

Lance Corporal Johnson, a member of the weapons company of the 3rd Battalion, Second Marine Division based at Camp Lejeune, NC, was killed along with one other marine when a roadside bomb detonated as their unit was traveling from Ramadi.

Philip Johnson was the consummate American patriot. He dedicated his life to the U.S. Marine Corps and took immense pride in serving his country. As a little boy, Philip dreamed of being a marine and wasted no time in pursuing his goal. He joined a youth education and service organization named the Westover Young Marines at the age of 11, where he attained the rank of staff sergeant and served as a role model for younger members. Many who knew him remember his lifelong love of the Marine Corps, but they also remember him as a focused and thoughtful young man with a drive to help people. Philip was active in his church and committed to his faith.

Above all, Philip was eager to serve his country, so shortly after graduating from Enfield High School in 2005 he fulfilled his childhood dream by enlisting in the Marine Corps. As a marine, he continued to exhibit the exceptional determination and focus that defined his youth. Philip attained the rank of lance corporal in less than a year, an impressive feat that speaks volumes about his dedication to the Marine Corps.

Philip Johnson was a model marine, prepared to fight America's worst enemies and deeply committed to both the Corps and our Nation. Lance Corporal Johnson and others like him have made the ultimate sacrifice so that their fellow Americans can live in peace and security, and for that, we should be eternally grateful.

So today I salute Philip Johnson for his unwavering commitment to our Nation and the principles for which it stands. He was a young man of exceptional integrity and will be greatly missed. I wish to extend my deepest sympathies to his parents, Louis and Kathy, his sister, Jessica, and to all those who knew and loved him.

#### ARMY PFC NICHOLAS MADARAS

Mr. DODD. Mr. President, today I wish to speak in honor of U.S. Army PFC Nicholas Madaras, of Wilton, CT, who was killed in Iraq on September 3, 2006. He was 19 years old.

Private Madaras, a member of the 1st Battalion, 68th Armor Regiment, 3rd Brigade Combat Team, 4th Infantry Division, was fatally wounded when a bomb detonated near his dismounted patrol in Baqouba, Iraq.

A 2005 graduate of Wilton High School, Nicholas excelled both in the classroom and on the soccer field, where he started for 3 years and served as the team manager. Among the students, teachers, and coaches, he was known as a genuine person, one who led by example and cared about the people around him.

Nicholas enlisted in the Army shortly before graduation and arrived in Iraq in February of this year. He was proud to be a soldier and approached his assignment as a driver of a Humvee in a security escort with the same leadership and intensity that he brought to the soccer field. Despite the unimaginable hardships of war, Nicholas never lost his generous spirit. He persuaded his father to mail dozens of used soccer balls to his base because he could not stand to see the local children kicking tin cans. This act of kindness in the midst of cruelty and chaos clearly demonstrated the character of this exemplary young man.

PFC Nicholas Madaras was a patriot in the best sense of the word. He and others like him have given their lives in defense of our Nation's principles, and for that, all of us in Connecticut and across America owe them a deep debt of gratitude.

I salute Private Madaras for his tremendous service to our country, and wish to offer my deepest sympathies to his parents, William and Shalini, his sister Marie, his brother Christopher, and to everyone who knew and loved him.

#### NATIONAL CAPITAL TRANSPORTATION AMENDMENTS ACT

Mr. SARBANES. Mr. President, this legislation, the National Capital Transportation Amendments Act of 2006, authorizes a total of \$1,500,000,000 in matching Federal funds over the next 10 years to help sustain the Federal Government's longstanding commitment to the Washington Metropolitan area's Metrorail system.

In March, 2006, the Washington Metropolitan Area Transit Authority celebrated the 30th anniversary of passenger service on the Metrorail system. Since service first began in 1976, Metrorail has grown from a 4.6-mile, five-station, 22,000-passenger system into the Nation's second busiest rapid transit operation. Today the Metrorail system consists of 106.3 miles, 86 stations and carries more than 100 million passengers a year. The Metrorail system provides a unified and coordinated transportation system for the region, enhances mobility for the millions of residents, visitors, and the Federal workforce in the region, promotes orderly growth and development of the region, enhances our environment, and preserves the beauty and dignity of our Nation's Capital. It is also an example of an unparalleled partnership that spans every level of government from city to State to Federal.

As the largest employer in this region, the Federal Government has had a longstanding and unique responsibility to support the Metro system. This special responsibility was recognized more than 40 years ago in the National Capital Transportation Act of 1960, when Congress found that "an improved transportation system for the National Capital region is essential for

the continued and effective performance of the functions of the Government of the United States." Today more than a third of Federal employees in this region rely on Metrorail to get to work, and at rush hour, more than 40 percent of Metro's riders are Federal employees. The service that WMATA provides is also a critical component of Federal emergency evacuation plans for the region. The Federal Government's interest in Metro is "unique and enduring."

It took extraordinary perseverance and effort to build the 106-mile Metrorail system. From its origins in legislation first approved by the Congress during the Eisenhower administration, three major statutes—the National Capital Transportation Act of 1969, the National Capital Transportation amendments of 1979, and the National Capital Transportation amendments of 1990—were enacted to provide Federal and matching local funds for construction of the system. In addition, in ISTEA, TEA-21 and most recently in SAFETEA-LU, we made the Metrorail eligible for millions of dollars in Federal funds annually to maintain and modernize the system, and provided an additional \$104 million for WMATA's procurement of 52 rail cars and construction of upgrades to traction power equipment on 20 stations to allow the transit agency to expand many of its trains from six to eight-cars.

But the system is aging and has been experiencing increasing incidents of equipment breakdowns, delays in scheduled service, and unprecedented crowding on trains. In 2004, WMATA released a "Metro Matters" report which found a \$1.5 billion shortfall in funding over 6 years to meet WMATA's capital and operating needs. A blue-ribbon panel, sponsored by the Metropolitan Washington Council of Governments, the Greater Washington Board of Trade and the Federal City Council, published a report a year later which concluded that WMATA faces an average annual operating and capital shortfall of approximately \$300 million between fiscal year 2006 and fiscal year 2015.

This legislation seeks to provide additional Federal funds to help close this gap. To be eligible for any Federal funds that may be appropriated annually under this legislation, the District of Columbia, the State of Maryland, and the Commonwealth of Virginia must first enact the required Compact amendments and either establish or use an existing dedicated funding source, such as Maryland's transportation trust fund, to provide the local matching funds. The legislation is still subject to the annual appropriations process, and it is my hope that Federal funding authorized under this act will be forthcoming in future years. I urge adoption of the legislation.

#### PREVENTING CIVILIAN CASUALTIES IN IRAQ

Mr. LEAHY. The heart wrenching reports of civilian casualties in Iraq,

each one of whom represents a mother, father, son or daughter who has been injured or killed in the crossfire or as a result of deliberate attacks, should deeply concern us. Thousands of innocent Iraqi men, women and children have died as a result of suicide bombs, shootings, improvised explosive devices, or from tragic mistakes at U.S. military checkpoints.

There is not enough time today to discuss this issue in depth. There are too many incidents, and too many issues, from the widespread and inappropriate use of cluster munitions in populated areas which indiscriminately and disproportionately injure and kill civilians, to the despicable acts of terrorism that are designed to cause the maximum amount of suffering among innocent people.

I do want to mention that both the Department of Defense and the U.S. Agency for International Development have programs in both Iraq and Afghanistan to provide condolence payments or assistance to civilians who have been injured or the families of those killed as a result of U.S. military operations. The USAID program is named after Marla Ruzicka who died in a car bombing in Baghdad on April 16, 2005, at the age of 28. Marla devoted the last years of her life getting assistance to innocent victims of the military operations in Afghanistan and Iraq, and the organization she founded, Campaign for Innocent Victims in Conflict, continues to work on these issues in both countries.

The Pentagon's condolence program, which is administered by Judge Advocate General officers in the field, provides limited amounts of compensation depending on the nature of the loss. The program has suffered from some administrative weaknesses which I will speak about at greater length at another time. However, it does represent an acknowledgement by U.S. military commanders that it is neither right, nor is it in our interest, to turn our backs on innocent people who have been harmed as a result of our mistakes.

I also want to mention a June 6, 2006, Wall Street Journal article entitled "U.S. Curbs Iraqi Civilian Deaths In Checkpoint, Convoy Incidents," and I ask unanimous consent that it be printed in the RECORD at the conclusion of my remarks.

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

(See Exhibit 1.)

Mr. LEAHY. This article describes laudable efforts by the Department of Defense to reduce civilian casualties that have so often resulted from mistakes that could have been avoided with relatively simple precautions at checkpoints.

For years, I and others urged the Pentagon to ensure that U.S. checkpoints were clearly marked and that soldiers at checkpoints in Iraq are trained to warn drivers in ways that avoid confusion, not simply with lights

or by firing their guns into the air which a driver might not see or that could cause a driver to panic. For years, we were ignored, with horrific incident after horrific incident, whole families gunned down, or only young children left alive after their parents in the front seat were riddled with bullets.

Iraq is an extraordinarily dangerous place and attacks against our troops often happen without a moment's notice. Split second decisions are sometimes necessary. No one suggests that our troops should not be able to defend themselves or that they should be penalized for unavoidable mistakes. But Pentagon officials stubbornly refused to heed the most reasonable, constructive suggestions, always insisting that they were acting according to procedures.

Those procedures were woefully inadequate and they devalued innocent Iraqi lives. It is inexcusable, because it was so obvious and many casualties could have been avoided with the changes that field commanders have recently made. All it took was caring enough to do it.

The article also mentions that the Pentagon has finally been investigating and reporting on civilian casualties. It is not an exact science, since sometimes a person dressed like a civilian is actually an enemy combatant, but it is vitally important that we do our best to determine the cause of civilian casualties that result from our actions.

Section 1223 of H.R. 1815, the fiscal year 2006 Defense Authorization Act, requires a report on the Pentagon's procedures for recording civilian casualties in Iraq and Afghanistan. That report, a copy of which I only just received, is an embarrassment. It totals just two pages and it makes clear that the Pentagon does very little to determine the cause of civilian casualties or to keep a record of civilian victims.

No one expects our troops to be forensic investigators, but we do expect the Pentagon to take this issue seriously and to do its best to document and maintain a record of civilian casualties. By doing so we can make clear that we value innocent lives, we are better able to know when and how to assist the families of those injured or killed, and we can make changes to procedures to prevent such mistakes in the future.

[From the Wall Street Journal, June 6, 2006]

U.S. CURBS IRAQI CIVILIAN DEATHS IN CHECKPOINT, CONVOY INCIDENTS

(By Greg Jaffe)

WASHINGTON—The U.S. military has cut the number of Iraqi civilians killed at U.S. checkpoints or shot by U.S. convoys to about one a week today from about seven a week in July, according to U.S. defense officials in Iraq.

The reduction in civilian casualties shows that months before the killing of 24 Iraqis in the western Iraqi town of Haditha came to light, the military was pushing to reduce the number of Iraqi civilians killed or wounded at the hands of U.S. forces. The drop since

July, however, suggests that hundreds of Iraqi civilians were killed at U.S. checkpoints or on Iraqi highways during the first two years of the war.

The shooting of civilians in such instances has angered Iraqi civilians and political leaders. It also likely has helped fuel the insurgency. Last week, Iraqi Prime Minister Nouri al-Maliki lashed out at U.S. forces for showing "no respect for citizens, smashing civilian cars and killing on a suspicion or a hunch." Mr. Maliki's comments were driven in part by the news that U.S. military investigators had opened a pair of formal probes into the mid-November incident in Haditha in which Marines allegedly killed two dozen unarmed civilians, including several women and children without provocation. Evidence indicates that the Marines tried to blame the incident on a roadside bomb and an ambush from insurgents, say lawmakers and U.S. officials familiar with the probes.

In contrast with the Haditha incident, where the killings are alleged to be intentional, checkpoint and convoy shootings are almost always the result of mistakes in which confused or disoriented Iraqi drivers don't respond to initial warnings from U.S. forces to slow down or back off, U.S. officials say. U.S. forces, worried about their own security and that of their colleagues, must make split-second decisions to fire warning shots or open fire.

Such shooting incidents—or escalation-of-force incidents, as military officials call them—result in civilian casualties in 12% of the cases. The numbers don't include civilians killed in raids resulting from bad intelligence or Iraqis killed in the crossfire of battles with insurgents.

Until July 2005, the U.S. military didn't track civilian casualties in these incidents, senior military officials say. In December, President Bush estimated that about 30,000 Iraqi civilians had been killed since the war started. His spokesman, however, said the estimate was based on media reports and not a formal military count.

The military's failure to track such killings has drawn criticism from human-rights experts. "If you don't keep track of the civilians you harm, you don't know how you are doing," said Sarah Sewall, director of the Carr Center for Human Rights Policy at Harvard University. She praised the military for paying more attention to the problem but lamented that it took so long.

Since arriving in Iraq as the No.2 military official in January, Lt. Gen. Peter Chiarelli has made reducing Iraqi civilian casualties in escalation-of-force incidents a bigger priority. Gen. Chiarelli has been critical of the U.S. military for using force too quickly.

"It is something he has been pushing since we got into theater, and we have been making good progress," said a military officer familiar with the general's efforts. Some of the decrease has been the result of changes in tactics and training. Military commanders have been ordered to ensure that their checkpoints all use the same signs and setup to minimize confusion.

U.S. soldiers have been given new equipment such as sirens and green lasers that allow them to get Iraqi drivers' attention without firing warning shots. Soldiers also have been schooled in new ways of spotting suicide bombers.

In April, Gen. Chiarelli directed his subordinate commanders to investigate all escalation-of-force incidents that result in an Iraqi being seriously wounded or killed or cause more than \$10,000 in property damage. The results must be sent to Gen. Chiarelli's Baghdad headquarters. Before his order, such incidents weren't always investigated.

In recent months, senior military officials have focused less on finding insurgents and

more on keeping soldiers in one place, where they provide daily security for the population. "They are getting into small towns more and staying for a longer period of time. That cuts down on mistakes," says Andrew Krepinevich, executive director of the Center for Strategic and Budgetary Assessments, a Washington defense think tank.

#### BREAST CANCER AWARENESS MONTH

Mr. JOHNSON. Mr. President, I am grateful for the opportunity to discuss the importance of breast cancer awareness and to highlight Breast Cancer Awareness Month, which takes place this October.

We celebrate Breast Cancer Awareness Month every October in order to raise awareness of the disease and to stress the importance of early detection through an annual mammogram for women over 40, or earlier for women with increased risk factors. I say that we celebrate Breast Cancer Awareness Month because in my family, we truly do celebrate. Were it not for the efforts of so many fine individuals and organizations to raise awareness of this disease, my wife Barbara might not have sought early treatment and won two battles with breast cancer. Barbara's triumphs truly give our family reason to celebrate.

Yet the numbers remind us that we have more work to do. Breast cancer is the most common nonskin cancer and the second leading cause of cancer-related death among women. We know we are making strides against this disease because while the breast cancer diagnosis rate has increased, the overall breast cancer death rate has decreased. Simply put, although more women are personally fighting breast cancer, more women are winning.

One of the most effective ways for women to win their battle against breast cancer is through early detection and treatment, and highlighting this fact is a fundamental goal of Breast Cancer Awareness Month. In this spirit, Barbara and I sponsor a mammogram van every year at the South Dakota State Fair in Huron, SD. The van, which our generous sponsors help us provide free of charge, offers 2 days of free mammograms for uninsured women. We are so proud to have the opportunity to offer this important screening to so many women.

I am disappointed that the President's budget request for fiscal year 2007 does not prioritize funding for cancer programs in a way that allows us to move quickly forward in the fight against breast cancer. The President requested level funding for the National Institutes of Health, NIH, the world's largest and most distinguished organization dedicated to maintaining and improving health through medical science. This proposed budget would cut funding for 18 of the 19 Institutes at NIH, including a \$40 million cut for the National Cancer Institute.

I am pleased that the Labor, Health and Human Services and Education ap-

propriations bill approved by the Appropriations Committee, on which I serve, in July not only restored funding for the National Cancer Institute, but also included a \$9 million increase over the fiscal year 2006 level. While we must still travel a long path to passing this appropriations bill, I am committed to maintaining and, if possible, increasing this funding level.

Earlier this year, I joined 73 Senators in voting to add \$7 billion to the Labor, Health and Human Services and Education appropriations bill. Unfortunately, the fiscal year 2006 emergency supplemental bill contained a "deeming resolution" that forced the Senate to make significant spending cuts in domestic programs. As a result, on July 20, the Senate Appropriations Committee reported out a bill that is \$2 billion short of the fiscal year 2005 level. I am committed to securing the rest of the funds that so many of my colleagues and I support and to ensuring that important programs like breast cancer research and screening and treatment programs receive the benefit of these additional funds. We can only expect to conquer breast cancer and other forms of cancer if we commit the funds necessary to researching, understanding, and preventing this disease.

During the month of October, I urge my Senate colleagues, my constituents in South Dakota, and all Americans to join me in celebrating Breast Cancer Awareness Month.

#### BI-NATIONAL HEALTH WEEK

Mr. LUGAR. Mr. President, I appreciate this opportunity to join my friends from across the United States, Mexico, Canada, Guatemala, and El Salvador in celebrating the 6th Annual Bi-National Health Week.

Bi-National Health Week affords us an opportunity to reflect upon the many successful efforts made here in the United States in cooperation with Mexican, Canadian, Guatemalan, and Salvadorian consulates in order to promote healthy lifestyles and well-being amongst those who might otherwise lack access to important health care services.

Bi-National Health Week originated as an effort by Mexico's Secretary of Health to direct health care services to the underserved migrant populations currently living and working in the United States. Since its inception in October 2001, the network of Mexican consulates throughout the country has partnered with U.S. Federal, State and local agencies, the Institute for Mexicans Abroad, the United States-Mexico Border Health Commission, the California-Mexico Health Initiative, and various Mexican and United States colleges and universities. These partnerships have resulted in celebrations throughout the world in an effort to empower local health clinics and community organizations to provide services to the Hispanic/Latino population.

The agencies involved with the Bi-National Health week are working diligently to educate and encourage people to pursue healthy lifestyles. HIV, cholesterol, blood sugar, blood pressure, and oral screenings will be offered as examples of first-rate preventative care in order to avoid costly hospitalization and reduce future costs to the taxpayer. We must continue to work together at the Federal, State and local levels with our friends throughout the world in order to ensure that we seek every opportunity to pursue healthy lifestyles.

#### TRIBUTE TO FRANK IPPOLITO

Mr. CHAMBLISS. Mr. President, I am pleased to join my good friend from Iowa, the ranking minority member of the Committee on Agriculture, Nutrition and Forestry, to salute a dedicated public servant, Mr. Frank Ippolito, who is retiring after more than 30 years of distinguished service to the U.S. Government, including 24 years at the Department of Agriculture, USDA.

As the Director of the Governmental Affairs Office at USDA's Food and Nutrition Service, FNS, Mr. Ippolito is the career civil servant responsible for communications between FNS and Congress and for coordinating logistics for hearings, briefings, and legislative policy for the Under Secretary of Food, Nutrition, and Consumer Services and FNS staff.

FNS accounts for over half of USDA's annual budget. It serves a monthly average of over 25.9 million people in the Food Stamp Program, 8.22 million people in the Special Supplemental Nutrition Program for Women, Infants, and Children, WIC, and provides daily meal service to over 30.9 million students through the National School Lunch Program and 10.3 million students in the National School Breakfast Program. Mr. Ippolito is the bridge between this important agency and the Congress.

Mr. Ippolito was born and raised in Birmingham, AL. He graduated from the Birmingham Public School System in 1965, earned a B.S. in chemistry from the University of Alabama in 1969 and a law degree from the University of Alabama School of Law in 1973.

Mr. Ippolito first worked as general counsel of the Alabama Air Pollution Commission in the State capital. In 1975, he came to Washington to work for the U.S. Department of Health, Education, and Welfare, now known as the U.S. Department of Health and Human Services, and worked for the Social Security Administration and the U.S. Defense Investigative Agency.

In 1982, Mr. Ippolito came to FNS in the Office of Governmental Affairs as a legislative specialist. In 1988, he was named Director of Governmental Affairs, the position he has held for the past 18 years. As Director, he has provided invaluable guidance on FNS programs and activities both to the Under