

the President from outside the Government and by the Senate.

The board will have the authority to obtain the information they need to determine whether the Government is violating civil liberties. If someone outside the Government refuses to provide this information, the board would have the power to issue a subpoena to obtain it.

This is common sense. An investigative body must have the power to get the information it needs to conduct an investigation.

It is also common. Countless Federal commissions and boards have subpoena authority. I will name just a few: The National Labor Relations Board, the Equal Employment Opportunity Commission, the Federal Trade Commission, and the Federal Energy Regulatory Commission. The Privacy and Civil Liberties Oversight Board, which has such an important role, should have the same power that so many other Government boards and commissions have.

The Privacy and Civil Liberties Oversight Board will be required to share information about its work with the public. This is a good thing. There should be transparency in Government. The American people have a right to know what their Government is doing.

As Commissioners Gorton and Ben-Veniste told the House Government Reform Committee, "Such a Board should be transparent, making regular reports to Congress and the American public."

Of course, at the same time, we have to protect national security. This bill does that. It requires that information will only be shared with the public, and I quote, "in a manner consistent with the protection of classified information and applicable law."

I want to thank Senator COLLINS and Senator LIEBERMAN for working with me on the structure of the Privacy and Civil Liberties Oversight Board. I offered several amendments to strengthen the Board. Senator COLLINS and Senator LIEBERMAN accepted these amendments, and I thank them for that.

As a result of these amendments: the chairman of the board and the board's executive director will now be full-time. It would very difficult for a part-time Board to function effectively.

Terms for board members will be fixed at 6 years so the President will not be able to fire board members who provide advice the White House doesn't like.

Board members will be required to have expertise in civil liberties and privacy issues.

No more than three of the five board members will be from the same political party, which will ensure the board is bipartisan and independent.

The board will be able to meet upon the call the majority of the board and a majority of the board will constitute a quorum. This will protect the board from being dominated by a chair who is too close to the President.

Board members will be required to testify before Congress if called to do so. This will prevent any administration from trying to shield the disclosure of information by claiming executive privilege for the board.

The board will be required to file semiannual unclassified reports with the appropriate Congressional committees. Therefore, Congress will be fully informed on the board's important work.

In reviewing a government power, the board will be required to consider whether the need for such power is balanced with the need to protect privacy and civil liberties; whether there is adequate supervision of the use by the executive branch of the power to ensure protection of privacy and civil liberties; and whether there are adequate guidelines and oversight to properly confine its use.

This standard of review will provide the board to follow guidelines recommended by the 9/11 Commission as it reviews government power. As the 9/11 Commission said, the board should "ensure that liberty concerns are appropriately considered," and "the burden of proof for retaining a particular governmental power should be on the executive."

These changes will make a strong board even stronger. The Privacy and Civil Liberties Oversight Board will ensure that, as we fight the war on terrorism, we will respect the precious liberties that are the foundation of our society.

COMMENDING DR. JIM MARKS

Mr. BROWNBACK. Mr. President, I would like to make a few remarks commending Dr. Jim Marks, who will be leaving the Department of Health and Human Services in December.

Dr. Marks has directed the National Center for Chronic Disease Prevention and Health Promotion within the Centers for Disease Control and Prevention since 1995. During Dr. Marks' tenure, the CDC has had a significant impact on the lives of all Americans through programs to prevent and promote cancer's earliest detection. Under Dr. Marks' direction and with the support of Congress, the Division of Cancer Prevention and Control has grown from approximately \$123 million to over \$313 million. This growth has afforded CDC the ability to provide national leadership in the cancer prevention and control. Dr. Marks was instrumental in leading efforts to partner with States, territories, tribal organizations as well as national, State and local partners to monitor cancer trends; conduct research and evaluate cancer prevention and control activities; apply scientific advances and develop strong cancer control programs; and to educate public health professionals and the public about cancer prevention and control.

Some specific accomplishments during Dr. Marks' tenure include: the total number of woman ever served by

the National Breast and Cervical Cancer Early Detection Program NBCCEDP, reached 1.9 million in 2003. Under Dr. Marks' guidance, the NBCCEDP has helped uninsured and underinsured women gain access to lifesaving screening and diagnostic testing programs for the early detection of breast and cervical cancer. To date, the program has: provided over 4.6 million screening examinations; diagnosed 17,009 breast cancers; 61,474 precancerous cervical lesions; and 1,157 cervical cancers.

Expansion of the National Program of Cancer Registries (NPCR) to cover 96 percent of the Nation's population. The cancer information gathered by the NPCR serve a key role in determining cancer patterns among various populations; monitoring cancer trends over time; guiding State planning and evaluation of cancer control programs; assisting States in setting priorities for the allocation of resources; and, advancing clinical, epidemiologic, and health services research. The data gathered through the NPCR coupled with information from the National Cancer Institute and the North American Association of Central Cancer Registries was combined to produce official Federal statistics on cancer incidence in the report entitled, U.S. Cancer Statistics: 2000 Incidence.

Development and expansion of the National Comprehensive Cancer Control Program to 61 programs in States, territories and tribes. CDC support permits the respective health agencies to establish broad-based Comprehensive Cancer Control, CCC, coalitions, assess the burden of cancer, determine priorities for cancer prevention and control, and develop and implement CCC plans.

Development of A National Action Plan or Cancer Survivorship: Advancing Public Health Strategies, 2003 in collaboration with the Lance Armstrong Foundation and national experts in cancer survivorship and public health. The action plan charts a course for how the public health community can more effectively and comprehensively address cancer survivorship and focus on improving the quality of life for survivors.

Dr. Marks' leadership and direction in CDC's cancer control and prevention efforts helped Americans lead more productive and healthier lives.

TAIWAN'S NATIONAL DAY

Mr. SMITH. Mr. President, I rise today to pay tribute to the President and the people of Taiwan on the occasion of Taiwan's National Day on October 10.

Despite the lack of formal diplomatic relations between the United States and Taiwan over the last 25 years, the relationship between the two countries has continued to flourish in terms of economics, politics, security, culture and education, science and technology, and human rights. Most important, we share with Taiwan the core values of