

Gray's death spread through his hometown of Patoka, IL, a small town about 60 miles east of St. Louis, village officials put up the "Avenue of Flags," an observance usually reserved for national holidays.

Army Specialist Richard Trevithick, of Gaines, MI, was one of two U.S. soldiers killed in Iraq on April 14. The 20-year-old combat engineer died when an improvised explosive device exploded near his Humvee in the city of Balad. The explosion caused massive damage to his chest and killed him instantly. He had been in Iraq 2 months.

His father told the Associated Press, "You hear it, you process it, you understand the words, but the impact doesn't hit you. You wake up in the morning thinking it was a mad dream, then realize it was not."

As I said, I support our troops and what they are trying to accomplish in Iraq—under the most difficult of circumstances.

The reality is that this war requires almost no sacrifice for the overwhelming number of Americans. Our lives are undisturbed. But the Americans I pay tribute to today sacrificed everything they had. They are heroes and an inspiration. May we never forget and may we always cherish their valor and their sacrifice.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of morning business with Senators permitted to speak up to 10 minutes each.

SUPPORT FOR OUR TROOPS

Mr. HATCH. Mr. President, I listened to the comments of my dear friend, the distinguished Senator from South Dakota. I share his grief and his concerns over how many of our young people have sacrificed their lives for all of us. There is no question about it; these are heroes to all of us. As the son of parents who lost their only other son in the Second World War, I know a family's grief over such a devastating loss. We know what it is like to have a son missing in action and, whose remains were found 2 years later. Our family had to go through all of the pain, difficulty, grieving, and remorse. But all of that didn't take away the fact that my brother, Jesse Moreland Hatch, was a great hero like so many others who died in all of our wars, but in World War II in this particular case, and the 50,000-plus young men and women who died in Vietnam.

These young people are doing the Lord's work. They deposed a tyrant that killed hundreds of thousands of

his own people and threatened the whole Middle East, and, by his association with terrorists at war with us, threatened us. Our heroes are fighting to bring stability to the Middle East, and they have put pressure on all of the tyrannies of the Middle East. They have taken a stand against tyranny, against terrorists, and for the prospect of decent societies throughout that region.

I have seen letter after letter of people who have served in Iraq who have made it very clear that the work they are doing is work for all of us, and we ought to be proud. They are helping people to find themselves in decent and safe societies. They are helping people down the road to freedom. They are helping people who have never understood what it is like to have a free market economy. They are helping people for the first time in their lives to have some sort of hope that they might be free—and free from brutality, terrorism, vindictive treatment, murder, and death.

Our young men and women understand that what they are doing is very important; and it is important for everybody in America to stand with them. It is important for everybody in America to realize that we pay extraordinary costs, borne by the families who lost their loved ones in order to stand up for freedom.

In this particular case, I think it is pretty hard to make a case that we shouldn't be there. It is pretty hard to make a case that we shouldn't have deposed Saddam Hussein. It is pretty hard to make a case that we shouldn't be trying to bring some sort of representative form of government to Iraq and, therefore, the whole Middle East. It is pretty hard to oppose the fact that our young men and women are serving with distinction for a good cause. It is pretty hard to make some of the ridiculous arguments that have been made by those who are opposed to U.S. involvement anywhere.

I want to pay tribute to these young men and women who are serving over there, and also to the civilians who are serving over there. They may be getting paid for their jobs, but it is a dangerous place—at least some areas are very dangerous—to be. But what they are doing is critical to our security. I think they deserve the applause of all of us and the support of all of us.

I hope all of our colleagues will always continue to support not only our troops over there but also our President who has all that any President really needs to handle.

OAK HILL

Mr. DEWINE. Mr. President, I will take a few minutes today to report on the very shocking and troubling situation right here in our Nation's Capitol. I am speaking of the situation of the District of Columbia's juvenile detention center known as Oak Hill.

Right before the Easter recess I visited the center. Also, as chairman of

the Appropriations Subcommittee on the District of Columbia, I held a hearing to review the operations of Oak Hill. Actually we held the hearing first. As a result of that hearing, I then made a point to personally visit Oak Hill. Based on what I saw at this juvenile facility and the testimony we heard at a hearing, it is clear to me Oak Hill is not meeting the needs of the children it serves, that the conditions there are abysmal to say the least, and this place simply needs to be shut down once and for all.

At our hearing the inspector general for the District of Columbia released a comprehensive report about the situation at Oak Hill. Let me mention some of the more egregious deficiencies outlined in that report. First, illegal drugs such as marijuana and PCP were regularly smuggled into Oak Hill in the past. In some cases, youth correction officers in the past were the source of some of the illegal substances. That is a rather shocking thought, that the correctional officers were the sources of some of these illegal drugs actually coming into this juvenile detention facility. Substance abuse treatment contractors actually refused to renew contracts because Oak Hill was unable to stop the influx of drugs.

They also found some youths entering Oak Hill drug free actually started taking drugs once they were inside the facility because they had easy access to drugs there.

They also found the Youth Services Administration, which runs Oak Hill, wasted millions of dollars on contractors who did not provide any meaningful services or deliverables.

During this hearing Senator LANDEAU and I held, the director of the Public Defender Service of the District of Columbia testified the Youth Services Administration has failed to protect youths from harm while under its care. For example—this is a very sad story—last year a 12-year-old held at Oak Hill overnight, not accused of any crime, was placed in a room with two other children. This 12-year-old was sexually assaulted by one of the other youths.

Several months later a 13-year-old was arrested and held at Oak Hill waiting for shelter space to be available. The 13-year-old was placed in a room with the same child who had committed the sexual assault before on the 12-year-old. Not surprisingly, another sexual incident occurred and there was another victim; this sexual predator had another victim.

Furthermore, I understand this practice of assigning more than one child to a room has led to the commingling of status offenders, kids who are runaways or truants—commingling them with delinquent youth as well as detained committed youths. For example, these practices led to a child detained as a truant and a runaway being housed in the same room as a youth detained on charges of negligent homicide. That simply is not right. It is not

good practice. It is not permitted and should not have been allowed. Amazingly, these are only the latest in a long list of deficiencies with the Youth Services Administration that stretches back at least 19 years. Indeed, it was 19 years ago this month the Public Defender Service filed a complaint against the District for failure to protect youth under its custody. Year after year, the city has fallen short of the court's "Jerry M. Decree," which is the name of the court decree, and is now facing the prospect of being taken over by a court receiver. Equally amazing, some estimates are it costs nearly \$90,000 a year to house a child at Oak Hill. But even more astounding than that is when I visited this facility a little over a week ago and asked the interim administrator and the interim special counsel from the Youth Services Administration who gave me the tour how much it cost to house a child there, they simply could not give me an answer. Their answer was they did not break out how much it cost to run Oak Hill from a total cost of the whole Youth Services Administration.

I find that to be astounding frankly. They did not know. They could not give me a breakout so they couldn't tell us what Oak Hill cost to run a year and therefore obviously they couldn't tell us whether the \$90,000-a-year figure, which is what we believe it costs to house a child there for a year, is an accurate figure.

I visited many youth detention facilities in Ohio in my public career. I was Lieutenant Governor of the State of Ohio and had the opportunity to visit, I think, all of our juvenile facilities during the 4 years when I was Lieutenant Governor. I was a county prosecuting attorney. I learned a lot about these types of centers. I know what they do well and what they do not do well. I can tell you with certainty there are several things they are not doing very well at Oak Hill right now.

The buildings are decrepit. They are falling apart. Important services such as substance abuse treatment programs are certainly piecemeal at best. Children who are detained and awaiting trial are commingled with those who are committed offenders. In fact, I learned one girl who was committed merely because she is a truant has been housed with committed delinquents since October. This, I understand, is in violation of the D.C. Code.

What is particularly troubling is what happens sometimes is the teenagers who are in foster care or group homes run away because they are being victimized by other youths in the same home or they run away for other reasons. Once these children run away or are truant from school, for example, they are labeled delinquents and they are often picked up and sent to Oak Hill. So neglected youths who are failed by a broken foster care system now find themselves locked up and labeled juvenile delinquents and then are commingled in Oak Hill with dan-

gerous delinquents at a place where they are currently able to get ready access to illicit drugs. What a horrible situation.

The Federal Government contributes about \$15 million annually to the District's Youth Services Administration, which administers Oak Hill. The YSA would be eligible for even more Federal funding if it had a qualified drug treatment program in place. A large number of the children at Oak Hill have a substance abuse problem. That should not surprise us. It is what I would expect. What I did not expect is to go to Oak Hill and find very little, if any, substance abuse treatment in place.

In all fairness, when we went out there we were told substance abuse treatment was on the way, that a program was going to be started. But there was not much going on at all when we were there and there was a promise of something happening in the future. But that is what it was, a promise.

Clearly, Congress has a vested interest in assuring the proper use of the money we provide. We have, more importantly, a moral interest in ensuring the proper treatment of youths at Oak Hill.

After touring the facility and after hearing from expert witnesses and after reading the November 6, 2001, recommendation of the Blue Ribbon Commission on Youth Safety and Juvenile Justice Reform in the District, I believe Oak Hill should be closed. The children of the District of Columbia deserve better. The communities to which these youths will one day be returned deserve better. It is our duty to work hard to rehabilitate these young offenders who have, frankly, often been failed by their parents and, yes, overlooked by their communities.

Not only do I recommend that Oak Hill be demolished, but I expect to see the Mayor develop a comprehensive plan afterward so the problems at Oak Hill are not repeated elsewhere. Just this past Thursday, Judge Dixon of the Superior Court of the District of Columbia found that the District is in contempt of court regarding Oak Hill having violated numerous provisions of the "Jerry M. Decree." Because of this contempt finding, the city will be fined \$1,000 per day and may be subject to additional sanctions.

It is our hope these sanctions and this court order will push the city towards addressing the intractable problems at Oak Hill. As I have already stated, trying to fix this broken facility is, in my opinion, a waste of time and a waste of money and is futile. We have waited 19 years for improvements. Yet no one has stepped up to take the lead. If no one does, the problems at Oak Hill will continue.

The blue ribbon commission recommended that Oak Hill be shut down. Judges have recommended that it be shut down. And now it is time for the District to step to the plate, take the lead, and shut this place down once and for all.

Let me make one final comment in conclusion. When I was the Governor of Ohio, I visited every juvenile facility and every adult facility in Ohio. I don't pretend to be an expert in this area, but I think I know something about it. What has happened at Oak Hill over the last few years is that the District knows the place eventually is going to be closed. So every problem they see, they look at it and they say, Well, there is no reason to put money into fixing this problem or to fix that problem. So it keeps getting worse and worse. It is sort of like a house you know you are going to bulldoze down in a few months, and you are not going to fix anything. Yet the District, for some inexplicable reason, does not have the will to shut this place down—to pull the plug and say enough is enough.

After touring this facility, I am saying enough is enough. It is not fair to the kids who are being sent out there. It is not fair to the employees who have to work out there. And it is not fair to the taxpayers to continue to put money into this facility. This facility has to be shut down. The District has to move forward. It is in the best interests of the children of the District of Columbia to do so.

I thank the Chair. I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Utah.

Mr. HATCH. Mr. President, I ask unanimous consent that I be permitted to speak for as long as I need.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

THE FAIRNESS IN ASBESTOS RESOLUTION ACT OF 2004

Mr. HATCH. Mr. President, I rise in support of S. 2290, the bipartisan Fairness in Asbestos Injury Resolution Act, appropriately called the FAIR Act. Let me talk about the problems for a minute. I think I am stating the obvious, but it bears repeating.

Our country is faced with an asbestos litigation crisis of unparalleled magnitude. Something is terribly wrong when asbestos victims who suffer from debilitating injuries recover mere pennies on the dollar while people who are not sick and never have been sick a day in their lives from asbestos recover millions. Something is terribly wrong when scores of companies, many which never produced a shred of asbestos fiber, are forced into bankruptcy triggering lost jobs and depleting pensions for those who lost their jobs. Something is terribly wrong when the only real winners in the current system are the handful of personal injury lawyers who walk to the bank with billions of dollars in fees.

Members may have heard the statistics before, but I will say them again so that everyone knows the scope of the problem facing this country. According to the Rand Institute for Civil Justice, more than 730,000 people have filed claims, with a sharp increase in filing