

(ii) was 1,000 or more, whichever is less; and

(B) is designated by the Secretary of Defense as impacted by—

- (i) Operation Iraqi Freedom;
- (ii) Operation Enduring Freedom;
- (iii) the global rebasing plan of the Department of Defense;
- (iv) the realignment of forces as a result of the base closure process;
- (v) the official creation or activation of 1 or more new military units; or
- (vi) a change in the number of required housing units on a military installation, due to the Military Housing Privatization Initiative of the Department of Defense.

(2) LOCAL EDUCATIONAL AGENCY.—The term “local educational agency” has the meaning given the term in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(3) MILITARY DEPENDENT CHILD.—The term “military dependent child” means a child described in subparagraph (B) or (D)(i) of section 8003(a)(1) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7703(a)(1)).

(d) USE OF FUNDS.—Grant funds provided under this section shall be used for—

(1) tutoring, after-school, and dropout prevention activities for military dependent children with a parent who is or has been impacted by war-related action described in clause (i), (ii), or (iii) of subsection (c)(1)(B);

(2) professional development of teachers, principals, and counselors on the needs of military dependent children with a parent who is or has been impacted by war-related action described in clause (i), (ii), or (iii) of subsection (c)(1)(B);

(3) counseling and other comprehensive support services for military dependent children with a parent who is or has been impacted by war-related action described in clause (i), (ii), or (iii) of subsection (c)(1)(B), including the hiring of a military-school liaison; and

(4) other basic educational activities associated with an increase in military dependent children.

(e) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There are authorized to be appropriated to the Department of Defense such sums as may be necessary to carry out this section for fiscal year 2006 and each of the 2 succeeding fiscal years.

(2) SPECIAL RULE.—Funds appropriated under paragraph (1) are in addition to any funds made available to local educational agencies under section 582, 583 or 584 of this Act or section 8003 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7703).

Mrs. MURRAY. Mr. President, I ask for the yeas and nays on amendment No. 1349.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

Mrs. MURRAY. Mr. President, I thank my colleagues for their consideration. I will come to the floor later to discuss both of these amendments, but essentially they deal with the children of our Guard and Reserve. I think all of us understand the impacts to families across our country. Our members from home have been called up for Guard and Reserve duty.

The first amendment I offered will help schools handle the sudden changes in student enrollment and help schools handle base closures, deployment, and

force realignments. And the second amendment will make sure our military students get the counseling and support they need. Our Guard and Reserve families are spread across our States, not necessarily close to a base, and the schools are impacted across this country. When they are impacted, our children are impacted.

Both of these amendments will help all of our students in our schools make sure they reach the goals we all desire. I will be here again later to talk about both of these amendments. I thank the managers for their consideration in allowing me to call them up at this time.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Mr. President, I ask unanimous consent to set aside the pending amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### AMENDMENT NO. 1494

(Purpose: To establish a national commission on policies and practices on the treatment of detainees since September 11, 2001)

Mr. LEVIN. I call up amendment 1494, cosponsored by Senators KENNEDY, ROCKEFELLER, and REED of Rhode Island.

The PRESIDING OFFICER. Without objection, the clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Michigan [Mr. LEVIN], for himself, Mr. KENNEDY, Mr. ROCKEFELLER, and Mr. REED, proposes an amendment numbered 1494.

Mr. LEVIN. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The amendment is printed in today's RECORD under “Text of Amendments.”)

Mr. LEVIN. Mr. President, this amendment would establish an independent commission on the treatment of detainees in Afghanistan, Iraq, Guantanamo, and elsewhere. U.S. policies, and too often practices, in the treatment of detainees have veered off the course which was established by decades of U.S. leadership in international humanitarian law and has been a champion of the Geneva Conventions on the treatment of prisoners of war and other detainees.

Our troops serve honorably and courageously across the globe. Their honor is besmirched when some of those who are captured are abused. Our troops' future security is jeopardized when people we detain are not treated as we rightfully insist others treat our troops when they are captured.

The amendment we are proposing today would help reaffirm the values we cherish as Americans. It would protect our troops should they be captured. It is going to be argued that there have been dozens of inquiries and hundreds of interviews and thousands of pages provided to Congress, but the fact is that huge gaps and omissions remain.

First, we do not know the role of the CIA and other parts of the intelligence

community in the mistreatment of detainees or what policies apply to these intelligence personnel.

Second, we do not know what the policies and practices of the United States are regarding the rendition of detainees to other countries where they may be interrogated using techniques that would not be permitted at U.S. detention facilities.

Third, we have insufficient information on the role of contractors in U.S. detention and intelligence operations.

Fourth, the detention and interrogation of detainees by special operations forces need close examination.

Fifth, we are still missing key documents, including legal documents, from the Office of Legal Counsel.

Sixth, there are just too many significant questions which have been left unanswered.

I hope we can appoint an independent commission on the treatment of these detainees, on policies involved, patterned after the 9/11 Commission. We owe it to our military personnel who might someday be in enemy custody to demonstrate our commitment to the humane treatment of detainees, to strengthen our standing, to object and to take appropriate action against anyone who would mistreat an American prisoner of war.

I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, I wonder if I might bring to the attention of the Senate that we now have 215 amendments offered on this bill; 27 amendments have been proposed and are pending, a number desiring to have rollcall votes. I know of five rollcall votes that I think are ready to go. I ask the Senator, might we advise our leaders that we can continue tonight with rollcall votes and hopefully that can be facilitated.

Mr. LEVIN. I would have to check with our leadership on that. In terms of continuing tonight, I surely would be happy to do that, but let me check with our leaders.

Mr. WARNER. I thank my distinguished colleague because it is important that we keep momentum going forward on this bill.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Mr. President, I mentioned to Senator WARNER I would be saying this. He suggested the possibility of votes tonight. My response to him privately, and now publicly, is we would be happy to try to see if we could work out additional amendments that are pending where we could agree on rollcall votes tonight. I will work with Senator WARNER to see if those amendments can be identified mutually during this rollcall vote.

#### HONORING 15TH ANNIVERSARY OF AMERICANS WITH DISABILITIES ACT

The PRESIDING OFFICER. Under the previous order, the hour of 5:15 having arrived, there will be 15 minutes for

debate on the Americans with Disabilities resolution. The Senator from Iowa will control 15 minutes.

The Senator is recognized.

Mr. HARKIN. I thank the Chair.

Mr. President, in remarks on the floor this morning I spoke about the remarkable progress that we have made since the Americans with Disabilities Act became law 15 years ago tomorrow. Today, the physical impact of ADA's quiet revolution is all around us. Sidewalks are equipped with curb cuts allowing access for people using wheelchairs. New buildings are outfitted in countless ways with ramps, wide doors, and large bathroom stalls to accommodate people with disabilities. Many banks have talking ATMs to assist individuals who are blind. Service animals are welcome in restaurants and shops, and on and on.

For those of us who are able-bodied, these changes are all but invisible. For a person with a disability, they are transforming and liberating. So are provisions in the ADA outlawing discrimination against qualified individuals with disabilities in the workplace, and requiring employers to provide reasonable accommodations.

The ADA is about designing our policies and also our physical environment so that America can benefit from the contributions of all of our citizens. The ADA is about rejecting the false dichotomy between disabled and abled. It is about recognizing that people with disabilities, like all people, have unique abilities, talents, and aptitudes and that our country, that our America, is better, fairer and richer when we make full use of those gifts.

Last week, in anticipation of this 15th anniversary, I asked people from all across America to send stories about how their lives are different today thanks to the Americans with Disabilities Act. I wanted to find out what the ADA means to people in their everyday lives.

I want to recite some of those.

Before I do, I ask unanimous consent that Senators CANTWELL and VOINOVICH be added as original cosponsors of S. Res. 207.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HARKIN. One young woman whose name is Cheri Blauwet wrote me and said:

I am a paraplegic as the result of a farming accident when I was 15 months old. I am now 25 years old and am currently a medical student at Stanford University in addition to being a wheelchair racer on the United States Paralympic Team. My ultimate goal is to become a physician and to work internationally to provide sport and physical activity opportunities to my peers with disabilities.

She continued:

I was 10 years old when the ADA was passed in 1990. Although I didn't know it at that time, my realization of my own talents and capacities would be shaped on this fateful day. As I grew into adulthood, I attended a public university and had an accessible dorm room and classrooms that were wheel

chair friendly. I received financial assistance from the state Vocational Rehabilitation program. I was able to apply for jobs, scholarships, and schools and to know I would be viewed without discrimination. My ability to easily take buses, trains, and airplanes led me to domestic and global travel for the purposes of building my sports and medical careers. I knew that something as simple as a set of stairs would not stop me from achieving my life goals.

A woman from Chicago who uses a wheelchair and works for the Federal Reserve wrote the following:

I am part of the first generation of Americans with disabilities to grow up with the ADA in effect, and as a result, it never crossed my mind that going to college, studying abroad, or working in a big city would be impossible for me. I knew these goals would be challenging—as they would be for anyone. But I also knew they were possible, in part, because of the ADA. The law laid the groundwork to make this country more accessible for everyone, and it gave me the access I need to do the things I'm capable of doing. For example, I need accessible transportation to go to work so I can afford my apartment. My apartment is located near a city bus line, and all of the buses have lifts to accommodate my wheelchair. ADA helped to make these necessities available to me and others with disabilities, giving us more opportunities than ever before to be active members of the community. It's hard for me to imagine what my life would be like without the ADA and without the accessibility I take advantage of every day.

An individual from Laramie, WY, wrote:

The ADA has made a tremendous impact in my life. The ability to go into a store to shop, or to travel, and to find a place to stay have been the largest differences I've experienced. Now, when I find a place of business that I can't get into or get around in because of my wheelchair, it's the exception rather than the rule. In 1990, in Wyoming, the number of businesses I couldn't get into, or get around in, far outnumbered the number of businesses that were accessible. That has changed. Many have added ramps, doorbells, or simply rearranged displays to make wider aisles.

An individual with a spinal cord injury from St. Paul, MN, wrote:

I'm 32. Growing up, I was never sure whether I would be employed. Thanks to the ADA, I received accommodations to enable me to earn a B.A. and a J.D. I passed the bar in 1998, thanks to accommodations received under the ADA. One of my first jobs was clerking for a district court judge. Under the ADA, the court provided me with assistive technology to enable me to write judicial opinions and orders. The ADA has made a tremendous difference in my life, both personally and professionally. The ADA has enabled me to participate in every facet of daily life, including the mundane things like going to a movie or staying at a hotel. I can't imagine what my life would be like if this law had not passed.

A woman who has an 11-year-old son with a disability wrote:

I am thankful for the ADA each time we pull into a handicapped parking space, hit the automatic door to the building, and can move around due to widened doorways. Each time we go into a movie theater and don't have to sit on the very front row. Each time we go to a theme park show where we don't have to sit in the very back row.

Those are just a few of the many letters. I ask unanimous consent that the

remainder of the letters I have been printed in the RECORD at this point.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

A woman with multiple disabilities wrote: "Without the ADA, I would either be on welfare or Social Security, unable to support myself. Thanks to the ADA, I am a tax-paying citizen helping to support others, living in my own little home which I bought myself, paying for my own car, bills and medicine. The ADA has helped me to secure meaningful employment. In the 70's and 80's, when I was hard of hearing with hearing aids, I had a very difficult time finding and holding jobs because I was not able to hear on the phone, and most often misunderstood verbal instruction. I could often only find jobs paying the minimum wage. Now, though, thanks to the ADA, I am happily employed with an employer who recognizes me for my abilities, not my limits."

A German woman with a disability wrote the following: "Although I am not an American with a disability but a German with a disability, the ADA had an impact on my life. The United States is one of my favorite countries for traveling. Why? I am a wheelchair user and I enjoy having no problems finding an accessible hotel. I don't have any trouble finding accessible restrooms, and I never have any problems visiting museums, parks, attractions and public buildings. There are many more parking spaces for the disabled than in Europe. And if I book my flight at an American airline, there will be no stupid questions—I am just a passenger who uses a wheelchair. No big deal! I try to travel to US at least once a year, because of the ADA. It means seamless travel to me."

And one final story. A man from Minnesota with a spinal cord injury wrote the following: "Six years ago, my spine was severed in a car accident. In that one afternoon I went from being a positive and productive husband, father, and worker in the U.S. to spending months at the Mayo Hospitals. Before that time I didn't know or think much about the ADA. Since my accident I have remained a positive husband not just the right to be independent and have a job, but the wherewithal to be independent and hold a job."

Mr. HARKIN. Mr. President, shortly we are going to have a vote on a resolution commending the 15th anniversary of the Americans with Disabilities Act and all it has achieved for our society. It truly has opened the doors and torn down the walls of segregation and discrimination and the denial of equal opportunity for people with disabilities.

As I said this morning, after the Civil Rights Act of 1964 passed, we thought we had done a great thing, and indeed we had. But for a large group of Americans with disabilities, the Civil Rights Act of 1964 left them out because they still faced segregation on a daily basis. They faced discrimination on a daily basis; they faced inequality of opportunity on a daily basis. So the Americans with Disabilities Act, signed into law on July 26, 1990, finally accorded to Americans with disabilities every right that every American ought to have. That is the right to live independently, the right to have equality of opportunity, the right to have economic self-sufficiency, and the right to be accorded full participation in our society. Those are the four goals of the Americans with Disabilities Act, and now we see the evidence all around us.

On July 26, 1990, when he signed the Americans with Disabilities Act into law, President George Herbert Walker Bush spoke with great eloquence, and I will never forget his final words before taking up his pen.

He said, "Let the shameful wall of exclusion finally come tumbling down."

Today, that wall has indeed fallen. We must continue this progress. We must go forward and not backward.

As I said this morning, we have come a long way in making sure people with disabilities are able to participate in American society. We see people in restaurants, traveling, in theaters and sports arenas, people with jobs, people going to school, people becoming lawyers and doctors and everything else, regardless of their disability, and it is a wonderful thing for our country. It has made us a better, richer, and fairer country.

We only have one other thing that we have to do. We have to make sure people with disabilities have personal attendant services so they can go to work. Right now, 15 years after the Americans with Disabilities Act, over 60 percent of people with disabilities are unemployed, no job. Many of them can have a job if they just have some personal attendant services to help them get going in the morning or help them at night, maybe help them on their job. As taxpayers we know this will cost us less money than institutionalizing people, and it will make their lives and our lives better.

One final thought. As chairman of the Disability Policy Subcommittee, I brought the Americans with Disabilities Act to the floor in 1990. Right after it was passed, I spoke in sign language from this desk down here about what this would mean for people like my brother Frank who was deaf. So I will close my remarks today by using another sign. I will not speak at all in sign language, but I would like to close by saying that there is a wonderful sign—see, sign language is very expressive. There is a wonderful sign in sign language for "America." I am going to teach it right now to Senators who are watching. The sign for "America" in sign language is where one puts all of their fingers together like this, intertwined, and makes a circle. That is the sign for America, all of the fingers intertwined, one family in a closed circle. It is a beautiful sign. It really expresses volumes about America.

Fifteen years ago, not all of those fingers were there. People with disabilities were not part of that family. Now they are. So our family in America is more complete, the circle is more complete because of the Americans with Disabilities Act. For centuries they were excluded. People were excluded from our family. Now they are a part of our family, and it has made us a better, fairer, and richer country.

So I hope all Senators will give a strong vote of approval to this resolution; one, to recognize the advances

that we have made; second, to recommend ourselves to make sure that we will not go backward but that we will continue forward to even break down more barriers, to become even more inclusive, to make sure that every single person with a disability is a member of that American family.

I yield the floor.

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to a vote on S. Res. 207. The question is on agreeing to the resolution.

Mr. LEVIN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The assistant Journal clerk called the roll.

Mr. McCONNELL. The following Senators are necessarily absent: the Senator from Utah (Mr. BENNETT), the Senator from Georgia (Mr. CHAMBLISS), the Senator from Mississippi (Mr. COCHRAN), the Senator from Idaho (Mr. CRAIG), the Senator from Tennessee (Mr. FRIST), the Senator from Arizona (Mr. KYL), the Senator from Florida (Mr. MARTINEZ), and the Senator from Pennsylvania (Mr. SANTORUM).

Mr. DURBIN. I announce that the Senator from Indiana (Mr. BAYH), the Senator from Delaware (Mr. BIDEN), the Senator from New Jersey (Mr. CORZINE), the Senator from Massachusetts (Mr. KENNEDY), and the Senator from West Virginia (Mr. ROCKEFELLER), are necessarily absent.

The PRESIDING OFFICER (Mr. CORNYN). Is there any Senator in the Chamber desiring to vote?

The result was announced—yeas 87, nays 0, as follows:

[Rollcall Vote No. 201 Leg.]

YEAS—87

Akaka	Dorgan	McConnell
Alexander	Durbin	Mikulski
Allard	Ensign	Murkowski
Allen	Enzi	Murray
Baucus	Feingold	Nelson (FL)
Bingaman	Feinstein	Nelson (NE)
Bond	Graham	Obama
Boxer	Grassley	Pryor
Brownback	Gregg	Reed
Bunning	Hagel	Reid
Burns	Harkin	Roberts
Burr	Hatch	Salazar
Byrd	Hutchison	Sarbanes
Cantwell	Inhofe	Schumer
Carper	Inouye	Sessions
Chafee	Isakson	Shelby
Clinton	Jeffords	Smith
Coburn	Johnson	Snowe
Coleman	Kerry	Specter
Collins	Kohl	Stabenow
Conrad	Landrieu	Stevens
Cornyn	Lautenberg	Sununu
Crapo	Leahy	Talent
Dayton	Levin	Thomas
DeMint	Lieberman	Thune
DeWine	Lincoln	Vitter
Dodd	Lott	Voinovich
Dole	Lugar	Warner
Domenici	McCain	Wyden

NOT VOTING—13

Bayh	Corzine	Martinez
Bennett	Craig	Rockefeller
Biden	Frist	Santorum
Chambliss	Kennedy	
Cochran	Kyl	

The resolution (S. Res. 207) was agreed to.

The PRESIDING OFFICER. Under the previous order, the preamble is agreed to and the motion to reconsider is laid upon the table.

The resolution, with its preamble, reads as follows:

S. RES. 207

Whereas July 26, 2005, marks the 15th anniversary of the enactment of the Americans with Disabilities Act of 1990;

Whereas prior to the passage of the Americans with Disabilities Act, it was commonplace for individuals with disabilities to experience discrimination in all aspects of their everyday lives—in employment, housing, public accommodations, education, transportation, communication, recreation, voting, and access to public services;

Whereas prior to the passage of the Americans with Disabilities Act, individuals with disabilities often were the subject of stereotypes and prejudices that did not reflect their abilities, talents, and eagerness to fully contribute to our society and economy;

Whereas the dedicated efforts of disability rights advocates, such as Justin Dart, Jr. and others too numerous to mention, served to awaken Congress and the American people to the discrimination and prejudice faced by individuals with disabilities;

Whereas Congress worked in a bipartisan manner to craft legislation making such discrimination illegal and opening doors of opportunity to individuals with disabilities;

Whereas Congress passed the Americans with Disabilities Act and President George Herbert Walker Bush signed the Act into law on July 26, 1990;

Whereas the Americans with Disabilities Act pledged to fulfill the Nation's goals of equality of opportunity, economic self-sufficiency, full participation, and independent living for individuals with disabilities;

Whereas the Americans with Disabilities Act prohibited employers from discriminating against qualified individuals with disabilities, required that State and local governmental entities accommodate qualified individuals with disabilities, encouraged places of public accommodation to take reasonable steps to make their goods and services accessible to individuals with disabilities, and required that new trains and buses be accessible;

Whereas since 1990, the Americans with Disabilities Act has played an historic role in allowing some 54,000,000 Americans with disabilities to participate more fully in our national life by removing barriers in employment, transportation, public services, telecommunications, and public accommodations;

Whereas accommodations such as curb cuts, ramps, accessible trains and buses, accessible stadiums, accessible telecommunications, and accessible Web sites have become commonplace since passage of the Americans with Disabilities Act, benefitting not only individuals with disabilities but all Americans; and

Whereas the Americans with Disabilities Act is our Nation's landmark civil rights legislation for people with disabilities: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes and honors the 15th anniversary of the enactment of the Americans with Disabilities Act of 1990;

(2) salutes all people whose efforts contributed to the enactment of such Act; and

(3) encourages all Americans to celebrate the advance of freedom and the opening of opportunity made possible by the enactment of such Act.

The PRESIDING OFFICER. The Senator from Virginia.