

The Court: Do you tell them you are going to collapse the skull?

The Witness: No.

The Court: The mother?

The Witness: No.

The Court: Do you tell them whether or not that hurts the fetus?

The Witness: I have never talked to a fetus about whether or not they experience pain.

The Court: I didn't say that, Doctor. Do you tell the mother whether or not it hurts the fetus?

The Witness: I don't believe the fetus does feel pain at the gestational ages that we do, but I have no evidence to say one way or the other so I can't answer that question.

Yet even this week, Dr. Kanwaljeet Anand, a pediatrician at the University of Arkansas for Medical Sciences and a witness in the Nebraska case, testified that the procedure would cause "severe and excruciating" pain to the fetus. He said, "What we have noted from studies of premature infants is that they have a much lower threshold for pain, meaning they are more sensitive to pain than the full term infant. In fact, some types of pain are three times greater sensitivity in the pre-term baby as compared to the full term neonate." He went on to say, "I would say between 20 and 30 weeks of gestation is the greatest sensitivity to pain." "The threshold for pain is very low. The fetus is very likely extremely sensitive to pain during the gestation of 20 to 30 weeks. And so the procedures associated with the partial-birth abortion that I just described would be likely to cause severe pain, right from the time the fetus is being manipulated and being handled to the time that the incision is made, and the brain or the contents, intracranial contents, are sucked out."

Another aspect of the current court challenges to this law centers around whether partial birth abortions are ever medically necessary. Those arguing against the law have expressed their opinion that the procedure is a medical necessity. The Department of Justice is defending the law by supporting the extensive congressional findings included in the Partial Birth Abortion Ban Act that indicate that partial birth abortions are never medically necessary. For this reason the Department of Justice has sought the release of abortion records in order to demonstrate that partial birth abortions are never medically necessary. In order to ensure patient privacy, any personal information on these records which could identify a patient would be deleted prior to being submitted for review. Since those arguing against this law have done so claiming the "medical necessity of this procedure," it seems reasonable that they be required to show evidence which backs up their claims.

Those testifying in opposition of banning the use of this inhumane procedure have continued to state its medical necessity. However, under questioning from Department of Justice attorneys and Judge Casey in New York, these abortionists have conceded that there are no studies which show this

procedure to be less risky for the mother than other types of late-term abortions. They have also not been able to deliver any records showing its medical necessity, though this claim is at the core of their case. Some witnesses have indicated that this information would be found in the patient's medical chart—the ones which they have refused to release.

On April 6, Judge Casey in New York had this to say on April 6 regarding these medical records:

I have no comprehension why there is such resistance from doctors maintaining as they argue as to the appropriateness, the safety, etc., of these procedures, why the records, in this case that book, should not be opened for examination. To not have it turned over to the government continues not in a fashion of a level playing field and I don't think was what was envisioned as to how we should administer trials of this nature or any trials in this court.

I would hope that the hospital would rethink their position. I would also urge any of the plaintiffs, if they have any records that are personal to them, that they don't wait until, shall we say, by accident or whatever means they are uncovered or stumbled upon; that they produce them, as well they should know through their counsel that our system believes in full discovery and disclosure, and concealing facts or things in this context in our courts, in federal court, is not something that is encouraged, just as the Court has expressed a strong feeling that lawyers should be open and completely candid in their statements to the Court.

I came to the floor today about this because I want my colleagues to be aware of these cases as they go forward, and especially to point out examples of some of the blatant disrespect being shown for the lives of these partially-born children and their mothers.

#### CONGRATULATIONS TO THE MEN AND WOMEN'S NCAA BASKETBALL CHAMPIONS UNIVERSITY OF CONNECTICUT HUSKIES

Mr. LIEBERMAN. Mr. President. I come to the floor today to congratulate the University of Connecticut Huskies' Men and Women's basketball teams on their double national championship. This is the first time any school has accomplished this incredible feat. With this achievement, coaches Jim Calhoun and Geno Auriemma have solidified their place at the peak of college basketball's coaching mountain.

On Monday night, the men, led by terrific performances by Emeka Okafor and Ben Gordon, defeated the Georgia Tech Yellow Jackets 82-73. This victory gave the men's program its second national title. On Tuesday, the women, on the strength of a brilliant 17-point effort by Diana Taurasi, completed the Huskies' double dip, knocking off the Tennessee Lady Vols by the score of 70-61 to capture their third straight national championship and the fifth in the school's history.

These victories were captured with great teamwork, which was fortified by outstanding leadership. Not just from the two legendary coaches, but from

the players themselves. On the men's side, Emeka Okafor, whose dominating second half in the semi-finals against Duke is the stuff of which legends are made. That performance, followed by his brilliant 24 point 15 rebound effort in the championship game earned him Most Outstanding Player in the Final Four honors, and will most likely make him the top pick in this summer's NBA draft. On the women's side was Diana Taurasi. Diana's greatness speaks for itself. She lead the Huskies to three straight national titles, compiled a career NCAA tournament record of 22-1, and was named Most Outstanding Player in the Final Four the past two seasons.

This year started out with the greatest of expectations for both teams. They were both picked as pre-season No. 1 teams, but as the season wore on, each had their share of adversity. Coach Calhoun and Coach Auriemma saw their teams suffer tough losses and key injuries. Each team's best player would battle through nagging injuries that made many people question whether they had what it took to reach their championship aspirations. What is truly remarkable is that neither team ever doubted themselves. As the calendar turned to March, both teams battled through the adversity, and began the long steady journey toward greatness. After all the ups and downs of a long season, our UCONN Huskies finished the season where they started—on top of the college basketball world.

Mr. President, today is a day of great pride for Connecticut. We are proud of Jim Calhoun, Geno Auriemma, and their terrific players. We thank them for their brilliance. We thank them for giving us such tremendous joy in watching them play. At a time when there are so many things that divide us and have us concerned, it is so important to have something that unites us, lifts our spirits, and gives us a sense of pride. Thanks to the Huskies' unprecedented accomplishment, today we can truly say Connecticut is the College Basketball Capital of America.

#### MINNESOTA ATHLETICS

Mr. COLEMAN. Mr. President, it has been a great winter when it comes to Minnesota athletics. Last week I had the privilege to congratulate and recognize the achievements of the University of Minnesota Twin-Cities women's hockey and basketball teams. Today, I switch schools and genders to recognize and congratulate head coach Scott Sandelin and the University of Minnesota-Duluth Men's ice hockey team for their appearance in the NCAA Frozen Four. The Bulldogs will be making their third NCAA Frozen Four appearance tomorrow, having previously appeared in 1984 and 1985.

The team and many of its fans are in Boston today, gearing up for the fast pace and the emotion that comes with playing in the Frozen Four on national

television. The road to the Frozen Four can be difficult and demanding. I say "can be difficult" only because—well, the Bulldogs made it look somewhat easy.

In convincing fashion, the Bulldogs defeated Michigan State 5 to 0 and the University of Minnesota-Twin Cities 3 to 1 to earn their first Frozen Four bid since 1985. Against arch-rival Minnesota-Twin Cities, the Bulldogs stuck to a solid game plan, scored timely goals, and received phenomenal goaltending from Isaac Reichmuth, who also should be recognized for his stellar shut-out of Michigan State.

While absent 19 years from the Frozen Four, the Bulldogs appearance in this year's Frozen Four is no surprise. After finishing the season 28-12-4, and placing second in the Western Collegiate Hockey Association, the Bulldogs earned the second seed in the Midwest Regional of the NCAA tournament.

They are coached by Scott Sandelin. Coach Sandelin is a finalist for the Spencer Penrose Award, the official award of the NCAA for Division I coach of the year, and recently received Inside-college-hockey's award for Coach of the Year.

On the ice, the Bulldogs have been led all year by Hobey Baker finalist Junior Lessard, who currently leads the Nation in goals and scoring. Lessard has also racked up two prestigious Player of the Year awards by Inside-college-hockey and U.S. College Hockey Online.

On the blue line, the Bulldogs are led by first team WCHA all-conference selection Beau Geisler, and as I mentioned before, Isaac Reichmuth, himself a second team all conference selection, has been unbeatable in the pipes for the Bulldogs.

The Bulldog ice-hockey tradition runs deep. The program has placed over 34 of its student-athletes into the National Hockey League over the past 35 years. Thanks to Bulldog legends such as Curt Giles, Pat Boutette, Brett Hull, Chris Marinucci, Derek Plante, and Shjon Podein, Minnesota-Duluth is one of the premier hockey schools in the Nation and a source of deep pride for Duluth and all of Minnesota.

These young men, 15 of whom are native Minnesotans, are continuing this tradition of excellence and deserve the recognition and excitement that is accompanying their trip to the Frozen Four. Charter buses of Minnesotans have made the long trek to Beantown to cheer on their team and I, like them, look forward to a great matchup between the Bulldogs and the University of Denver tomorrow in Boston.

Congratulations to the University of Minnesota-Duluth Bulldogs for what has been a stellar season, and best wishes on their ongoing quest for the national championship.

#### GEORGIA TECH'S RAMBLIN WRECK MAKES GEORGIA PROUD

Mr. CHAMBLISS. Mr. President, I want to extend my congratulations to

Georgia Institute of Technology for the incredible performance of the Yellow Jackets basketball team this year. Georgia Tech proved itself to be a national power as it won game after game on its way to the NCAA final game.

I join all Georgians in admiration of the Yellow Jackets Head Coach Paul Hewitt, and his assistants Dean Keener, Willie Reese, and Cliff Warren for building a program which proved itself in national competition. I also want to congratulate the players who showed leadership, poise and class as they played great basketball against the best teams in the country.

Georgia Tech is an important educational institution. Tech graduates lead the way in every aspect of the business and professional community in America. Its graduates are in high demand around the world for their skills and abilities. Its sports programs are also very well regarded.

The reputation of the Ramblin Wreck's athletic program can only grow higher after this appearance in the NCAA tournament. When the season began, Georgia Tech was picked to finish seventh in the nine-team Atlantic Coast Conference. Instead it made it to its first Final Four appearance since 1990 and its first title game ever.

I salute the 2003-2004 Georgia Tech basketball team for a great year. They have made all of Georgia proud.

#### RE-OPENING I-95 IN CONNECTICUT

Mr. LIEBERMAN. Mr. President, I rise today in praise of the exemplary efforts of the construction and maintenance crews, engineers, and State and Federal transportation officials to quickly re-open Interstate 95 in Bridgeport, Connecticut, last week after a devastating fire destroyed a portion of the highway. On behalf of the people of Connecticut, I offer them my deepest thanks for the hard work—and teamwork—that has restored a vital artery in our nation's transportation system faster than anyone thought possible.

On Thursday evening, March 25, a car and a tanker truck collided while traveling along I-95 South in Bridgeport. The tanker truck, carrying 12,000 gallons of home heating oil, tipped over and slid along the barriers before stopping and, minutes later, the truck's contents ignited, sending flames 50 to 60 feet into the air. Remarkably, no one was killed or injured in the accident, and within 20 minutes firefighters had extinguished the blaze, but the damage had been done. Both the existing southbound bridge and a new bridge that had just been built alongside of it were severely damaged.

I-95 in Connecticut—a traffic corridor of national significance that links New York City with Boston—was immediately shut down in both directions over a distance spanning several exits. This caused major traffic problems, especially for tractor-trailer drivers. Engineers determined that the northbound overpass could be shored

up and made structurally sound again, and additional supports were erected to reinforce the northbound span, which was reopened to traffic on Sunday night, March 28. The southbound lanes, however, were beyond easy repair, and engineers concluded that a temporary bridge would have to be erected to support traffic on the southbound span of the highway. A temporary bridge was supplied by Acrow Corp of Carlstadt, N.J. It arrived in pieces and was assembled by crews from the Connecticut Department of Transportation, DeMatteo Construction, and Brunalli Construction. By Sunday morning, the skeleton of the temporary bridge had been fully assembled. A steel deck was then laid on top of it and the surface was paved. The southbound lanes of I-95 were reopened on Wednesday morning at 3:30 a.m.

Approximately 120,000 vehicles pass over this span of I-95 every day, and officials initially estimated that the highway would be closed for three to four weeks. But the crews that performed the work managed to re-open it in just five days. This accomplishment cannot be overstated. I rise today to say thank you to the Connecticut DOT employees, Federal DOT officials, contractors and others who worked around the clock to make it possible. Your service to our State is deeply appreciated, and we commend you for your excellent work.

#### HONORING JACK SMITH

Mr. HAGEL. Mr. President, I rise to express my sympathy over the loss of Jack Smith, distinguished Vietnam veteran and former ABC News Correspondent. Jack Smith died on April 7 at the age of 58 at a hospital in Greenbrea, CA. He had been struggling with cancer for the past year.

Jack had a long and successful career as a Washington-based reporter for ABC News. He covered foreign wars, five presidential elections, and hosted numerous shows and documentaries. His thoughtful reporting and dedication to journalism ranks Jack Smith high in the history of news reporters.

Jack was wounded during the 1965 battle of Ia Drang Valley. He was decorated with the Bronze Star and the Purple Heart for his bravery. His experiences in the Vietnam War prompted him to speak and report extensively on the war and its aftermath. He was a man of great integrity who never faltered on his commitment to demonstrate accurately and honestly the historic events of our time.

Jack Smith leaves behind his wife, Pamela Pepper; a son, Alexander Smith; two stepchildren, Aidan McTighe and Matthew McTighe; his mother, Benedicte Smith; and a sister. Jack was the son of legendary reporter Howard K. Smith.

For his service to his country during the Vietnam War and excellence in journalism, I ask my colleagues to join me and all Americans in honoring Jack Smith.