

would have voted "aye." This would not change the outcome of the vote.

I was necessarily absent from rollcall vote No. 194. On the motion to table amendment No. 3802, to S. 2845, I would have noted "no." This would not change the outcome of the vote.

#### HIS EXCELLENCY BADER OMAR AL-DAFA, AMBASSADOR OF QATAR TO THE UNITED STATES

Ms. STABENOW. Mr. President, I would like to take a moment to recognize His Excellency Bader Omar Al-Dafa, a distinguished diplomat, current Ambassador of the State of Qatar to the United States, and alumni of Western Michigan University. In 1975, Ambassador Al-Dafa, earned his bachelor's degree in political science from Western Michigan University, and I am pleased that on October 15, 2004, he will receive the prestigious Alumni Achievement Award in Political Science from Western Michigan University.

Ambassador Al-Dafa's long and distinguished career began in 1976 as a diplomatic attaché at the Ministry of Foreign Affairs, Doha. He has since served as ambassador in numerous posts, most recently as ambassador to the Russian Federation. Prior to this assignment, he served as non-resident ambassador to Finland, Latvia, Lithuania, and Estonia; ambassador to France and non-resident ambassador to Greece; ambassador to Egypt; and ambassador to Spain. While serving in Cairo, Ambassador Al-Dafa was his country's permanent representative to the Arab League. Prior to serving as ambassador to the United States, Ambassador Al-Dafa served as the director of European and American affairs at the Ministry of Foreign Affairs, Doha.

As ambassador to the United States, Bader Omar Al-Dafa's solid understanding of America and over 25 years of diplomatic experience strengthens the warm relationship between our two countries. His efforts to build relationships and foster understanding between America, Qatar and the Arab world through his work and his support for initiatives in the Arab-American community have earned him the respect and admiration of my colleagues in Congress and the citizens of Michigan.

I know my colleagues join me in congratulating Ambassador Al-Dafa for his distinguished service and the prestigious honor that Western Michigan University will confer on him. I extend to him my hopes for continued success and for an enduring relationship between our two countries. I also extend my best wishes to Ambassador Al-Dafa's wife, Awatef Mohamed Al-Dafa, and their three children.

#### A REAL THREAT TO SATELLITE TELEVISION SERVICE

Mr. LEAHY. Mr. President, in 1998 and 1999 over 2 million families were faced with the prospect of losing the

ability to receive one or more of their satellite television network stations. Back then, Congress acted and not only protected access to those stations but also expanded consumer opportunities to receive more programming options.

This time around the story may not have such a happy ending. As we near the end of the session, I grow more concerned that Congress will not have time to pass a reauthorization of the Satellite Home Viewer Act. This is especially disappointing because many members of the other body and many Senators have worked diligently to craft legislative language that would be a boon to public television, the satellite industry, the movie, music and television industries, and to satellite dish owners throughout America.

Indeed, families who own satellite dishes may end up being the big losers if provisions of that act are not extended. Many midwestern and Rocky Mountain States have vast areas where satellite dish owners receive imported network stations such as ABC, NBC, CBS or Fox. Thousands of these families do not have any other choices. They do not have access to TV stations over-the-air because of mountain terrain or distance from the broadcast towers. They do not have access to cable because of the rough terrain or the lack of population density which makes it economically impossible for cable companies to invest. Without access to network stations via satellite, over-the-air, or cable those families will no longer be able to receive national news programming or other network TV programming.

If Congress does not reauthorize provisions of current law by December 31, 2004, hundreds of thousands of households will lose satellite access to network TV stations. Since information about subscribers is proprietary it is difficult for me to tell you exactly how many families will be affected by this, but I assure you it is not a small number.

The Senate Judiciary Committee got its job done in June. We reported a great bill out of Committee without a single amendment and without a single nay vote. That bill does far more than just protect satellite dish owners from losing signals. At the time I pointed out that the new satellite bill "protects subscribers in every State, expands viewing choices for most dish owners, promotes access to local programming, and increases direct, head-to-head, competition between cable and satellite providers."

I continued by saying that, "easily, this bill will benefit 21 million satellite television dish owners throughout the nation, and I am happy to note that over 85,000 of those subscribers are in Vermont."

The Senate and House Judiciary Committee-reported bills go far beyond protecting what current subscribers receive. The bills allow additional programming via satellite through adoption of the so-call "significantly

viewed" test now used for cable, but not satellite subscribers. That test means that, in general, if a person in a cable service area that historically received over-the-air TV reception from "nearby" stations outside that area, those cable operators could offer those station signals in that person's cable service area. In other words, if you were in an area in which most families in the past had received TV signals using a regular roof-top antenna then you could be offered that same signal TV via cable. By having similar rules, satellite carriers will be able to directly compete with cable providers who already operate under the significantly viewed test. This gives home dish owners more choices of programming.

In the past, Congress got the job done. Congress worked well together in 1998 and 1999 when we developed a major satellite law that transformed the industry by allowing local television stations to be carried by satellite and beamed back down to the local communities served by those stations. This marked the first time that thousands of TV owners were able to get the full complement of local network stations. In 1997 we found a way to avoid cutoffs of satellite TV service to millions of homes and to protect the local affiliate broadcast system. The following year we forged an alliance behind a strong satellite bill to permit local stations to be offered by satellite, thus increasing competition between cable and satellite providers.

We also worked with the Public Broadcasting System so they could offer a national feed as they transitioned to having their local programming beamed up to satellites and then beamed back down to much larger audiences.

Because of those efforts, in Vermont and most other States, dish owners are able to watch their local stations instead of getting signals from distant stations. Such a service allows television watchers to be more easily connected to their communities as well as providing access to necessary emergency signals, news and broadcasts.

I hope we are able to work together to finish this important satellite television bill in the few remaining days of this Congress.

#### A SOLEMN ANNIVERSARY

Mr. LEVIN. Mr. President, this fall marks a solemn 2nd anniversary of the sniper attacks which terrorized the Washington, DC area and the country for 3 weeks in 2002. In October of that year, John Allen Mohammad, who was sentenced to death, and John Lee Malvo who was sentenced to life imprisonment, indiscriminately shot 13 innocent people, killing ten.

In a settlement that marked victory for the 2002 sniper shooting victims, Bushmaster Firearms, manufacturer of the XM-15 assault rifle used in the attacks, agreed to pay \$550,000 in damages for negligence leading to criminal

violence in connection with the shooting spree.

According to reports, Bushmaster continued to sell firearms, including the XM-15 assault rifle used in the sniper shootings, to Bull's Eye Shooter Supply in Tacoma, WA, even after several ATF audits documented the dealer's inability to responsibly account for its inventory of weapons. Reports indicate that 238 guns had gone missing from Bull's Eye's inventory and over 50 had been traced to criminal acts since 1997. As part of the settlement with victims, Bull's Eye has agreed to pay \$2 million for its negligence in failing to account for the assault rifle that ended up in the hands of the snipers.

Earlier this year, I voted with 89 of my colleagues to defeat S. 1805, the Protection of Lawful Commerce in Arms Act. That bill would have weakened the legal rights of gun violence victims by terminating a wide range of pending and prospective civil cases against members of the gun industry. The victims of the sniper shootings would have lost their ability to sue Bushmaster Firearms and Bull's Eye Shooter Supply had S. 1805 become law.

For the families and victims impacted by the 2002 sniper attacks, no amount of money will replace their loss and suffering. However, we should continue to pursue sensible gun safety legislation, including reinstating the expired assault weapons ban, to help prevent future gun crimes and improve the security of communities across our Nation.

#### STUDENT LOAN ABUSE PREVENTION ACT

Mr. DURBIN. Mr. President, I rise to speak on behalf of the Student Loan Abuse Prevention Act. I am pleased to join Senator MURRAY as a cosponsor of the measure. This bill would amend the Higher Education Act of 1965 to end the siphoning of taxpayer dollars to pay exorbitant interest rates on student loans.

A special class of student loans, financed by tax-exempt bonds issued before October 1993, has become a goldmine for the companies that hold them. In the 1980s, Congress created the Guaranteed Student Loan Program, now known as the Federal Family Education Loan Program, or FFELP, to keep college loans accessible and affordable for students. Facing high interest rates, the program guaranteed lenders an interest rate of 9.5 percent to entice them to join the program.

Congress intended to end the special treatment of tax-exempt bonds with the Omnibus Budget Reconciliation Act of 1993. But the way in which the grandfather clause for pre-existing bonds was drafted has had the opposite effect. Two loopholes have allowed student loan companies to profit widely as they recycle old tax exempt bonds to produce new subsidies. The first loophole has extended the life of these

bonds. If the lender refinances an old bond, it is still treated as an old bond but with a longer life. The second loophole allows for the volume of loans receiving this excessive subsidy to grow. Even if a tax-exempt bond finances a loan only temporarily, that loan is permanently treated as if it was financed by a tax-exempt bond.

The serial refinancing of loans is an accounting trick that ratchets up the subsidies the Government must pay. In fiscal year 2001, the 9.5 percent guarantee cost American taxpayers approximately \$200 million. Now GAO and others have estimated that the cost is nearly five times greater this year. That is a billion dollars in unnecessary subsidies. This windfall has a secondary effect. U.S. News & World Report credits this "obscure loophole in federal law" with giving private lenders the financial latitude to lure colleges and universities away from the direct loan process.

Old loans are very much alive and multiplying in plain sight of Federal regulators. Lenders use the 9.5 percent bond funds to finance a set of loans for as little as one day and that new loan earns a 9.5-percent guaranteed return for life. Nelnet, the Nebraska based National Education Loan Network, is the lender that has exploited 9.5 percent loans more aggressively than any other, increasing its 9.5 percent holdings nearly tenfold in the last 18 months.

These subsidies have already consumed a disproportionate share of the Nation's financial dollars. Although loans carrying the 9.5 percent subsidy rate account for no more than 8 percent of the FFEL Program, they have soaked up 78 percent of all subsidies paid to lenders under the program in the current fiscal year. We need to halt and reverse the explosive growth of 9.5-percent loans. Each day of delay allows more loans to be converted to 9.5-percent loans, enriching lenders and undermining the direct loan program.

I urge my colleagues to support the bill to end this outdated subsidy.

#### BUTLER UNIVERSITY POLICE OFFICER JAMES L. DAVIS

Mr. BAYH. Mr. President, I rise today to pay tribute to and honor the life of James Davis, a Butler University Police Officer who was killed in the line of duty on September 24, 2004. Officer Davis was shot down by a gunman while investigating reports of a suspicious person inside Hinkle Fieldhouse, the campus arena.

On Friday morning, Officer Davis left his patrol car to seek out a man who had refused to exit Hinkle Fieldhouse where students were practicing basketball. A member of Butler's police force since January 2003, Officer Davis, a 31-year-old husband and father of three had his entire life before him when he confronted the suspect, a selfless act that would cost him his life.

Officer Davis graduated from Indiana University in 1995 with a double major

in criminal justice and Afro-American studies before entering his career of service. After retiring from the Army as a military policeman, Officer Davis spent a year supervising juvenile offenders as a youth service officer for the Indiana Department of Transportation. He also worked as a drill instructor for troubled youth in a program called Project Impact.

Above all, Officer Davis was a devoted family man who relished his time with loved ones. He dedicated his life to the noblest of causes; his family, his job and keeping others safe. Officer Davis leaves behind his wife, Veleeda and his three young children, Josiah, 8, Jarren, 3, and Jaedyn, who will be two in December. May his children grow up knowing that their father was a brave, hard-working and loving man.

In the wake of his death, friends, neighbors and fellow officers came together to remember and celebrate the life of Officer Davis. Butler Police Chief David Selby described Officer Davis to the Indianapolis Star as "an outstanding officer . . . and a very good friend to all of us," adding that he would be missed by many. Those who knew him well recall Officer Davis' dedication to his job and his efforts to help troubled teens. A friend remembered Officer Davis' strong belief that there were "no bad children, just children who made bad decisions or came from a bad environment."

Throughout his career, Officer Davis distinguished himself as a policeman who genuinely cared about the students he was working to protect. Students recall him as someone who could be counted on for a safe ride home from class if he spotted them walking alone in the dark and by fellow officers as a devoted member of their team. His brave and caring actions leave behind an unforgettable impression of the kind of man he was.

It is my sad duty to enter the name of James L. Davis into the United States CONGRESSIONAL RECORD. As Officer Davis rests with God in eternal peace, let us never forget the courage and sacrifice he displayed when he laid down his life on September 24, 2004.

#### ADDITIONAL STATEMENTS

##### GEORGE WASHINGTON UNIVERSITY

• Mr. CONRAD. Mr. President, I would like to recognize and congratulate both the George Washington University and its Graduate School of Education and Human Development on achieving centennial milestones this month. George Washington University, which is 183 years old and was created by an act of Congress in 1821, commemorates 100 years of its name change from Columbian University to the George Washington University.

As an alumnus of GW, I am honored to offer congratulations for this internationally recognized institution of higher education.