

Secretary of State certified that the Colombian Government had met the human rights conditions in our law, and recommended the release of additional military aid. However, the report accompanying her certification also noted that “[w]hile the human rights performance of many of the Army’s units is improving, an exception is evidenced by continued accusations of human rights violations and collusion with paramilitaries against the Army’s 17th Brigade, which operates in northern Colombia. These reportedly include some 200 allegations involving the peace community of San Jose de Apartado in 2000–2001 and, most recently, of involvement in the killings near San Jose de Apartado in February 2005. . . . As a result of these allegations, the United States has informed the Government of Colombia that it will not consider providing assistance to the 17th Brigade until all significant human rights allegations involving the unit have been credibly addressed.”

While I might differ with the Secretary’s decision to make the certification at the time she did, which coincidentally occurred just hours before President Uribe’s arrival at President Bush’s ranch in Texas, I commend her decision to withhold aid to the 17th Brigade. It is noteworthy, however, that concerns about the 17th Brigade had been conveyed to the State Department well before this incident, including reports that its members were openly colluding with paramilitaries. Yet there is reason to believe that U.S. aid continued despite those reports.

This case presents the Bush administration with an important challenge. It shows that despite billions of dollars from the United States and lofty rhetoric about human rights, the Colombian Government’s initial reaction to this despicable crime was not appreciably different from what we saw years ago. They denied responsibility and blamed the victims even before an investigation began, and some of the key witnesses may not even have been interviewed 8 months later.

This is unfortunate because there has been progress on human rights under President Uribe’s government. Parts of the country are noticeably safer. The government reports a significant decline in violent crime. But labor leaders and human rights defenders are still threatened and killed, the judicial system remains sluggish, and impunity is more the rule than the exception. Clearly, much more needs to be done to protect human rights.

This case also presents a challenge for the Colombian Government to demonstrate, albeit belatedly, that it can respond with sympathy, with impartiality, and effectively to bring justice to the victims of a crime that epitomizes the worst of Colombia’s conflict.

I am also told that the Office of the United Nations High Commissioner for Human Rights conducted its own investigation of the massacre, but that the Colombian Government has not re-

quested a copy of the report of that investigation. If this is correct I urge the government to do so immediately and to release as much of the report to the public as possible without compromising the investigation.

This conflict has brought nothing but suffering to the Colombian people. It has caused the deaths of countless innocent civilians, uprooted millions from their homes, and perpetuated the trade in illegal drugs that has corrupted many sectors of society. The people of San Jose de Apartado, with the conflict raging around them, sought to insulate themselves from this danger by declaring themselves a peace community. That strategy failed, as one after another of their members was brutally murdered.

Before February 21, I was not aware of the many tragedies this community had already suffered. While I do know, as a former prosecutor, that some crimes are harder to solve than others, in Colombia, as in so many countries, political will is often what really matters. It is imperative that this case not be added to the long list of unsolved, unpunished crimes in San Jose de Apartado, or become part of the history of impunity in Colombia. Whoever was responsible must be brought to justice.

Mr. President, I also want to mention the demobilization of paramilitaries that is underway in Colombia. We all want these narco-terrorist organizations to be dismantled, their commanders punished, their illegally acquired assets seized, and their victims compensated. The Colombian Government is asking the United States for millions of dollars to help finance the demobilization, and we want to help.

I am concerned, however, because if the demobilization of the paramilitary unit located in the area of San Jose de Apartado is indicative of the way this process is unfolding, there are serious problems that need to be addressed. According to reports I have received, paramilitaries are engaging in the same threatening and violent behavior, they continue to collude with the army, and some have joined the army. Little has changed for the people in that area who continue to live in fear of losing their property and their lives. I hope the Colombian authorities who have been touting the success of the demobilization process will investigate these reports.

#### THE GREAT AMERICAN SMOKEOUT

Mr. SANTORUM. Mr. President, I would like to take a moment to acknowledge an important event that is taking place today in Philadelphia, PA and across the Nation—the 29th Annual American Cancer Society Great American Smokeout.

We are all aware that cancer is one of the greatest healthcare risks facing Americans today. For years, this disease has taken the lives of our families, our friends, and our neighbors. As a

member of the bipartisan Senate Cancer Coalition, I certainly understand that there are few things that would have a greater impact on the quality of life, for millions throughout the world, than the eradication of this terrible disease.

Unfortunately, we are also all aware of the fact that we have not yet found a cure. And while scientists and researchers around the world work feverishly towards this lofty aspiration, the most important action we can take is the promotion of cancer prevention. The Great American Smokeout is a wonderful example of a successful program aimed at assisting those at great risk of developing cancer to change their ways. This annual event has, undoubtedly, saved lives.

Since the inaugural Great American Smokeout took place in 1976, this initiative has provided a powerful platform for the American Cancer Society to encourage Americans to stop smoking. This event, which urges Americans who take the unnecessary health risks associated with the use of tobacco products to band together and make a lifestyle change, is one of the most recognized awareness initiatives in the history of the American Cancer Society—and rightfully so. Rarely does any organization touch so many with its message in a single day as the American Cancer Society during the smokeout. And rarely is the intention of the message as important as reducing the number of Americans who use tobacco products.

I am also pleased that the American Cancer Society has chosen my home State to host this year’s smokeout. Pennsylvania has a long history of working with the American Cancer Society, and in 2002, together with the Pennsylvania Department of Health, they established the Pennsylvania Free Quitline. This toll-free service, available 24 hours a day, 7 days a week, provides advice and counseling to those attempting to quit smoking. Studies have shown that smokers who take advantage of such services are twice as likely to successfully quit smoking. By choosing Pennsylvania as the host for one of their most important events, the society is reaffirming its commitment to decreasing the prevalence of tobacco use in my state—and, in turn, improving the health of all Pennsylvanians.

Mr. President, these types of efforts have helped the American Cancer Society develop a reputation as one of the most influential and effective participants in the fight to better the health of every American. The Great American Smokeout is a vital event put on by a truly impressive organization, and I thank the American Cancer Society for its leadership.

#### COLON CANCER SCREEN FOR LIFE ACT

Mr. NELSON of Nebraska. Mr. President, I rise in support of the Colon Cancer Screen for Life Act, S. 1010. Some

of its provisions were included in an amendment included in the reconciliation package. This legislation will increase the likelihood that Medicare beneficiaries will receive a colonoscopy screening examination which is proven to be the most effective way to detect and treat colorectal cancer.

Colorectal cancer is the No. 2 cancer killer in the United States today. This year, according to the American Cancer Society, approximately 145,000 new cases will be diagnosed and 56,000 Americans will die from colon cancer. We have the power to change these sobering statistics by increasing access to this lifesaving procedure. Although Congress passed a colonoscopy screening benefit for Medicare beneficiaries back in 1997, the percentage of seniors receiving a colonoscopy reportedly has increased by only an estimated 1 percent. A recent UCLA study, as discussed in an October 11 Wall Street Journal article, documents the continuing underutilization of screening colonoscopies. It points out that colorectal cancer screening rates still lag far behind those for cervical, breast and prostate cancer. As the Wall Street Journal article concludes, "The results were particularly disturbing because 'we could eliminate this disease if America had the will,'" as the study's lead author noted.

One reason for the underutilization of colonoscopy screening in the Medicare population is rapidly declining rates of reimbursement for the procedure. Medicare reimbursement for colonoscopies performed in the outpatient setting has dropped by nearly one-third from the initial 1998 reimbursement rates. In the majority of States today, Medicaid payment rates actually exceed Medicare reimbursement for colonoscopy. This fact alone underscores the Medicare reimbursement problem is real. This legislation increases Medicare reimbursement for colorectal cancer-related procedures to assure more equitable reimbursement for physicians who absorb significant costs in providing these valuable services.

Another reason for this underutilization is that Medicare currently does not pay for a physician office visit prior to a screening colonoscopy, although it does pay for a physician office visit prior to a diagnostic colonoscopy. The procedures are identical—both involve the same amount of risk, so there is simply no reason why Medicare would pay for an office visit prior to one procedure and not the other. Because Medicare does not pay for this necessary office visit, many physicians must provide them for free. This amendment would fix this discrepancy by providing Medicare coverage for a preoperative visit or consultation prior to a screening colonoscopy, as it does for a diagnostic colonoscopy.

Every year, thousands of Americans needlessly die from colorectal cancer. We have the means to change this and we should do so. I appreciate our Sen-

ate colleagues joining in support of this important legislation.

#### NATIONAL ADOPTION DAY

Mr. JOHNSON. Mr. President, I rise today to acknowledge National Adoption Day on November 19, 2005. With over 118,000 children available for adoption out of the U.S. foster care system, I think it is crucial to celebrate those lawyers, social workers, officials, and, most importantly, parents who help get many children out of foster homes into adoptive families.

National Adoption Day was started in 2000 by the Alliance for Children's Rights, the Freddie Mac Foundation, and the Dave Thomas Foundation for Adoption and helped complete foster care adoptions in nine jurisdictions. National Adoption Day continued to grow and in 2001 completed adoptions in 17 jurisdictions. In 2002, the Casey Family Services, Children's Action Network, the Congressional Coalition on Adoption Institute and Target became National Adoption Day partners and helped 34 cities across the country finalize 1,350 adoptions. In 2003, 3,100 adoptions were completed. National Adoption Day 2004 was the biggest celebration to date, finalizing the adoptions of more than 3,400 children from foster care. It seems quite appropriate that as we celebrate Thanksgiving, we also celebrate the formation of new families through adoption.

As a member of the bipartisan Congressional Coalition on Adoption, I am committed to assisting children in the United States to find stable, loving and permanent homes. Additionally, I support the goals of National Adoption Day to encourage others to adopt children from foster care, to build stronger ties between local adoption agencies, courts, and adoption advocacy organizations, and to continue to research and learn more about families wanting to adopt and the children waiting to be adopted.

I am also proud that Members of the Senate continue to support ways to make adoption easier and more affordable. Since the cost of adoption can be very high, we ought to do what we can to lessen this initial burden for the exceptional people who provide caring homes for children. Adoption proceedings and legal fees for some domestic adoptions can cost more than \$40,000. To ease some of this burden, Congress adopted a \$10,000 tax credit for adoption expenses. If we ask individuals to care for and adopt children, we must provide some relief from the financial burdens associated with that care. The adoption tax credit is an effective vehicle to provide this relief.

The commitment of adoptive parents in South Dakota and throughout our country to provide children with safe, permanent, and loving homes will, of course, have a positive impact on their lives. As we celebrate National Adoption Day on November 19, 2005, I call on my colleagues to continue supporting

efforts to make adoption easier for parents, children and other important players in the adoption process.

#### HONORING OUR ARMED FORCES

PRIVATE FIRST CLASS TYLER R. MACKENZIE

Mr. SALAZAR. Mr. President, I want to take a few moments of this body's time to remember a true fallen hero, a Coloradan that has been lost to us in defense of our freedoms.

Last week, on Veterans' Day, the family of PFC Tyler R. Mackenzie buried him back home in Weld County. A native of Evans, CO, Private First Class Mackenzie was killed in early November near Baghdad when an improvised explosive device detonated near his Humvee. He was only 20 years old, taken from his family and friends just a few days shy of his 21st birthday.

Tyler was a tower of a young man, a six-foot-seven-inch high school football player at Greeley West High School. Tyler's coaches remember him for having held himself to the highest standards and being his own toughest critic. He enjoyed the horticulture classes at Greeley West. He expected excellence from himself and refused to accept anything less.

After graduating Greeley West in 2003, Tyler went to work at his family's business, manufacturing kitchen cabinets. He also worked for the Greeley-Evans School District 6.

Tyler was a man of faith, active in his church. Tyler also had a sense of humor, and his older sister used to call him "Monkey" for his ability to climb across the rafters of the family's basement.

But seeking something else, perhaps a larger opportunity to give back to this Nation, Tyler joined the Army in January of this year. He became a member of the 1st Battalion, 502nd Infantry Regiment, 2nd Brigade Combat Team of the storied 101st Airborne Division that bravely halted the march of tyranny across Europe during World War II. Private First Class Mackenzie was following a long tradition of military service in his family: his two grandfathers had served in the Navy during World War II, and his father had served as a military police officer with the Army.

Private First Class Mackenzie completed basic training in May of this year and was deployed to Iraq on September 28. He had been in Iraq only 6 weeks before his tragic death.

Tyler is exactly the kind of young man we as a Nation are so fortunate to have serving in our Armed Forces. He was a young man of intellect, self-discipline, courage and concern. He joined the Army because he wanted to help, to serve his country as his father and grandfathers and so many others had before him. He wanted to ensure that Iraqis knew the full blessings of their new freedom and could share the same opportunities he had here.

Tyler's sacrifice on behalf of this Nation is a reminder to all of us of the