under oath on all matters relating to his or her suitability for office, including the policies and programs which he or she will pursue while in that position. No hearing shall be held until at least 72 hours after the following events have occurred: The nominee has responded to pre-

hearing questions submitted by the Committee; and, if applicable, the report described in subsection (D) has been made to the chairman and ranking minority member, and is available to other members of the Committee, upon request.

F. Action on confirmation. A mark-up on a nomination shall not occur on the same day that the hearing on the nominee is held. In order to assist the Committee in reaching a recommendation on confirmation, the staff may make an oral presentation to the Committee at the mark-up, factually summarizing the nominee's background and the steps taken during the pre-hearing inquiry.

G. Application. The procedures contained in subsections (C), (D), (E), and (F) of this rule shall apply to persons nominated by the President to positions requiring their full-time service. At the discretion of the chairman and ranking minority member, those procedures may apply to persons nominated by the President to serve on a part-time basis.

#### RULE 9. PERSONNEL ACTIONS AFFECTING COMMITTEE STAFF

In accordance with Rule XLII of the Standing Rules of the Senate and the Congressional Accountability Act of 1995 (P.L. 104-1), all personnel actions affecting the staff of the Committee shall be made free from any discrimination based on race, color, religion, sex, national origin, age, state of physical handicap, or disability.

#### LOCAL LAW ENFORCEMENT ENHANCEMENT ACT OF 2005

Mr. SMITH. Mr. President, I rise today speak about the need for hate crimes legislation. Each Congress, Senator KENNEDY and I introduce hate crimes legislation that would add new categories to current hate crimes law, sending a signal that violence of any kind is unacceptable in our society. Likewise, each Congress I have come to the floor to highlight a separate hate crime that has occurred in our country.

Last summer, a young man and two of his gay friends were on their way to a bar. A 38-year-old male confronted one of the gay men and began to harass him. When the victim's friend tried to intervene, the assailant struck him in the head multiple times with a baseball bat believing that he was also gay. He was treated for skull fractures, cranial bleeding, and a blood clot in the brain.

The Government's first duty is to defend its citizens, to defend them against the harms that come out of hate. The Local Law Enforcement Enhancement Act is a symbol that can become substance. By passing this legislation and changing current law, we can change hearts and minds as well.

#### JOHN HUME—LEADER FOR PEACE IN NORTHERN IRELAND

Mr. KENNEDY. Mr. President, it is with great honor that I submitted this resolution, S. Res. 54, paying tribute to John Hume. Throughout the long and difficult years of civil strife and tur-

moil, John dedicated himself to achieving a peaceful, just, and lasting settlement of the conflict in Northern Ireland.

I have known John for over 30 years, and he has always been one of the people I have admired most in the world. I have consistently been impressed by his insights, his commitment to peace, and his dedication to the people of Northern Ireland. He is truly a profile in courage, and he won the Nobel Prize for it in 1998.

I first contacted John in 1972, shortly after he founded the Social Democratic and Labour Party in Northern Ireland. I was planning a trip to Western Europe for a NATO meeting in Bonn. I was concerned about the violence erupting in Northern Ireland, and I was told that John Hume was the best person to see in the North. So I called him in Derry, and said: "Mr. Hume, it's Ted Kennedy. I understand you're the person to talk to about what's going on over there." He didn't believe it. He said: "Pull my other leg."

I resisted though and told him that I would be in Bonn for the meeting of NATO. He graciously agreed to meet me there, and it was the beginning of our extraordinary friendship over the years.

John has been an indispensable voice for peace and reconciliation in Northern Ireland. His call for respect for both the Catholic and the Protestant traditions has been eloquent and historic for more than three decades.

In a very real sense, it was John who, in large part, became the glue that held Northern Ireland together, halted the descent into anarchy and civil war, and produced realistic hope for peace and further progress.

In 1983, largely as a result of John's efforts, the principal political parties in Ireland and the SDLP in Northern Ireland established what was called the New Ireland Forum. It developed new ideas for peace, and prepared a landmark report that laid the groundwork for an unprecedented, new initiative on the North between Britain and Ireland, culminating in 1985 with the signing of the historic Anglo-Irish Agreement by Margaret Thatcher of Great Britain and Garret FitzGerald of Ireland.

That in turn led to the cease-fire by the Irish Republican Army in 1994, the famous Good Friday Agreement in 1998, and the further progress that has brought both sides so close to a permanent peace today.

John has been a familiar face to many of us in the United States over the years. Perhaps his greatest achievement was educating Irish America about the conflict and the most effective way forward.

The civil rights movement in the United States in the 1960s planted the seed for a comparable movement by the Catholic minority in Northern Ireland. But, as the movement gained