

avert a crisis. For this reason, the legislation gives HHS emergency authority to require that vaccine supplies be administered to those in highest need if it determines that voluntary measures have failed, and that to do otherwise would pose a significant danger to the public health.

Let's not let history repeat itself. We need to be prepared for flu vaccine shortages and influenza pandemics in the future, and we need to respond effectively to the current shortage. I urge my colleagues to support the "Emergency Flu Response Act of 2004." We face a crisis, and Congress should not delay in enacting this needed legislation.

SUBMITTED RESOLUTIONS

SENATE CONCURRENT RESOLUTION 142—RECOGNIZING THE SIGNIFICANT ACHIEVEMENTS OF THE PEOPLE AND GOVERNMENT OF AFGHANISTAN SINCE THE EMERGENCY LOYA JIRGA WAS HELD IN JUNE 2002 IN ESTABLISHING THE FOUNDATION AND MEANS TO HOLD PRESIDENTIAL ELECTIONS ON OCTOBER 9, 2004

Mr. HAGEL (for himself, Mr. LUGAR, Mr. BIDEN, Mr. LEAHY, Mr. MCCAIN, Mr. SUNUNU, and Mr. DODD) submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations:

S. CON. RES. 142

Whereas section 101(1) of the Afghanistan Freedom Support Act of 2002 (22 U.S.C. 7511(1)) declares that the "United States and the international community should support efforts that advance the development of democratic civil authorities and institutions in Afghanistan and the establishment of a new broad-based, multi-ethnic, gender-sensitive, and fully representative government in Afghanistan";

Whereas on January 4, 2004, the Constitutional Loya Jirga of Afghanistan adopted a constitution that promises free elections with full participation by women and establishes a legislative foundation for democracy in Afghanistan;

Whereas on June 15, 2004, President Bush stated that "Afghanistan's journey to democracy and peace deserves the support and respect of every nation... The world and the United States stand with [the people of Afghanistan] as partners in their quest for peace and prosperity and stability and democracy";

Whereas the independent Joint Electoral Management Body in Afghanistan and thousands of its staff throughout Afghanistan have worked to register voters and organize a fair and transparent election process despite violent and deadly attacks on them and on the purpose of their work;

Whereas more than 10,500,000 Afghans have been reported registered to vote, demonstrating great courage and a deep desire to have a voice in the future of Afghanistan, and more than 40 percent of those reported registered to vote are women;

Whereas the presidential election campaign in Afghanistan officially began on September 7, 2004 and 18 candidates, including one woman, are seeking the presidency;

Whereas on October 9, 2004, the people of Afghanistan will vote in the first direct pres-

idential election, at the national level, in Afghanistan's history at 5,000 polling centers located throughout Afghanistan, as well as polling centers in Pakistan and Iran;

Whereas the United States, the European Union, the Organization for Security and Cooperation in Europe, and the Asian Network for Free Elections will send monitors and support teams to join the more than 4,000 domestic election observers in Afghanistan for the presidential election;

Whereas the United States and many international partners have provided technical assistance and financial support for elections in Afghanistan; and

Whereas the International Security Assistance Force (ISAF), led by the North Atlantic Treaty Organization (NATO), and coalition forces will join the Afghan National Army and police in Afghanistan to help provide security during the presidential election: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That—

(1) the United States applauds the steadfast commitment of the people of Afghanistan to achieve responsive and responsible government through democracy;

(2) the United States strongly supports self-government and the protection of human rights and freedom of conscience for all men and women in Afghanistan; and

(3) the United States remains committed to a long-term partnership with the people of Afghanistan and to a peaceful future for Afghanistan.

Mr. HAGEL. Mr. President, I rise today to submit a resolution recognizing the landmark Presidential elections that will take place in Afghanistan this Saturday, October 9, 2004.

My colleagues Senators LUGAR, R-IN, BIDEN, D-DE, LEAHY, D-VT, MCCAIN, R-AZ, SUNUNU, R-NH and DODD, D-CT, join me as original co-sponsors of this resolution.

The Government and people of Afghanistan deserve our praise and recognition for their achievements since the emergency Loya Jirga of June 2002. The process leading to this historic election has not always been easy. Warlords and Taliban members have sought to intimidate voters and disrupt the process. But the government of President Hamid Karzai and the people of Afghanistan have not been deterred. More than 10.5 million Afghan citizens have been reported registered to vote, reflecting the courage and commitment of Afghans to a democratic future. Over forty per cent of those registered are women.

The Afghanistan Freedom Support Act of 2002, PL 107-327, authorized the United States Government to provide \$3.3 billion in political, economic and security assistance to Afghanistan. It also expressed the U.S. Congress's support for the development of democratic institutions and a fully representative government in Afghanistan that respects religious freedom and the rights of women. The presidential election this week is a critical benchmark for America's commitment to a long-term partnership with Afghanistan for responsible governance and a more peaceful future.

America's interests in Afghanistan are linked to our wider regional objectives in the war on terrorism, and in

promoting security and more open political and economic systems throughout the Greater Middle East and Central Asia.

President Bush said on June 15, 2004, that "the world and the United States stand with [the people of Afghanistan] as partners in their quest for peace and prosperity and stability and democracy."

I ask the Senate to recognize the historic achievement of the Afghan people in holding presidential elections this week, and to join the co-sponsors of this resolution and me in expressing our continued support for the people of Afghanistan.

SENATE CONCURRENT RESOLUTION 143—RECOGNIZING COMMUNITY ORGANIZATION OF PUBLIC ACCESS DEFIBRILLATION PROGRAMS

Mr. DEWINE (for himself, Mrs. MURRAY, Mr. FRIST, and Ms. COLLINS) submitted the following concurrent resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. CON. RES. 143

Whereas coronary heart disease is the single leading cause of death in the United States;

Whereas every two minutes, an individual suffers from cardiac arrest in the United States, and 250,000 Americans die each year from cardiac arrest out of hospital;

Whereas the chance of survival for a victim of cardiac arrest diminishes by ten percent each minute following sudden cardiac arrest;

Whereas 80 percent of cardiac arrests are caused by ventricular fibrillation, for which defibrillation is the only effective treatment;

Whereas 60 percent of all cardiac arrests occur outside the hospital, and the average national survival rate for an out-of-hospital victim of cardiac arrest is only five percent;

Whereas automated external defibrillators (AEDs) make it possible for trained non-medical rescuers to deliver potentially lifesaving defibrillation to victims of cardiac arrest;

Whereas public access defibrillation (PAD) programs train non-medical individuals to use AEDs;

Whereas communities that have established and implemented PAD programs that make use of AEDs have achieved average survival rates as high as 50 percent for those individuals who have suffered an out-of-hospital cardiac arrest;

Whereas successful PAD programs ensure that cardiac arrest victims have access to early 911 notification, early cardiopulmonary resuscitation, early defibrillation, and advanced care;

Whereas schools, sports arenas, large hotels, concert halls, high-rise buildings, gated communities, buildings subject to high-security, and similar facilities can benefit greatly from the use of AEDs as part of a PAD program, since it often takes additional and therefore critical time for emergency medical personnel to respond to victims of cardiac arrest in these areas;

Whereas widespread use of defibrillators could save as many as 50,000 lives nationally each year;

Whereas the Aviation Medical Assistance Act of 1998 (Public Law 105-170; 49 U.S.C. 44701 note) authorized AEDs to be carried and used aboard commercial airliners;

Whereas the Cardiac Arrest Survival Act of 2000 (Public Law 106-505; 42 U.S.C. 238p-238q)

provided for the placement of AEDs in Federal office buildings;

Whereas the Rural Access to Emergency Devices Act (Public Law 106-505, 42 U.S.C. 254c note) increased access to AEDs in rural communities;

Whereas the Community Access to Emergency Defibrillation Act of 2001 (Public Law 107-188; 42 U.S.C. 244-245) authorized the development and implementation of PAD projects; and

Whereas the Automatic Defibrillation in Adam's Memory Act authorizes the use of grant funds to establish an information clearinghouse to provide information to increase public access to defibrillation in schools: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That Congress—

(1) recognizes the growing number of community activists, organizations, and municipal governments leading the national effort to establish public access defibrillation (PAD) programs; and

(2) encourages the continued development and implementation of PAD programs in schools, sports arenas, NASCAR race tracks, large hotels, concert halls, public housing, high-rise buildings, gated communities, buildings subject to high-security, and similar facilities to increase the survival rate for victims of cardiac arrest.

Mr. DEWINE. Mr. President, I rise today to submit a Resolution that would recognize the value and importance of automated external defibrillators (AEDs) in our Nation's communities. It is an important Resolution that sends a message of support to our communities, neighborhoods, schools and businesses.

For my colleagues who do not know, AEDs or automated external defibrillators, are devices that, when used properly, administer an electric shock through the chest wall to the heart. These devices are used on people who are suffering from heart attacks or have gone into full cardiac arrest.

Many of my colleagues may have seen these devices in airports or in other public spaces such as stadiums or shopping malls. They have been made widely visible and available because, according to the American Heart Association, "AEDs strengthen the chain of survival. They can restore a normal heart rhythm in sudden cardiac arrest victims."

What makes AEDs so valuable to our communities is that they are extremely effective and they are easy to use. A microprocessor, which is embedded in the AEDs analyzes a person's heart rhythm and determines whether an electrical shock is necessary to restore normal heart function. The American Heart Association makes clear the value of having access to AEDs—"When a person suffers a sudden cardiac arrest, for each minute that passes without defibrillation, their chance of survival decreases by 7 to 10 percent." Fortunately, many communities have realized the benefit of AEDs and have begun creating Public Access Defibrillation programs (PADs). There are a number of Public Access Defibrillation programs throughout our country, and I'm happy to say a few of them are in Ohio.

These State, local and community PAD programs are a valuable asset because they ensure that automated external defibrillation accessible and available to cardiac arrest victims in the community and provide appropriate training in performing cardiopulmonary resuscitation and the use of automated external defibrillators.

This resolution simply recognizes the Public Access Defibrillator programs for all of their good work to make it possible for communities to access these life-saving devices. My resolution also encourages the continued creation of PADs so that more people, in more places, have access to AEDs.

Finally, my Senate colleagues and I have long supported automatic external defibrillators and their increased use in communities, particularly rural communities. In fact, just this year, the Senate Labor Health and Human Services Appropriations subcommittee provides \$10,933,000 for rural and community access to emergency devices. This funding provides grants to expand placement of automatic external defibrillators and to provide for training.

I ask my colleagues to support this resolution, to pass this resolution, and to encourage the continued development of Public Access Defibrillator (PAD) programs.

AMENDMENTS SUBMITTED AND PROPOSED

SA 4043. Mr. INOUE (for himself and Mr. AKAKA) submitted an amendment intended to be proposed by him to the bill S. 437, to provide for adjustments to the Central Arizona Project in Arizona, to authorize the Gila River Indian Community water rights settlement, to reauthorize and amend the Southern Arizona Water Rights Settlement Act of 1982, and for other purposes; which was ordered to lie on the table.

SA 4044. Mr. FRIST (for Mr. SPECTER) proposed an amendment to the bill S. 2486, to amend title 38, United States Code, to improve and enhance education, housing, employment, medical, and other benefits for veterans and to improve and extend certain authorities relating to the administration or benefits for veterans, and for other purposes.

TEXT OF AMENDMENTS

SA 4043. Mr. INOUE (for himself and Mr. AKAKA) submitted an amendment intended to be proposed by him to the bill S. 437, to provide for adjustments to the Central Arizona Project in Arizona, to authorize the Gila River Indian Community water rights settlement, to reauthorize and amend the Southern Arizona Water Rights Settlement Act of 1982, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE —NATIVE HAWAIIAN GOVERNMENT REORGANIZATION

SEC. 1. SHORT TITLE.

This title may be cited as the "Native Hawaiian Government Reorganization Act of 2004".

SEC. 2. FINDINGS.

Congress finds that—

(1) the Constitution vests Congress with the authority to address the conditions of the indigenous, native people of the United States;

(2) Native Hawaiians, the native people of the Hawaiian archipelago that is now part of the United States, are indigenous, native people of the United States;

(3) the United States has a special political and legal responsibility to promote the welfare of the native people of the United States, including Native Hawaiians;

(4) under the treaty making power of the United States, Congress exercised its constitutional authority to confirm treaties between the United States and the Kingdom of Hawaii, and from 1826 until 1893, the United States—

(A) recognized the sovereignty of the Kingdom of Hawaii;

(B) accorded full diplomatic recognition to the Kingdom of Hawaii; and

(C) entered into treaties and conventions with the Kingdom of Hawaii to govern commerce and navigation in 1826, 1842, 1849, 1875, and 1887;

(5) pursuant to the Hawaiian Homes Commission Act, 1920 (42 Stat. 108, chapter 42), the United States set aside approximately 203,500 acres of land to address the conditions of Native Hawaiians in the Federal territory that later became the State of Hawaii;

(6) by setting aside 203,500 acres of land for Native Hawaiian homesteads and farms, the Hawaiian Homes Commission Act assists the members of the Native Hawaiian community in maintaining distinct native settlements throughout the State of Hawaii;

(7) approximately 6,800 Native Hawaiian families reside on the Hawaiian Home Lands and approximately 18,000 Native Hawaiians who are eligible to reside on the Hawaiian Home Lands are on a waiting list to receive assignments of Hawaiian Home Lands;

(8)(A) in 1959, as part of the compact with the United States admitting Hawaii into the Union, Congress established a public trust (commonly known as the "ceded lands trust"), for 5 purposes, 1 of which is the betterment of the conditions of Native Hawaiians;

(B) the public trust consists of lands, including submerged lands, natural resources, and the revenues derived from the lands; and

(C) the assets of this public trust have never been completely inventoried or segregated;

(9) Native Hawaiians have continuously sought access to the ceded lands in order to establish and maintain native settlements and distinct native communities throughout the State;

(10) the Hawaiian Home Lands and other ceded lands provide an important foundation for the ability of the Native Hawaiian community to maintain the practice of Native Hawaiian culture, language, and traditions, and for the survival and economic self-sufficiency of the Native Hawaiian people;

(11) Native Hawaiians continue to maintain other distinctly native areas in Hawaii;

(12) on November 23, 1993, Public Law 103-150 (107 Stat. 1510) (commonly known as the "Apology Resolution") was enacted into law, extending an apology on behalf of the United States to the native people of Hawaii for the United States' role in the overthrow of the Kingdom of Hawaii;

(13) the Apology Resolution acknowledges that the overthrow of the Kingdom of Hawaii occurred with the active participation of agents and citizens of the United States and further acknowledges that the Native Hawaiian people never directly relinquished to the United States their claims to their inherent sovereignty as a people over their national