

thoughts on the 20th anniversary of October's designation as National Breast Cancer Awareness Month. I am pleased to see the dedication and awareness that has grown over the past 2 decades regarding this specific type of cancer.

Twenty years ago, very few people openly discussed breast cancer. General public awareness regarding the high occurrence or symptoms was next to none. As a result many lives were lost due to the lack of knowledge and education regarding detection, treatment, and prevention. However, over the past 2 decades awareness has reached astronomical levels. Today, breast cancer awareness is displayed by various organizations and facets of all kinds both in and out of the health care community. Most of all breast care awareness is highlighted by the growing number of survivors who are alive to share their stories of difficulty and hope. That alone is a feat in itself which shows that public awareness has grown and continues to do so.

My wife Barbara is one of these survivors, who battled this condition, not once, but twice. If it was not for the continuous efforts over the past 2 decades, my wife may not have had the knowledge or encouragement to detect early symptoms and seek diagnosis and treatment. My family and I are thankful everyday that Barbra made it through these difficult ordeals. Together we learned how important it is for women of all ages to be proactive in learning about prevention, detecting symptoms, and seeking early treatment.

I applaud the various efforts that are being carried out nationwide by varying entities such as business, corporations, media, publications, schools, spokespersons, and women and men of all ages. This widespread dedication is a tremendous force that has proven to be influential in our Nation's efforts to combat this disease.

I believe it is important for all of us to take an active part in helping to educate the public and find a cure. Currently, there are legislative initiatives geared towards increasing research and funding for all types of cancer, including breast cancer. It is my hope that as this Congress draws to a close that we work together in a broad bipartisan manner to see that we secure necessary funding for the National Institutes of Health, NIH, and the Centers for Disease Control and Prevention, CDC. The President has requested inadequate funding levels in the fiscal year 2005 budget for these programs, which oversee a great deal of cancer research done in this country. As a member of the Senate Committee on Appropriations I was pleased to support and help pass increased funding for the NIH and CDC in the fiscal year 2005 Labor, Health and Human Services, and Education appropriation bill. But it is still critical that my colleagues work in a bipartisan manner and support these increases as we complete the final stages of the appropriations process.

Once again, I commend the work and dedication of all the individuals who continue to bring awareness to this important cause in the month of October, as well as year round. These efforts have saved numerous lives and will someday hopefully eradicate this type of cancer.

#### MILC PROGRAM

Mr. FEINGOLD. Mr. President, while the Senate has passed some important legislation over the last few days, I deeply regret that the Senate will leave town today without extending the Milk Income Loss Contract, MILC, Program. Wisconsin's dairy farmers have relied on the safety net provided by the MILC Program to get them through the lowest milk prices in recent years, and this program needs to be extended.

I applaud my colleagues, the senior Senator from Wisconsin, Mr. KOHL, for his efforts to extend the MILC Program. Wisconsin farmers count on the safety net the MILC Program provides, and I hope that the Senate will take up and pass an extension of MILC before that program expires on September 30, 2005.

#### NATIONAL SPINA BIFIDA AWARENESS MONTH

Mr. DODD. Mr. President, I rise today to remind my colleagues that October is National Spina Bifida Awareness Month and to pay tribute to the more than 70,000 Americans and their family members who are currently affected by Spina bifida—the Nation's most common, permanently disabling birth defect.

Spina bifida is a neural tube defect that occurs when the central nervous system does not properly close during the early stages of pregnancy. Spina bifida affects more than 4,000 pregnancies each year, with 1,500 babies born with Spina bifida each year. There are three different forms of Spina bifida—the most severe being myelomeningocele Spina bifida, which causes nerve damage and severe disabilities. Myelomeningocele Spina bifida is diagnosed in 96 percent of children born with this condition. Additionally, 70 to 90 percent of the children born with Spina bifida are at risk of mental retardation, a condition caused when spinal fluid collects around the brain.

The exact cause of Spina bifida is not known, but researchers have concluded that women of childbearing age who take daily folic acid supplements can reduce their chances of having a Spina Bifida pregnancy by up to 75 percent. Progress has been made with regard to the importance of consuming folic acid supplements and maintaining diets rich in folic acid. The September 17, 2004, edition of the Centers for Disease Control and Prevention publication, Morbidity and Mortality Weekly Report, finds that 40 percent of women of

childbearing age reported taking a vitamin containing folic acid every day, an increase of eight percentage points from 2003. This increase suggests a substantial positive change in behavior. Since the Food and Drug Administration decision to fortify enriched grains with folic acid, the CDC has documented a 26 percent decline in these birth defects. Despite this success, thousands of pregnancies each year continue to be affected by these preventable birth defects. Thus, increasing use of vitamins containing folic acid remains an important strategy for preventing these birth defects.

Although folic acid consumption reduces the risk and incidence of Spina bifida pregnancies, we will still have babies born with Spina Bifida who need intensive care and families that need guidance and support in caring for and raising these children. As a result of this neural tube defect, most babies suffer from a host of physical, psychological, and educational challenges, including paralysis, developmental delay, numerous surgeries, and living with a shunt in their skulls in an attempt to ameliorate their condition. Today, approximately 90 percent of all babies diagnosed with this birth defect live into adulthood, approximately 80 percent have normal IQs, and approximately 75 percent participate in sports and other recreational activities. With proper medical care, people who suffer from Spina Bifida can lead full and productive lives. However, they must learn how to move around using braces, crutches or wheelchairs, and how to function independently. They are also at risk of a host of secondary health problems ranging from depression and learning disabilities to skin problems and severe latex allergies.

Lifesaving breakthroughs in research, combined with improvements in health care and treatment of children with Spina Bifida, now fortunately lead many with Spina bifida to live into adulthood. However, adults with Spina bifida face many new challenges in the fields of education, job training, independent living, health care for secondary conditions, and concerns related to aging.

I am grateful for my colleague from Missouri, Senator BOND who, along with myself, has been working to improve the quality of life for individuals with Spina bifida with the passage of the Birth Defects and Developmental Disabilities Prevention Act of 2003 and supporting increased funding for the National Spina Bifida Program at the Centers for Disease Control and Prevention. In fiscal year 2004, Congress provided a much needed \$3 million in funding for the National Spina Bifida Program. I strongly urge my colleagues to support increased funding in fiscal year 2005 to ensure that the CDC has the resources necessary to prevent Spina bifida, improve quality-of-life for those living with the condition, and to deliver important public health messages to those communities most at-risk for a Spina bifida pregnancy.

I want also to recognize the special work of the Spina Bifida Association of America, an organization that has helped people with Spina bifida and their families for nearly 30 years, working every day to prevent and reduce suffering from this devastating birth defect. The SBAA was founded in 1973 to address the needs of the individuals and families affected by Spina bifida and is currently the only national organization solely dedicated to advocating on behalf of the Spina bifida community. As part of its service through approximately 60 chapters in more than 125 communities across the country, the SBAA puts expecting parents in touch with families who have a child with Spina bifida. These families answer questions and concerns and help guide expecting parents. The SBAA then works to provide lifelong support and assistance for affected children and their families.

Together, the SBAA and the Spina Bifida Association of Connecticut work tirelessly to help families meet the challenges and enjoy the rewards of raising their child. I would like to acknowledge and thank SBAA and the SBAC for all that they have done for the families affected by this birth defect, especially those living in my State. The Spina bifida community and our nation owe a tremendous debt to the SBAA for its work over the past three decades. I am honored to be an honorary co-chair along with Majority Leader FRIST of the 16th Annual Roast for Spina Bifida to benefit the Association and its work in local communities around the country.

As a nation, we have accomplished a great deal in our battle against birth defects. However, much more work remains to be done. I urge all of my colleagues and all Americans to endorse the important efforts to prevent Spina Bifida but also to support those already living with this often debilitating birth defect. Those living with Spina bifida and their loved ones deserve our utmost support. It is my hope that by recognizing National Spina Bifida Awareness Month we can move closer to the laudable goal of eventually eliminating the suffering caused by this terrible birth defect.

#### INTELLECTUAL PROPERTY LEGISLATION

(At the request of Mr. REID, the following statement was ordered to be printed in the RECORD.)

● Mr. LEAHY. Mr. President, we live in a nation of the most creative and inventive people in the world, but apparently some of my Republican colleagues do not appreciate them or their efforts. Thanks to the ingenuity, the inspiration, and the hard work of thousands of our fellow citizens, the United States enjoys the best in artistic expression and technological advancement, but that seems to mean little to those Senators. We enjoy the fruits of the labors of all the inventors and au-

thors and artists—and of all the people who work in connection with them—not only as individuals but as a nation, but not everyone here recognizes the debt we owe them. In the twenty-first century, it is intellectual property that keeps this country at the forefront of the world economy, and what preserves our force as a global power, and I would think that those across the aisle would value the importance of that power.

Affording that intellectual property the most straightforward and reasonable protections, and giving law enforcement officials the resources to give those protections genuine power, would seem to be a sensible goal. Indeed, failing to do so would be unconscionable. In the United States, copyright industries alone account for 12 percent of the gross domestic product, and employ more than 11 million people. Those copyright industries have been adding workers at an annual rate that exceeds that of the economy as a whole by 27 percent, and those industries have achieved annual foreign sales and exports of almost \$90 billion. But some Republicans are preventing the Senate from passing the most important intellectual property legislation before the Congress this year, and they are hiding behind anonymous holds. This is wrong.

Senator HATCH and I, and many of our colleagues on the Judiciary Committee, have been working on this legislation for some time now—most recently doing so late at night and through the weekends. We have done so because of the crushing need to ensure that the intellectual property laws are adequate to the legitimate and pressing concerns raised by many about the effectiveness of those laws. We have a package of strong and significant measures that would bolster protection of the intellectual property that drives our nation's economy and that would ensure law enforcement has the tools it needs to offer that protection. There was no reason not to send this package to the House immediately, and work with our colleagues there to ensure it became enacted into law, as soon as humanly possible.

In blocking this legislation, these Republicans are failing to practice what they have so often preached during this Congress. For all of their talk about jobs, about allowing the American worker to succeed, they are now placing our economy at greater risk through their inaction. It is a failure that will inevitably continue a disturbing trend: our economy loses literally hundreds of billions of dollars every year to various forms of piracy.

Instead of making inroads in this fight, we have the Republican intellectual property roadblock. It is a barrier that stands in the way of the CREATE Act, a noncontroversial bill the text of which has already passed both the Senate and House. The CREATE Act clarifies an important component of the Bayh-Dole Act that, when read literally by the courts, runs counter to

Congress's intent. By failing to make this clarification Congress is creating a deterrent to forming the very same public-private research partnerships meant to be encouraged by that Act. These partnerships have proved incredibly beneficial to universities, the private sector, the American worker, and the U.S. economy. All are placed in jeopardy by Congressional inaction.

The roadblock has also scuttled the ART Act, a bill that passed the Judiciary Committee and then the full Senate by unanimous consent. This legislation would have provided new tools in the fight against bootleg copies of movies snatched from the big screen by camcorders smuggled into theaters. And it would have adopted a creative solution developed by the Copyright Office to address the growing problem of piracy of pre-release works. Our anonymous Republican friends have ensured that these problems are left unaddressed by the 108th Congress.

The PIRATE Act, too, passed the Senate by unanimous consent. That bill would have given to the Attorney General new tools in the fight against piracy of books, music, movies and other creative works. Senator BIDEN's Anticounterfeiting Act, which would have marked a step forward in the fight against software piracy, was also included in the intellectual property package. We can tell our software companies that they will have to wait at least another year for the remedies promised by this legislation. And it is important to note that the Business Software Alliance tell us that \$29 billion in software was stolen in 2003 alone.

There are other noncontroversial provisions in this legislation as well, such as language that would help ensure that the Library of Congress is able to continue its important work in archiving our nation's fading film heritage. Some of America's oldest films—works that document who we were as a people in the beginning of the 20th century—are literally disintegrating faster than they can be saved.

None of these were partisan provisions. And when Senator HATCH and I put our names on the same piece of legislation, you can bet that the result is never a bill that veers very far to the right or the left. He and I have worked together to produce a great deal of good intellectual property policy over the years, and I am sorry to see that some on his side of the aisle have blocked our efforts at similar progress this year.

We can foresee the disappointing result of this roadblock: our copyright holders will suffer, our patent holders will suffer, and so too will the American worker. In yet another important area, the Republicans that control the House of Representatives, the Senate, and the White House, have failed to respond to the needs of the American people. That is a shame. ●