

actually affect the lives of some of our most vulnerable constituents.

I plead with my colleagues, let us pass this bill today or certainly before we adjourn.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. BINGAMAN. Madam President, I thank my colleague from Arkansas and also my colleague from Missouri for their eloquent statements in support of moving ahead and passing this legislation. The Senator from Arkansas speaks with more authority and conviction than any male Member of this body can muster in connection with this subject and this legislation. Of course, the Senator from Missouri is the prime sponsor of the very bill on which I am asking that we move ahead.

I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 541, which is S. 724; that the committee substitute be agreed to, the bill be read the third time and passed; that the title amendment be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate; and that any statements related to the bill be placed in the RECORD at the appropriate place as if read.

Mr. NICKLES. Reserving the right to object, I ask my colleague a couple of questions. I have not looked at this issue for some time.

There is a committee substitute to S. 724?

Mr. BINGAMAN. Madam President, yes, there is a committee substitute that is essentially the bill. It is the bill we passed through the Finance Committee by unanimous consent.

Mr. NICKLES. Does the Senator remember how much that bill costs?

Mr. BINGAMAN. Madam President, in answer to the question, the bill costs right at \$600 million over a 5-year period, and the cost is fully offset in the legislation.

Mr. NICKLES. Could my colleague tell me how it was offset?

Mr. BINGAMAN. In response, the offset was the increased scrutiny on the Social Security payments which we discussed in the Finance Committee as an appropriate offset. I think all Members agree that would at least raise as much money as this bill will cost the Treasury.

Mr. NICKLES. I appreciate that. I believe I heard one or two Senators say Secretary Thompson supports this bill. It is my understanding that that is not the case. Secretary Thompson may support the thrust of it. I understand he supports the regulation that goes into effect today and this bill somewhat counteracts the regulation that he is primarily responsible for promulgating. Is that correct?

Mr. BINGAMAN. Madam President, I did not hear the second part of the question.

On the question as to whether he actually supports passage of this bill, he issued a press release indicating he

supports passage of S. 724, the bill we are trying to move ahead right now. This was March 6, 2002, in his testimony before the House Labor-HHS Appropriations Committee.

Mr. NICKLES. It is my understanding that Secretary Thompson has promulgated a regulation which I believe he thinks satisfies a lot of the unmet health care needs of children, including unborn children, and he supports the regulation that he promulgated and is now effective, and does not support the legislation which goes far beyond the regulation he has promulgated.

I am very particular on making sure we are accurate in our statements. I believe that is accurate. I have asked my staff to check with HHS. I have a note that says he supports the regulation but not the legislation. Maybe he did make a statement that was supportive in March, but he may well believe that was accomplished in the regulation. I have not talked to him personally. I am stating my belief.

I need to learn more about the bill. It has been months since we have looked at it. We have been doing a few other things. I object at this point. At this point I will further my contacts with those in the administration who know more about the regulation just promulgated. I compliment the Secretary on the regulation. I also wish to do a little more homework. I will check with the Secretary of Health and Human Services.

I will check with the States. I believe this is an expansion of Medicaid which I know my State is struggling to pay. As a matter of fact, the State was reducing cases, in some cases in Medicaid because they do not have the budget. Our State Medicaid director told us, do not increase any new expansions on Medicaid because we cannot afford it.

Correct me if I am wrong: I think pregnant women who have incomes less than 150 percent of poverty are now eligible for Medicaid and States have the option to take that up to 185 percent. Pregnant women with incomes of less than 185 percent of poverty are eligible for Medicaid, and I believe the legislation takes that up to 300 percent. It makes many more people eligible for Medicaid, which increases the costs to the States, which some States cannot afford.

I object at this point and will check with a couple of other people who may have reservations, and perhaps those questions can be resolved, and I will get back to my friend and colleague from New Mexico.

I object.

The PRESIDING OFFICER. The objection is heard.

Mr. BINGAMAN. Madam President, let me say for the information of my colleague, I appreciate his willingness to look into this matter. My strong impression—and not just impression, but information I have been given—is Secretary Thompson clearly supports the regulation which his Department

issued today related to the fetus, the coverage of unborn children. However, he also supports passage of this bill to provide an option to States to cover pregnant women under the CHIP Program.

It is also my information that this does not involve any expansion of Medicaid, that this is strictly a change in law that provides the option to States to cover pregnant women under the CHIP Program if they so choose. That is not, as I see it, an additional burden on any State.

Mr. NICKLES. Will the Senator yield?

Mr. BINGAMAN. Yes, I am glad to yield.

Mr. NICKLES. Did the Senator say it is his belief that this bill does not increase Medicaid coverage for pregnant women up to 300 percent of poverty?

Mr. BINGAMAN. That is certainly my understanding of the bill. I know of no provision in this bill that changes the Medicaid coverage that way.

Mr. NICKLES. We will both do a little more homework and I will be happy to talk to my friends and colleagues, both from Arkansas and from New Mexico, and see where we go from there.

Mr. BINGAMAN. Madam President, let me add one other item, since the Senator referred to it, about States not favoring this. My other information is that the National Governors Association has issued a policy or endorsement of this legislation and supports it.

I appreciate the willingness of the Senator from Oklahoma to look into this further. I will get all the information we have to him. If he has any other information that we need to see, I am glad to look at it. I hope we can move ahead as soon as possible with this bill.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. MILLER). Without objection, it is so ordered.

#### IN MEMORY OF HARRY KIZIRIAN

Mr. REED. Mr. President, Rhode Island has lost a valiant son, the Nation has lost a heroic Marine and thousands of my neighbors have lost a true and faithful friend.

On September 13, 2002, Harry Kizirian died. His name in Rhode Island is synonymous with selfless service, love of country, commitment to family and unshakeable loyalty to his faith and to his friends.

Harry was born on July 13, 1925 at 134 Chad Brown Street in Providence, RI. He was the proud son of Armenian immigrants. His father and mother, Toros and Horopig Kizirian, came to America

to seek a better life for themselves and their family. They had endured the horror of the Armenian genocide, each losing their spouse and many in their families. In America, they hoped to find the opportunity and the tolerance that is so rare in the world. In their son, Harry, they would see the fulfillment of the great promise that America offers to the brave and the noble of heart.

Harry's youth in the vibrant Armenian community of Chad Brown Street was profoundly changed when, at the age of 15, his father died. Harry became the man of the house. While he continued his education at Mount Pleasant High School, he worked lugging beef and unloading freight cars at a meat packing plant on Canal Street. Despite his long hours of work, he still threw the hammer and put the shot for Mount Pleasant High School and captained the football team to boot.

A high school football referee, impressed with Harry's dedication and demeanor, suggested that he seek work at the Providence post office. Harry secured a temporary position sweeping floors as he finished his last two years of high school.

Harry Kizirian came of age as America faced the danger and challenge of World War II. Like so many of his generation, Harry did not hesitate to serve. He joined the United States Marine Corps the day after he graduated from high school.

After his training, Harry found himself in the first assault wave attacking Okinawa. He was 19 years old. While leading a fire team in the assault, he charged an enemy position that was pinning down a Marine platoon. He received multiple fragmentation wounds in the arms and shoulders but continued to press the attack. Eventually, he was evacuated for treatment. A month later, he returned to action.

And, he would see fearsome action in the climatic battles to secure Okinawa.

In June of 1945, Harry's unit moved to attack entrenched Japanese soldiers along a ridgeline. Corporal Kizirian observed six Marine stretcher bearers pinned down by enemy fire as they were trying to evacuate a wounded Marine. With utter disregard for his own safety, Harry placed himself in the line of fire and single-handedly attacked the enemy emplacement. Although wounded in the leg and groin, he continued the attack by dragging his body along by his elbows. He overwhelmed the position and killed the 12 enemy defenders.

For his service and sacrifice on Okinawa, Harry Kizirian was awarded the Navy Cross, two Purple Hearts, the Bronze Star with V device for Valor, the Presidential Unit Citation, the Navy Unit Citation and the Rhode Island Cross, the State's highest award for valor.

Harry was discharged from the Marine Corps in 1946 and returned to Rhode Island and to the post office. But he still bore the scars of battle.

For 4 years after his discharge, Harry was in and out of Veteran's Hospitals for treatment of his wounds.

Harry's return to civilian ranks gave him a chance to meet the love of his life, Hazel Serabian. Hazel tells the story that, the first time she saw Harry, he was staring at her from the cover of *The New York Times Sunday Magazine*. He was featured as one of the young heroes of the Pacific battles. She later met this handsome Marine as he stopped in her hometown en route to visit the family of a fellow Marine who had died in combat. In my humble opinion, it was love at first sight and love for evermore.

Their love produced a family of wonderful sons and daughters: Tom and Richard, Joanne, Shakay and Janice. They continue the proud tradition of Harry and Hazel as public-spirited citizens in their own right. And the newest generation of Kizirians includes eight grandchildren who grew under the watchful eye and enormous love of their grandfather.

Harry, with a young family to feed, applied himself with his characteristic sincerity and diligence at the post office. But he brought something else and something special to his job: a joy of working with the men and women of the Postal Service and of helping to serve the people of Rhode Island.

Harry became the Postmaster in Providence in 1961 and led the Postal Service in Rhode Island at a time of great change. Rhode Island was one of the first postal districts in the country to build a central, automated postal facility. Harry was the key individual in opening this facility and making it work.

His leadership style was hands-on and personal. He knew the Providence post office's thousand employees by their first names. He patrolled the facility in his customary attire of suit and running shoes as he made sure that the work was done and the workers were recognized. His co-workers were a larger extension of his own family, and he followed their ups and downs with the same interest and involvement that he lavished on his own family. He established a bond of trust and love that still today is unique and enduring.

In 1986, the Postal Service announced that Harry would be "reorganized" out of the job. The announcement led to a flurry of activity by Senator John Chafee and Senator Claiborne Pell but to no avail. The Postal Service did not relent. The announcement was greeted by his co-workers with weeping. They weren't losing just an admired boss; they were losing a friend.

In October of 1986, two thousand of his friends and co-workers honored him at a testimonial.

One of his dearest friends, Senator John O. Pastore, paid him a special tribute. Forty years before, then Governor John O. Pastore pinned the Rhode Island Cross on Harry Kizirian. In earlier remarks, Senator Pastore said simply, "I have never met in my

life anyone who has had a bad word to say about Harry Kizirian." And Senator Pastore's words were and are beyond reproach.

I was honored to be appointed to West Point by Senator Pastore. Both Harry and I shared a profound respect for this great man who served with extraordinary distinction in the Senate.

Harry's departure from the Postal Service merely redirected his great passion for public service to numerous other civic endeavors, including Big Brothers, the Veterans Home in Bristol, RI and the Heart Association.

When asked once about his extraordinary generosity and public service, Harry said, "You know, the track is short; when you can help people, do it."

I really got to know Harry in 1990 when I campaigned for my first term in Congress.

I knew about the legendary Harry Kizirian; everyone in Rhode Island knew about and admired Harry. I met him several times at meetings of postal workers. He still stayed close to his co-workers. By this time, Harry's sight was impaired. He would sit at the table and you would approach him for a word. He grasped your hand with authority and his voice was strong, but his whole demeanor was one of gentleness and consideration.

I will never forget at one of these meetings days before the election. As postal worker after postal worker approached him to thank him for countless kindnesses and asked what they could do for him, Harry said, "if you want to do something for me, vote for this kid, Reed."

I have never received a greater or more meaningful endorsement. His faith in me gave me great faith in myself. But, after all, that is what Harry did all of his life. He made us stronger and better because he was behind us and shared with us his strength and his decency.

In May of 1996, Rhode Islanders had a chance to honor Harry. On that day, the central Post Office in Providence, the "house that Harry built", was dedicated as the "Harry Kizirian Post Office Building." Senator John H. Chafee sponsored the legislation in the Senate, and I sponsored the legislation in the House.

We were honored to have General Chuck Krulak, the Commandant of the Marine Corps, as a principal speaker. General Krulak captured the essence of Harry Kizirian when he said "Harry was motivated by a selfless desire to help his fellow countrymen." General Krulak added a sentiment that we all felt. "It is impossible not to admire, to respect and yes, coming from this tough Marine, to love Harry Kizirian. You have made a difference."

A few days after I learned of Harry's death, I was attending the Fall Harvest Festival in my hometown of Cranston, Rhode Island. I encountered a gentleman and we began to talk. He quickly told me that we had both lost a good

friend, Harry Kizirian. The gentleman was a postal worker who had spent many years working for Harry. With gestures more than words, he expressed the sense of loss tempered by love and admiration that we all felt; a fitting epitaph, the unadorned and heartfelt words and sentiments of one of his workers, more poignant and profound than any sermon or speech.

When our colleague John Chafee died, I recalled these lines from the Irish poet, William Butler Yeats, fitting words for another Marine who goes to his rest.

The man is gone who guided ye, unwearied,  
through the long bitter way.

Ye by the waves that close in our sad nation,  
Be full of sudden fears,

The man is gone for his lonely station . . .  
Mourn—and then onward, there is no return-  
ing

He guides ye from the tomb;  
His memory now is a tall pillar, burning  
Before us in the gloom!

Harry's memory warms our heart and  
lights our way.

He was a man who saw hard times, but refused to allow them to extinguish his generous spirit. He was a man who saw war in all its horror, but refused to surrender his soul to its brutality. He was a strong man, not for the sake of intimidation, but because he knew that true strength allows a man to be truly compassionate. He was humble. His greatest source of pride was the success of others, particularly his family. His memory, his example, sustains us and inspires us.

I close with the words of a song that I am sure Harry knew.

If the Army and the Navy  
Ever look on Heaven's scenes  
They will find the streets are guarded by  
United States Marines

Harry Kizirian, United States Marine Corps, has joined that Heavenly guard mount.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I ask unanimous consent to speak as in morning business.

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

Mr. LEAHY. Mr. President, I did not know Senator REED's friend, but after listening to what he said, I feel as though I did know him. The distinguished senior Senator from Rhode Island is fortunate to have had such a friend, but I think his friend was fortunate to know Senator REED. I know the distinguished Presiding Officer, the Senator from Georgia, did not mind the reference to the U.S. Marine Corps. I saw the smile on his face when that reference was made.

#### THE 21ST CENTURY DEPARTMENT OF JUSTICE APPROPRIATIONS AUTHORIZATION ACT

Mr. LEAHY. Mr. President, yesterday, the majority leader filed cloture on the bipartisan 21st Century Depart-

ment of Justice Authorization Act conference report. I commend him for doing that.

This is a conference report that passed 400 to 4 last week in the other body. We will be voting on that cloture motion tomorrow. I just want to take a few moments to let Members of this body know what is in the conference report.

It was signed by all conferees—Republican and Democrat—Senator ORRIN HATCH, and Representatives SENSENBRENNER, HENRY HYDE, LAMAR SMITH, myself, and others.

I thank Senator KAY BAILEY HUTCHISON for coming to the floor yesterday to support this conference report. She has spoken to me many times about the need for more judgeships along the Texas border with Mexico to handle immigration and criminal cases. Certainly, from what Senator HUTCHISON has said about that need, she has made a compelling request, and I have included in this conference report three new judges for that part of Texas. Actually, the conference report has one more judge than we passed out of the Senate. We added another one in conference. I suspect technically one could say that was not a matter in conference, but the Senator from Texas made, I thought, a compelling reason for it.

I mention that because one of our Federal district judges from Vermont has actually gone down to Texas a couple times to help out, and every time he has gone down, he has called me up and said: They need more judges here because of the load.

So I thank Senator KAY BAILEY HUTCHISON.

I also want to thank Senator SESSIONS for his statement in support of this conference report. I mentioned to him on the floor this morning—and I want to speak again to that—there is a piece of this legislation Senator SESSIONS originally opposed. If it were here as a freestanding bill, that particular part—a small part of the bill—I believe Senator SESSIONS would vote against it. But he supports the overall bill and is voting for the whole bill. I thank him for that.

I also thank him for his work and his aid on the provisions in the conference report on the Paul Coverdell Forensic Sciences Improvement Grants and the Centers for Domestic Preparedness in Alabama and other States. He had a great deal of input, and I appreciate what he did. We tried throughout all of this effort to make this a bipartisan bill, and he helped with that.

Senator FEINSTEIN spoke on behalf of this conference report. She has been a tireless advocate for the needs of California, including the needs of the Federal judiciary along the southern border. She has helped to improve that situation.

I was glad to see we could work through that because we had tried for 7 or 8 years to add these additional judges, and they had been blocked. But

I came back and said, even though it would be a different President appointing the judges—in this case, President Bush—I was in favor of adding the judges. They should be in there. Among other things, we included five judgeships for the southern district of California.

We have also included judges, as I said, for Texas, Arizona, New Mexico, Ohio, North Carolina, Illinois, and Florida. The statistics show all the judges are very much needed.

The senior Senator from California gave leadership on the James Guelff and Chris McCurley Body Armor Act, the State Criminal Alien Assistance Program reauthorization, and the anti-drug-abuse provisions in the conference report, and that has been extremely helpful.

I should tell my colleagues, this report will strengthen our Justice Department and the FBI, and increase our preparedness against terrorist attacks. It offers our children a safe place to go after school.

In this conference report, we put together years of work. Parts of about 25 different bills have been combined in this report.

I thought President Bush did absolutely the right thing after the attacks of a year ago, on September 11, as he moved very aggressively to try to clamp off money going to terrorist organizations around the world. As we know, al-Qaida received a lot of money from Saudi Arabia and other countries, and that money has floated all over.

The President moved very quickly to stop that. But then they find other ways to move it. We know they still have tens of millions—hundreds of millions of dollars perhaps—in these terrorist groups. But there is a thing in this conference report called the Madrid Protocol. If we agree to this protocol, this will greatly strengthen the hand of the President to go after this money. The White House supports it. All the antiterrorist groups and the Government support it. That is also in this bill.

I mentioned this because I have been asked questions by several Senators exactly what is included. I want them to know. I also want to thank Senator HATCH for his work in this endeavor. We spent a lot of hours in the conference. That is why it passed so overwhelmingly, with the support of both Republican and Democratic leadership in the other body. I would be happy to have it pass unanimously. We could pass it tonight for that matter. I know the legislation is a priority.

We have not authorized the Department of Justice in more than two decades. Some might ask: Why should we do it now? We have a far different Department of Justice than we had before September 11. We have a number of changes that had to be made, supported by Members on both sides of the aisle, both sides of the aisle in the other body, the President of the United States, the Attorney General, and so on.