

passed the Senate. But the absence of the Wellstones has truly been felt. Paul and Sheila were such champions for victims of domestic violence, especially in the area of economic security.

Paul knew that it is important to address the economic barriers that trap women in violent homes or relationships. That is why he and I worked together to introduce bills to provide economic protections for victims. I am proud to carry on the legacy of Paul and Sheila Wellstone, and in their honor I have introduced the Security and Financial Empowerment, SAFE Act, which will protect and even save the lives of victims of domestic or sexual violence and their families.

We are all poorer for the loss of Paul Wellstone, his wife Sheila, his daughter Marcia, the members of his staff, and the pilots who were taken from us on this day 3 years ago. But I continue to hope that each one of us who are here will take on part of Paul's legacy—for example, the spirit to speak out for the underprivileged or for the woman on welfare because of domestic violence who is trying to get back on her feet.

If we can remember to fight for all Americans no matter what challenges they face, and do so with respect and dignity, then Paul's legacy will live on in the Senate, as it lives on in our hearts and minds. In the name of Paul and Sheila Wellstone, I pledge to carry on their legacy throughout my time in the Senate.

#### BREAST CANCER AWARENESS MONTH

Mr. HARKIN. Mr. President, I rise today to recognize National Breast Cancer Awareness Month, and call for quick passage of the Breast Cancer Environmental Research Act. Breast Cancer is a disease that has impacted virtually every American's life, including my own. My two sisters both had breast cancer and died of the disease. Sadly, they contracted breast cancer at a time when regular mammograms and improved treatment methods were not widely available. More than 3 million women are currently living with breast cancer, and each year, tens of thousands of women die from this disease.

In 1992, I offered an amendment to dedicate \$210 million in the Defense Department budget to begin the Breast Cancer Research Program, a partnership between the military, medical, and breast cancer survivor communities to develop and implement innovative research towards the goal of curing and eliminating breast cancer. This funding was in addition to the funding for breast cancer research conducted at the National Institutes of Health. My amendment passed and overnight it doubled Federal funding for breast cancer. Since then, funding for breast cancer research has been included in the Defense Department budget every year.

Almost a decade ago, when I looked into the issue of breast cancer re-

search, I discovered that barely \$90 million was spent on breast cancer research. Today, I am proud to say that between the Department of Defense, the National Institutes of Health and the Centers for Disease Control and Prevention, nearly a billion dollars annually is being spent on finding a cure for breast cancer. Scientific researchers are making exciting discoveries about the causes of breast cancer and its prevention, detection, diagnosis, treatment and control, leading to real progress in our war against this devastating disease. We know better than ever before how a healthy cell can become cancerous, how breast cancer spreads, why some tumors are more aggressive than others and why some women suffer more severely and are more likely to die of the disease.

However, our work is not done. While important advances have been made, we still do not know what causes this disease, or how to prevent it. Today, I call upon my Senate colleagues to co-sponsor the Breast Cancer Environmental Research Act, legislation modeled after the Defense Department's Breast Cancer Research Program. The Breast Cancer Environmental Research Act would establish eight centers to conduct research on environmental factors that may contribute to breast cancer and, importantly, would require collaboration with community organizations in the areas where the centers are established. I strongly believe any breast cancer research must include the perspectives of breast cancer survivors, and this legislation does so by including consumer advocates in the peer review and programmatic review process. In addition, the legislation is structured to ensure the kind of efficiency and public accountability that has made an overwhelming number of Senate colleagues, as well as scientists and consumers, so supportive of the Department of Defense Breast Cancer Research Program. I urge my colleagues to support the Breast Cancer Environmental Research Act.

#### IN MEMORY OF PENN KEMBLE

Mrs. CLINTON. Mr. President. On October 16, our Nation lost one of its finest defenders of freedom, Richard Penn Kemble.

The central theme of Penn Kemble's activist youth and professional life was the promotion and strengthening of democracy. In the 1970s, he served on the Senate staff of my predecessor, Daniel Patrick Moynihan, and in the Clinton administration, he served as Deputy and Acting Director of the United States Information Agency, USIA. At USIA, Penn Kemble initiated Civitas, a multinational educational program. Under his leadership, USIA made educational reform, to strengthen both citizenship and the culture of democracy, one of its central interests. Through its partnership with the Center for Civic Education, it nurtured a worldwide civic education movement

that began at its first meeting in Prague in June of 1995. I had the honor of addressing the third annual Civitas World Conference in 1999 in Palermo, Italy, which brought together political leaders and more than 350 civic educators from around the world.

This international civic education movement continues today in no small measure because of the important work Penn Kemble began in 1995. He knew that even though the institutional machinery of democracy might be in place, it could not be sustained unless a culture of democracy was to take root. He knew that people could only become citizens when they understood and exercised the rights and responsibilities of self-government. He knew that it was in our Nation's best interest to support emerging democracies through citizen education and he used his intellect, boundless energy, and creativity to achieve that end.

I am grateful for the work Penn Kemble began during my husband's Presidency, and I join his family and friends from all over the world in mourning his loss.

#### THE AVIAN INFLUENZA

Mr. FEINGOLD. Mr. President, today I rise to express my concern about avian influenza and America's preparedness for a global pandemic. While I do not want to add to people's fears about this issue, reports of the lethality of the H5N1 strain must be taken seriously and we need to make sure that we are taking appropriate measures to prepare for a possible pandemic.

As we all well know, migratory birds are steadily carrying the avian flu virus from throughout Southeast Asia and Siberia to Romania, Turkey, and now Greece. International health officials predicted that this spread could happen, and it should be no surprise that this disease is taking this course. In the 20th century alone, three influenza pandemics swept throughout the world, most notably the 1918 flu pandemic, which took 500,000 lives. Our knowledge of disease and hygiene has improved dramatically since then, and our ability to ready ourselves has subsequently advanced, but our risk for a pandemic remains a danger.

Scientists and public health officials throughout the world have warned that a flu pandemic will take place, have alerted governments to the possibility of pandemic through the avian flu, and have watched as little has been done to prepare for the occurrence. Despite the warnings of the inevitability of pandemic, research into influenza vaccine and therapy has been continually underfunded, as have our programs that would provide emergency health care relief in a time of crisis. Hurricane Katrina illustrated our lack of preparedness for a true disaster, and the Government's failure to quickly bring relief to our friends along the gulf coast should send a resounding message that we must better prepare for an

emergency in the future. That emergency could well be the avian flu pandemic. Let us not be caught unaware. While there is no guarantee that this will occur this winter, next winter, or even the year after that, scientists tell us that it is only a matter of time, and we should use that time to build our stockpiles of vaccines and medicines, and to support global initiatives to help prevent the spread of the disease through containment strategies and alerts.

Although the avian flu does not yet transmit from human to human, this type of virus is capable of rapidly mutating and becoming highly infectious among people. With the seasonal flu season approaching, the risk of a human strain emerging increases, as the opportunity for the virus to drift among species and mutate is augmented. If a pandemic ensued, the threat would obviously not be distributed evenly across the population. The young and elderly would be at most risk, as would immunocompromised people and people suffering from malnutrition and inadequate basic health services. We know this, we are aware of the problems, and we must take action to ensure the health and safety of the most vulnerable. Guaranteeing safety means taking responsibility for all of our communities' responses and plans.

I am pleased that I was able to join many of my colleagues in sending a letter to President Bush on October 4, 2005, that urged the administration to release a finalized Pandemic Influenza Response and Preparedness Plan, which the World Health Organization has deemed essential to planning a strategy in the case of a global pandemic. I am eagerly waiting for this plan to be released, as I believe it is of extreme importance to the American people. I am also pleased that the Senate approved a measure to add \$3.9 billion to the Defense Department's budget for the purchase of vaccines and medicines to treat avian flu, and I hope to see the House agree to this in conference. This was an important measure to help prepare Americans, particularly those most vulnerable, against the ravages of a fatal disease.

While we do not know when or where this pandemic may develop, we must work to prepare now.

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

#### EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

#### REPORT RELATIVE TO THE CONTINUATION OF THE NATIONAL EMERGENCY DECLARED IN EXECUTIVE ORDER 12938 WITH RESPECT TO THE PROLIFERATION OF WEAPONS OF MASS DESTRUCTION—PM 28

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the committee on Banking, Housing, and Urban Affairs.

#### To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice, stating that the emergency posed by the proliferation of weapons of mass destruction and their means of delivery declared by Executive Order 12938 on November 14, 1994, as amended, is to continue in effect beyond November 14, 2005. The most recent notice continuing this emergency was signed on November 4, 2004, and published in the *Federal Register* on November 8, 2004 (69 FR 64637).

Because the proliferation of weapons of mass destruction and the means of delivering them continues to pose an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States, I have determined the national emergency previously declared must continue in effect beyond November 14, 2005.

GEORGE W. BUSH.  
THE WHITE HOUSE, October 25, 2005.

#### MESSAGE FROM THE HOUSE

#### ENROLLED BILL SIGNED

At 1:09 p.m., a message from the House of Representatives, delivered by Ms. Brandon, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

S. 397. An act to prohibit civil liability actions from being brought or continued against manufacturers, distributors, dealers, or importers of firearms or ammunition for damages, injunctive or other relief resulting from the misuse of their products by others.

The enrolled bill was signed subsequently by the President pro tempore (Mr. STEVENS).

#### MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 3894. To provide for waivers under certain housing assistance programs of the De-

partment of Housing and Urban Development to assist victims of Hurricane Katrina and Hurricane Rita in obtaining housing; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 3895. To amend title V of the Housing Act of 1949 to provide rural housing assistance to families affected by Hurricane Katrina or Hurricane Rita; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 3896. To temporarily suspend, for communities affected by Hurricane Katrina or Hurricane Rita, certain requirements under the community development block grant program; to the Committee on Banking, Housing, and Urban Affairs.

#### MEASURES PLACED ON THE CALENDAR

The following bill was read the first and second times by unanimous consent, and placed on the calendar:

H.R. 2123. An act to reauthorize the Head Start Act to improve the school readiness of disadvantaged children, and for other purposes.

#### ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, October 25, 2005, she had presented to the President of the United States the following enrolled bill:

S. 397. An act to prohibit civil liability actions from being brought or continued against manufacturers, distributors, dealers, or importers of firearms or ammunition for damages, injunctive or other relief resulting from the misuse of their products by others.

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-4377. A communication from the Secretary of the Air Force, transmitting, pursuant to law, the report of a Program Acquisition Unit Cost (PAUC) Breach relative to the National Polar-orbiting Operational Environmental Satellite System; to the Committee on Armed Services.

EC-4378. A communication from the Secretary of Defense, transmitting a report on the approved retirement of Lieutenant General John W. Rosa, Jr., United States Air Force, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC-4379. A communication from the Commissioner, Social Security Administration, transmitting, pursuant to law, a consolidated report of the Administration's processing of continuing disability reviews for fiscal year 2004; to the Committee on Finance.

EC-4380. A communication from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Weighted Average Interest Rate Update Notice—Pension Funding Equity Act of 2004" (Notice 2005-71) received on October 18, 2005; to the Committee on Finance.

EC-4381. A communication from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the