

thanked Senator FRIST, the Republican leader. I express my thanks to Senator HARRY REID for his willingness to allow this vote to go forward. The class action bill was not legislation that he endorsed, but he was willing to allow the debate to begin and for those who had amendments to the bill to offer the amendments, that we would have plenty of time to debate them and to decide the amendments, and then without any kind of delaying tactics the Senate would go to final passage and take up the bill. I thank him for the very constructive and positive role he played in allowing this legislation to be passed today.

The House of Representatives has agreed to accept without change the bill we have passed. The President has agreed to sign that legislation.

I was saddened last night to be reading through my mail and to come across a 29-page document that I believe has been distributed by the Republican National Committee. There is a picture of Senator HARRY REID on the cover, along with our former leader, Senator Tom Daschle. The caption under the picture says: "Who is Harry Reid?" And below that we read: "Sen. Minority Leader determined to obstruct President Bush's agenda." For the next 28, 29 pages, this document is an attempt to identify HARRY REID or to try to define who he is and where he is from, his values. I think it is 29 pages of something more akin to venom.

If we are interested in building on the bipartisanship that characterized this week's debate and today's vote on class action reform, those goals are not enhanced or strengthened by this kind of tactic.

I say to my Republican friends—and I don't believe this came from anybody in this Chamber, but it is from someone our Republicans know and work with, people who work for the President or indirectly—if you want Democrats to work with you and find common ground on issues such as class action or energy or asbestos or other difficult issues, bankruptcy, this is not the way to do it. If you want to make sure that we have obstructionism, that we have a lack of bipartisanship, if you want to ensure that the climate of the last several years where we got so little done returns, this is the way to do it.

Whoever is responsible for this, let me just say: Shame on you. Republicans can do better than this. And to the extent that Democrats are responsible for this kind of behavior on our side, shame on us.

I came here 4 years ago from Delaware, which is a little State, such as the State of the Presiding Officer. In our State we have a history of Democrats and Republicans working across the aisle, trying to find common ground and, more often than not, succeeding. This sort of thing would not be tolerated in my State by either Democrats or Republicans. This is not

the way we do business. One of the reasons Delaware is so successful is because of that bipartisan tradition that is part of our fiber.

I hope that we won't see this kind of attack on our leader, and I certainly hope we don't see it on the Republican leader. The Republicans are better than this. So are the Democrats.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. CRAIG. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

(The remarks of Mr. CRAIG pertaining to the introduction of S. 359 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

LOCAL LAW ENFORCEMENT ENHANCEMENT ACT OF 2005

Mr. SMITH. Mr. President, I rise today to 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.

On July 17, 2004, Donald Brockman, Darren Gay, Shawn Regan and an unidentified 16-year-old boy accompanied another man home after leaving a bar in Austin, TX. After arriving, the four men allegedly punched and kicked the victim as well as forced him to violate himself because they believed he was gay. The four attackers described themselves as Aryan Nazis and later bragged about "beating up a gay man."

I believe that 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. I believe that by passing this legislation and changing current law, we can change hearts and minds as well.

FAREWELL TO JOE F. COLVIN

Mr. DOMENICI. Mr. President, I would like to recognize the significant achievements of Joe F. Colvin, who is retiring as president and chief executive officer of the Nuclear Energy Institute, and acknowledge his many noteworthy contributions in building a strong future for nuclear energy, America's largest emission-free electricity source.

As chairman of the Senate Energy and Natural Resources Committee, it has been my distinct pleasure to work closely with Mr. Colvin and his organi-

zation. I can personally attest to his leadership in guiding the nuclear energy industry through a period of extraordinary renaissance.

Mr. Colvin has provided more than 40 years of service to our Nation, first as a submarine officer in the U.S. Navy and later in the commercial nuclear energy industry.

When he took the helm at NEI in 1996, conventional thinking was that the industry was stagnant and nuclear power had no future in America's energy mix. He rejected that view and tirelessly worked to advance nuclear energy's true capabilities—its proven safety, its contribution to our environment and its affordability.

After more than 20 years of debate, Congress passed legislation in 2002 designating Yucca Mountain as the site of Nation's used fuel repository giving our Nation clear direction for our used fuel management program.

Today, America's nuclear plants are now recognized as the significant assets they are, and the nuclear energy industry is more competitive than ever. In addition, several companies are testing an improved licensing process for new nuclear power plants.

Although Mr. Colvin is quick to acknowledge the accomplishments of others, his own work on behalf of the nuclear energy industry has paid enormous dividends. Through frequent testimony before congressional committees, conversations with senior Government officials and countless others, he has educated many about the value of nuclear energy and the promise it holds.

Hence, it is with mixed emotions that I wish Mr. Colvin, a great University of New Mexico Lobo, all the best in his retirement from the Nuclear Energy Institute. He has earned a well-deserved respite.

PHARMACEUTICAL MARKET ACCESS AND FAIR TRADE ACT OF 2005

Mr. JOHNSON. Mr. President, I rise today to discuss the introduction of an important piece of legislation that will greatly aid Americans, both young and old, with their health care costs. I, along with a bipartisan group of Senators, have introduced the Pharmaceutical Market Access and Fair Trade Act of 2005. This legislation would provide much needed assistance for millions of Americans who are struggling to pay for their prescription drugs.

American consumers are currently charged 55 percent more, on average, for the same brand-name medicines sold in other major developed countries for a fraction of the price. The Pharmaceutical Market Access and Fair Trade Act of 2005 would allow American consumers to benefit from international price competition for prescription medicines through the reimportation of FDA-approved prescription drugs. This legislation allows U.S.-licensed pharmacies and drug wholesalers to

import medications from Canada, Europe, Australia, New Zealand, and Japan and pass along the savings to their American customers. This approach would allow Americans to benefit from lower prices on their prescription drugs while still enabling them to use their local pharmacy. The bill also allows individual consumers to import prescription drugs for their own personal use.

One of the leading arguments against reimportation has been concerns over safety of the prescription drugs that are sold abroad. My colleagues and I have addressed this issue by providing strict safety measures in this legislation which are intended to guarantee that only safe, effective FDA-approved prescription drugs are imported. Such provisions would require pharmacies and drug wholesalers to register with the FDA and be subject to frequent, random inspections. It would allow only the importation of FDA-approved medicines with a "chain of custody" that can be traced all the way back to an FDA-inspected manufacturing plant. It would provide for the use of the anticounterfeiting technology to identify safe, legal imported medicines, as well as give the FDA resources and authority it needs to ensure the safety of imported drugs and to stop those that are unsafe.

It is very important that the bill this Congress takes up and passes will not only become law but also ensure that reimportation is actually allowed to occur. This bill ensures that by including features to prevent a drug company from blocking importation by making subtle changes to a drug, such as changing the color or the place of manufacture, so that it is no longer FDA approved.

It is about time that the Senate takes up this legislation and passes it. It has broad bipartisan support and has been subjected to intense discussion, review, and debate. We are now faced with health care costs nationwide that are spiraling out of control, and we need to take action to address this issue. Allowing the safe reimportation of prescription drugs is a step in the right direction. The majority of the American people support reimportation, and I hope the leadership of this body will listen to them and finally provide the relief our citizens need.

COMMISSION ON MEDICAID AND THE MEDICALLY UNDERSERVED

Mr. CHAFFEE. Mr. President, I am pleased to join Senator GORDON SMITH and others in the introduction of a bipartisan proposal that calls for the creation of a Commission on Medicaid and the Medically Underserved. This legislation recognizes the importance of assessing what aspects of the Medicaid program are working, which need reform, and how to improve service delivery and quality in the most cost effective manner possible. In this tight budget climate this bill highlights the need for a comprehensive assessment of the Medicaid program. The future of

Medicaid cannot be determined by cost alone.

This Medicaid commission would be charged with numerous duties, including reviewing and making recommendations on long-term goals of the program, populations served, financial sustainability, interaction with Medicare and the uninsured, and the quality of care provided. Medicaid is a critically important program that helps meet the health care needs of a diverse population. Namely it serves as a source of traditional insurance for poor children and some of their parents, it pays for an acute and long term care services for the elderly and disabled, wraps around coverage or assistance for low-income seniors and the disabled on Medicare, and serves as the primary source of funding for safety net providers serving Medicaid patients and the uninsured.

In recognition of the diverse population Medicaid serves, the Medicaid commission would be comprised of 23 members representing all the stakeholders in the Medicaid program. The commission has 1 year to hold public hearings, conduct evaluations and deliberations, and issue its report recommendations to the President, Congress and the public.

Like many of our Nation's governors, I agree that the Medicaid program needs a careful assessment with an eye toward reform that will make the program financially sustainable. At the same time, I recognize the importance of not fundamentally altering the structure of program without the deliberation necessary to preserve aspects of the program that are working. I urge my colleagues to join me in supporting Senator SMITH's legislation to help bring Medicaid into the 21st century with reforms driven by efficacy, and not simply the cost of the program.

ADDITIONAL STATEMENTS

HONORING THE ACCOMPLISHMENTS OF WEST KENTUCKY COMMUNITY AND TECHNICAL COLLEGE

• Mr. BUNNING. Mr. President, I pay tribute and congratulate West Kentucky Community and Technical College, WKCTC, as one of the finalists for the prestigious Bellwether Award presented by the Community College Futures Assembly. Their recent recognition has given Kentucky reason to be proud.

As one of eight national finalists, WKCTC is recognized for its Realtime Captioning Technology program. This program, which was originally funded by a \$475,000 Congressional award, creates a distance-learning format designed to greater prepare individuals for the workplace, while also providing broadcast captioning for the hearing-impaired. With over 28 million deaf and hearing-impaired Americans nationwide, I am sure that you will join me in recognizing the importance of providing such a service.

The Bellwether award was established in 1995 as integral part of the Community College Futures Assembly. This assembly primarily focuses on cutting-edge, trend setting programs, which often run the risk of being replaced at larger colleges.

I hope that you will join me today in both recognizing and congratulating West Kentucky Community Technical College in their recent achievement. They serve as an example to the rest of the Commonwealth of Kentucky. I wish them continued success in their program.●

TRIBUTE TO ALISON NICHOLS, BRITTANY SALTIEL AND SARA SIEGAL

• Mr. OBAMA. Mr. President, I speak today to recognize three gifted students from the State of Illinois: Alison Nichols, Brittany Saltiel, and Sara Siegal, all students at Stevenson High School in Lincolnshire, IL.

These three students created a National History Day project on the Mississippi Burning legal case. Alison, Brittany, and Sara's efforts to examine the circumstances of this case have led to not only a reopening of the case but also the overdue indictment of Edgar Ray Killen for the murder of three young civil rights activists: James Chaney, Andrew Goodman, and Michael Schwerner.

As a former civil rights attorney and constitutional law lecturer, I know firsthand the importance of ensuring that justice and the principles of our Constitution are always upheld. I am proud to represent Alison, Brittany, and Sara in the Senate as they serve as a reminder of why all of us have committed our lives to public service.

These students have demonstrated their tremendous potential in scholarship and leadership in public affairs. They serve as shining examples for our Nation's young people of how a small group of committed individuals can truly change a community, nation, and the world. Alison, Brittany, and Sara deserve not only our congratulations; they deserve our gratitude for making this country stronger.●

GRADING THE STATES ON GUN SAFETY

• Mr. LEVIN. Mr. President, last month the Brady Campaign to Prevent Gun Violence, in partnership with the Million Mom March and a number of State gun safety groups, released its 8th Annual Report Card on State Gun Laws Protecting Children. I applaud the efforts of these organizations to keep the pressure on State and local legislators to enact sensible gun safety legislation, and I encourage my colleagues to review this report.

The Brady Campaign report assigns individual States a grade of A through F on seven types of laws that protect children from gun violence. "Extra credit" and "demerits" were also assigned for other State gun safety laws.