

those who are sick, and he supports this bill that has my amendment in it that limits lawyer's fees to 5 percent, unless it goes on appeal.

If the lawyer comes in with a client with mesothelioma, gets a doctor's report, spends a few hours on that, talks with the client, files a claim with the board and they give him a date, and they walk down there and have the doctor's report and the physician says this person has mesothelioma, he is entitled to \$1.1 million, and a 5-percent fee is \$55,000. That ought to be enough. Yet we have people saying that we cannot have these fees. We cannot cut these fees. This is too much.

We are creating a trust fund. If you file a claim for a person under the Social Security Act, the Federal law limits your attorney's fees. If you make claims in workman's compensation cases in most States, attorney's fees are limited. It is perfectly proper to do so. I believe 5 percent is adequate.

The Washington Times said this. It is a conservative newspaper here:

This bill should pass; Senator Arlen Specter, Pennsylvania Republican, and Patrick Leahy, Vermont Democrat, are due accolades for getting this far on a longstanding problem that has befuddled everyone for decades. Many asbestos victims have suffered or died of mesothelioma or other illnesses while the courts and Washington struggle with a resolution. The victims and their families deserve to be made whole.

I believe those were strong and appropriate words.

Then they comment on Senator REID, the Democratic leader. They say:

Mr. Reid said the bill benefited "a few large companies" while supposedly leaving the little guy in the lurch. Really? Why, then, do insurance giants AllState and AIG oppose the bill? Why are many plaintiffs anxious to see it pass? In reality, the big guys speak through Mr. Reid—in this case, unscrupulous lawyers who stand to profit greatly from keeping asbestos cases in the courts.

That is who the big guys are who are making the big money. They say:

... the FAIR Act offers what nothing else previously has: A light at the end of the tunnel for claimants.

I think one estimate I have seen has been that \$70 billion has been paid out to date to victims of asbestos. Somebody said the figure is more than that. Think about this: think about the fees. Let's say 25 percent of that is a legal fee. Some make more than that. Some of the numbers show 25 percent as an average total when all is said and done. But most fees are normally one-third. What is 25 percent of \$70 billion? What, \$18 billion? That is going to lawyers. These are not thousands and thousands of lawyers. Really, I would say there are probably no more than a few hundred plaintiff lawyers who are handling well over 50 percent of the cases. So it is an incredible amount of money. We could create a system where you can walk in with a medical report, basically, and have your compensation delivered to you promptly, without all these fees being taken from it.

Why can we not do this? That is why independent groups such as the liberal Washington Post and the conservative Washington Times have both endorsed the bill. I am hopeful that we will, over the weekend, take a good look at the budget point of order that has been raised here. When my colleagues look at it, I hope they will conclude that this is not the kind of budget point of order which was contemplated when this rule was passed. This budget point of order arose from Chairman GREGG's brilliant understanding that many of our entitlement programs are drafted in such a way that when they score that bill, they score it over a maximum of 10 years. People write the bill so it will cost more the next 10 years than it does the first 10 years.

If the Government is starting an entitlement program, you can object if you can show it goes up too much in the outyears, which I think is a good reform. But this bill is not Federal taxpayers' money. This bill represents money that will be paid into the fund by the people who are paying out money now to victims in a willy-nilly, random fashion that is unprincipled and unjustified. They will put the money in voluntarily in exchange for not having to hire a bunch of lawyers to defend themselves in courts in every jurisdiction, virtually, in this country. That is what they are trying to do.

The legislation does not impose any cost on the American taxpayers, and if the fund was to collapse and not have enough money in it, then the taxpayers do not pick up the tab. They do not pick up the tab. The cases go back in the courts, and any companies that still exist would have to pay, just like they would before this reform passed.

I think this budget point of order, for reasons I am not clear about, lies apparently in a technicality. It does not lie in the classical understanding of its purpose to protect the Federal taxpayers because this is not taxpayers' money; it is the defendant companies' money.

When we vote on this budget point of order early next week—I am a member of the Budget Committee. I know Senator CORNYN is and others are who care about the budget. We meet every day and we take heat every day for trying to constrain the growth of spending and entitlements in this country in a rational way to meet the needs of our people. But to stop the abusive growth in these programs, we support a balanced budget. We support containing spending.

Many of the people who are supporting this objection, however, have not demonstrated, in my view, any important interest over the years in containing spending. A lot of them are big spenders.

That objection, while technically is legitimate, does not in any substantive way have an impact on the debt of the United States in the next 30 years as this act would be enforced.

I urge my colleagues to look into this point. Do not allow this supermajority

vote. To keep the bill on track, 60 Senators will have to vote to waive this point of order. It would be a tragedy, indeed. When we see Senator LEAHY, Senator SPECTER, and Senator SESSIONS supporting a piece of legislation, when we see the Washington Times and the Washington Post supporting a piece of legislation, when we see the veterans groups incredibly anxious to see this legislation passed, and when we see overwhelmingly the businesses that are involved in this process and are paying out this money that want to see it passed, why can't we get it passed?

Let's not allow it to fall on a supermajority vote of 60 instead of the normal 50 required to pass legislation. I hope everyone will study it, and when they do, I think they will feel comfortable in voting to waive the budget point of order.

#### NSA WIRETAPPING

Mr. SESSIONS. Mr. President, I wish to share some thoughts about NSA, the National Security Agency, and the wiretaps that have taken place, the brouhaha that has occurred in the press and in Congress, and why I believe this program is necessary, why I believe it is legal.

I know the Presiding Officer has been, perhaps, the most eloquent spokesman in the Senate on this subject. He believes this is legal and proper and has articulated those views very ably.

I shared some thoughts the other day about why it is so important, why there is much political goings-on here instead of substance, and why we need to continue with the program. I would like to share a few more thoughts today about the care the administration took to be respectful of Congress, to not overreach their legal authority, and how they worked to keep Congress briefed on what the program was about.

The administration officials briefed congressional leaders more than a dozen times on the terrorist surveillance program. More than a dozen times they went before the proper senior officials of the U.S. Congress—in the House and Senate, both Republican and Democrat—to advise them about what this program was about and what they were doing. That includes the majority leader of the Senate, who is Republican, the Democratic leader, Mr. REID, and before him, Mr. Daschle. In the House, it includes the Speaker of the House and the Democratic leader. It includes the chairman of the House Intelligence Committee and the ranking Democrat on the House Intelligence Committee; the Senate Intelligence Committee chairman and the ranking Democrat on the Senate Intelligence Committee. Those are what they call the big 8—or The 8. The Intelligence Committees deal with these highly classified programs involving national security.

We have always understood that you cannot tell 100 Senators and 435 Congressmen a bunch of secrets because if you do, they will leak. As a matter of fact, I am sometimes even amazed the eight can keep a secret, but apparently they have done well, at least until the recent leak, and we don't know where it came from. It may well have come from another source.

These eight are briefed on the program. These are the top people in Congress. They are not children. They are not people who can be pushed around. They are grownups holding particularly high offices. If they have a problem with the program, they are not children; they know when it is time for them to speak up, if they have an objection, to raise it, and they did not object. There were no objections made, no call to stop this program by any of those eight people who, over a period of years, were informed.

It actually is more than eight. As I noted, we have had two Democratic leaders, Senator Daschle and Senator REID. We had Senator TRENT LOTT, as well as Senator BILL FRIST. We had Senator RICHARD SHELBY, as well as Senator PAT ROBERTS. So there are 15 members who have been briefed on it and had an opportunity to object and have not objected.

Then all this stuff hits the fan in the newspapers and everybody gets excited about it. We have some Democrats saying it is illegal and that it ought to be stopped. They are saying it is illegal. But if you noticed one word they didn't utilize, it was "stop."

They caused all this fuss revealing to the world many of the capabilities of the system, making the system less effective than it could be. In fact, Porter Goss, the head of the CIA, has said it has rendered severe damage to our intelligence capability. They did not say stop. Nobody is saying stop. Nobody has submitted a resolution in the Senate to say stop. Nobody has introduced legislation, which they have every right to do, and which we in Congress have a right to do, to cut off funds for this program.

We could end this program tomorrow. All we would have to do is come together as a Congress and say there shall be no Federal dollars expended to carry out a program of surveillance such as this. They would end it just like that.

That has not been proposed. Why has it not been proposed? Because it is idiotic to stop a program such as this. How stupid can we be if we eliminate a program such as this?

There is an article in the Washington Post—it is breathtaking really—in which Senator BIDEN said:

I don't understand why you would limit your eavesdropping to only foreign conversations," said Senator Biden to Attorney General Gonzales.

The article seems to suggest, after complaining about the program, they should have wiretapped more people when both ends of the conversation were in the United States.

Perhaps we should consider that. I think there is a realistic basis to conclude that the President has that power if it is relevant to the security of the United States of America. You just have to read through the lines. I was not in the meetings. I am on the Armed Services Committee and I am on the Judiciary Committee where we had a lot of these discussions and hearings. The President and his team at one point said: What about legislation, can we pass legislation?

All the people who apparently discussed this matter were in uniform agreement that if we brought a bill up to specifically authorize this kind of wiretapping, it would cause a lot of discussion in the Senate, and it would reveal to the world the program. So the President basically said: I believe under the authorization of force you gave me to act against al-Qaida, who has declared a war on us and we have declared a war on them, I have the power to do that on international calls; I am confident in that.

His lawyers have written opinions and briefs. They researched the history, and he concluded that he did, and that is what he basically told the eight Members of Congress, and they did not object. They could have said: No, you have to introduce legislation. That is a reasonable statement for any Member of Congress to make to the executive branch: Mr. President, if you think we can write legislation that would allow technology like this to be legal, explicitly by statute, we will have to write it in such a way that it will obviously reveal to those we are trying to surveil what we are doing and what our capabilities are, and it will undermine the program.

President Bush told us straight up in more than one speech: It is my responsibility to defend the people of the United States of America. That is what he said his responsibility was, and I believed it and the American people believed it and we said yes.

He said: I am going to use every tool I have to defend this country. We said yes, and this is one of the tools he has, and he decided to use it. I think he did so in a very appropriate way. Congress has been advised of that.

Some have said it broke the FISA law; it did not comply with FISA. Attorney General Gonzales made a very nice point, a very important point. FISA claims to be the exclusive means of electronic surveillance, and people have cited that principle, but it actually contains numerous exceptions, such as a 15-day exception after a declaration of war in section 111 of FISA, a 72-hour exception for emergency surveillance under section 105, and finally there is an exception for surveillance authorized by statute in section 109.

The idea clearly is that there would be further statutes passed that would expand the FISA law as circumstances develop.

Then Congress, after 9/11, passed the authorization for use of military force

against those whom the President finds are responsible for attacking us on 9/11. He has defined that narrowly as al-Qaida. We authorized the President to use all necessary and appropriate powers to surveil or to attack al-Qaida, to go after al-Qaida.

As the U.S. Supreme Court in Hamdi declared, they said the U.S. military can capture, detain, lock up, put in jail as a prisoner of war an American citizen who has associated himself with al-Qaida in the war against the United States without a trial. We have authorized our military under the authorization to use force, to go out and kill the al-Qaida people wherever they are in the world as they are deemed to be at war against us. So it stretches a bit to say you can't intercept their telephone calls. You can lock them up without trial, put them in jail and restrain their freedom—even an American citizen, you can kill them on the battlefield without a trial or a Miranda warning, but you cannot surveil their phone calls.

What the Supreme Court said in Hamdi was that although the authorization to use force did not specifically authorize locking up people and holding them as prisoners of war, it is a natural incident to the power given to the President to conduct war. The power to conduct war is also the power to detain and restrain people who are at war against you.

Attorney General Gonzales has made a very compelling argument. How much less of an invasion of a person's liberty is it to listen to their phone conversation than it is to lock them up in jail? So a natural incident to the conduct of a military operation, since the beginning of warfare—certainly in modern times—has been surveillance and intelligence-gathering operations. We worked tirelessly to break the German code. We worked tirelessly and broke the Japanese code. We were able to listen in on their conversations. That is what you do against an enemy; you try to find out what they are doing and how they are planning it so you can stop them.

I am confident a rational interpretation of the authorization to use force to go after somebody militarily includes the power to detain prisoners, as the Supreme Court has said, and also would include the power to intercept the communications of the enemy.

This is consistent. Maybe "amendment" is not the right word to FISA, but it is a statute passed in harmony with the concept of FISA when it was passed. It is a subsequent statute that would take priority over the past statute.

Another argument is the past statute was more explicit about these intelligence matters and said this was the sole way to do it. But I don't think you can interpret an authorization to go to war in any way that would prohibit intelligence-gathering operations. Indeed, the Hamdi case held that previous statutes that said you could not

lock people up under these circumstances were overridden by the authorization to use force because a necessary incident to utilizing military action against the enemy is to lock up people you capture.

There is also, I believe, a good argument to be made that the President has inherent authority as Commander in Chief and a duty consistent with that authority and responsibility to protect the people of the United States. Every Federal court to have decided the issue has held—including the Third Circuit, Fourth Circuit, Fifth Circuit Courts of Appeals—that this is so. These cases involve surveillance that occurred before the FISA was passed, true; but in 2002 a FISA court of review relied on those cases. The FISA Court, created by FISA, relied on those previous cases to make this ruling:

FISA could not encroach on the President's constitutional power.

That is *In Re Sealed Case*, in 2002.

Former Attorney General Griffin Bell, himself a long-time Federal judge who was called in to be President Jimmy Carter's Attorney General when FISA was being considered, was asked about this and the President's inherent power. Judge Bell, if you have known him, in that inimitable way he has, said, "We can't change the Constitution by agreement."

I would add, a statute can't amend the Constitution. FISA cannot eliminate the powers of the President, those inherent powers to defend America or to authorize electronic surveillance of an enemy with whom we are in combat, al-Qaida, in a time of war. Authorization for force, the President's inherent power—these are clear, I believe, authorizations of force.

We will have a lot of debate about it. We will have a lot of discussion about it. But as you look at it more and more, I think people are becoming confident that these powers exist. Now we have a recent article saying, Why don't you do even more, if you have this power?

Should we pass legislation? Let's talk about it. I think one thing we need to take out of the FISA law is the pretension that it represents the only authority the President has in these areas; that every act has to be done within the FISA. To that extent I believe it is clearly unconstitutional. Those words are not legitimate. They need to come out. We should not pretend to say we have the exclusive power in the legislative branch to override the President's responsibility to defend this country.

Then if there are other ways we can write the statute, I will discuss it. But I frankly am not sure it is going to be a successful enterprise. It is going to be difficult to write a statute that would draw the line on where the President's authority exists and where it does not. Tell you what, I get nervous, I get a little worried when we at a given point in history start writing a statute to define the ultimate power of the Presi-

dent and propose to contain that power because you never know when we will have a problem with it.

The Church Committee came out with this wall, a wall of separation between the CIA and the FBI, and many believed that wall was responsible for the lack of sharing of information between the FBI and CIA. They thought they were doing it for constitutional reasons. They thought they were doing a good thing. But we realized that was a disaster and we tore that wall down many years later, 20 years later, as a result of the experience we had with 9/11. So I would express my concern about statutes dealing with treatment of prisoners or surveillance, that we need to be careful about how we do that. I think the American people believe there should be some flexibility for the President in matters that could relate to our national security and the lives of our own citizens. We need to be careful as we go forward with that.

But to date, we can say a couple of things with certainty: that the leaders of the House and the Senate were informed fully of what the President was doing. They did not object. And the Attorney General has made a compelling case, I believe, that he was authorized to do these national security intercepts, both by the authorization to use force and by the inherent powers given to the President. I would note, also, that the President's narrow use of a power is something that should be appreciated by the critics. He said it can only involve a phone call that is international and a phone call from al-Qaida, in which one member of the call was al-Qaida.

If we do those two things, the average American can be sure they are not getting caught up in it. To hear the news articles, of course, it was domestic spying. That is far from the reality of this situation.

I ask unanimous consent that the recent editorials of the Washington Times and the Washington Post be printed in the RECORD.

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

[From the Washington Times, Feb. 10, 2006]

#### THE ASBESTOS DEBATE

There are three questions the Senate should focus on as it considers the Fairness in Asbestos Injury Resolution Act: Will the proposed \$140 billion asbestos trust fund actually cost \$140 billion, or will its fine print eventually require it to payout much more? Can the medical criteria be tightened to ensure that only people who have genuinely suffered harm from asbestos are compensated? And how can one minimize the chances of some future Congress putting taxpayers on the hook for likely overruns?

This bill should pass; Sen. Arlen Specter, Pennsylvania Republican, and Patrick Leahy, Vermont Democrat, are due accolades for getting this far on a longstanding problem that has befuddled everyone for decades. Many asbestos victims have suffered or died of mesothelioma or other illnesses while the courts and Washington struggled with a resolution. The victims and their families deserve to be made whole.

One good sign is the 98-1 Senate vote Tuesday to move forward, indicating broad agreement that the FAIR Act is acceptable as a starting point for the full Senate's debate. The other is trepidation from Senate Minority Leader Harry Reid: After making noises about a filibuster, Mr. Reid said the bill benefited "a few large companies" while supposedly leaving the little guy in the lurch. Really? Why, then, do insurance giants Allstate and AIG oppose the bill? Why are many plaintiffs anxious to see it pass? In reality the big guys speak through Mr. Reid—in this case, unscrupulous lawyers who stand to profit greatly from keeping asbestos cases in the courts. Under the FAIR Act, fees for lawyers top out at five percent of the award—far less than they get in court.

Of course, there are good reasons to worry about the "little guy"—just not the ones Mr. Reid suggests. If previous federal "trust fund" schemes are any indication, this fund could bleed billions of dollars only a few years from now and demand either a federal bailout or a return to the courts. The first is bad for the average taxpayer; the other is bad for most claimants. As for the first, the nonpartisan National Taxpayers Union opposes the trust fund on the grounds that a bust is likely. It calls the fund "a fiscal time bomb." The second would land claimants back in limbo in courts (to the great pleasure of asbestos lawyers, of course, who clog up the system with questionable cases).

The precedents show how daunting this month's debate will be. As we've reported previously, only one of the many smaller trust funds created over the years has been able to meet its obligations, according to Francine Rabinovitz, a trust-fund expert at the University of Southern California. Last year she told Sens. Jon Kyl, Arizona Republican, and Tom Coburn, Oklahoma Republican, that "none of the bankruptcy trusts created prior to 2002 have been able to pay over the life anywhere close to 50 percent of the liquidated value of qualifying claims." Claims against the Johns Manville bankruptcy fund—one flawed effort to solve asbestos-injury claims—outstripped resources by a factor of 20.

That begs some questions. Will this \$140 billion fund "sunset" in three years like its conservative critics say it will? Even the Congressional Budget Office predicts it will bleed \$6.5 billion a year by 2015.

What about the medical criteria? A group of conservative senators on the Judiciary Committee worried about the fund's solvency cited this among concerns when they sent the bill to the Senate floor last year. Sens. Jon Kyl, Arizona Republican, and Tom Coburn, Oklahoma Republican, said that they were "deeply concerned that this fund will run out of money and prove unable to pay all qualifying claimants."

This debate will play out fully in the Senate over the coming days. In the meantime, it's worth pointing out what the FAIR Act offers what nothing previously has: A light at the end of the tunnel for claimants. Under FAIR, compensation ranges from \$25,000 for people who suffer breathing difficulties to as much as \$1.1 million for victims of the deadly cancer mesothelioma. It has taken long enough to get this far. The Senate is close to leading the way out.

[From washingtonpost.com, Feb. 10, 2006]

#### FORWARD ON ASBESTOS

In a triumph of good sense and bipartisan cooperation, the Senate voted on Tuesday to go forward with a bill that would fix the broken asbestos litigation system. Hundreds of thousands of asbestos injury claims have already landed in the courts, contributing to the bankruptcy of more than 70 companies.

Without reform, this process will drag on, triggering the bankruptcy of yet more firms, many of which have only tenuous asbestos connections, because the main firms responsible have already gone under. Meanwhile, many who are ill from asbestos-related diseases won't be able to get timely compensation or, in some cases, any compensation. Unless the bill passes, Navy veterans, for example, will go uncompensated for diseases caused by asbestos on ships. Veterans are not allowed to sue the government, and many of the shipbuilders are long since bankrupt.

The bill will be debated and amended, and it may face a second attempted filibuster before it gets a vote. Some amendment may be reasonable at the margins, but the bill's central idea—to replace litigation with a \$140 billion compensation fund to be financed by defendant companies and their insurers—must be preserved. Democrats complain that the fund won't have enough money to compensate asbestos victims; Republicans complain that the fund will have too much money, the raising of which will constitute a burden on small and medium-size firms. The fact that the bill is being attacked from both directions suggests that its authors, Sens. Arlen Specter (R-Pa.) and Patrick J. Leahy (D-Vt.), have balanced competing interests in a reasonable manner.

Unfortunately, the bill's critics are not always so reasonable. Sen. Harry M. Reid of Nevada, the Democratic minority leader, has complained, "One would have to search long and hard to find a bill in my opinion as bad as this." He has even described the legislation as the work of lobbyists hired by corporations to limit asbestos exposure. But the truth is that the bill's main opponents are trial lawyers, who profit mightily from asbestos lawsuits and who constitute a powerful lobby in their own right. Mr. Specter and Mr. Leahy are in fact model resisters of special interests who have spent more than two years crafting legislation that serves the public interest. For Mr. Reid to demean this effort in order to fire off campaign sound bites is reprehensible.

Mr. SESSIONS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. SUNUNU). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. FRIST. Mr. President, I ask unanimous consent that the order for the quorum call be dispensed with.

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

#### MORNING BUSINESS

Mr. FRIST. Mr. President, I ask unanimous consent that there be a period of morning business with Senators permitted to speak up to 10 minutes each.

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

#### BLACK HISTORY MONTH

Mr. AKAKA. Mr. President, it was 80 years ago when we first recognized February as Black History Month. Today, I am pleased to rise to add my voice to those honoring African Americans.

African Americans have both a tragic and vibrant history in the United States. This month is an opportunity to reflect upon their struggles, perse-

verance, and triumphs. African Americans have contributed to every segment of our community, ranging from politics and sports to medicine and business—and have greatly impacted the music industry. Our society continues to benefit from their service as national leaders, role models, athletes, scholars, and much more.

As you know, we cannot reflect on the achievements of our friends without remembering the civil rights movement. I vividly remember the movement's powerful call for nonviolent change. In 1963, my brother, Rev. Abraham Akaka, joined Dr. King for the famous March on Washington to help show Hawaii's support for the movement. Since 1926, Americans have dedicated the month to honoring the African American legacy. As a staunch supporter of civil rights, I am proud of the many ways that our country has evolved into a more fair and just nation since the movement.

Earlier this week, we bid a fond farewell to Coretta Scott King, who, along with her husband Dr. Martin Luther King, Jr., carried the torch against discrimination and bigotry everywhere. As a nation, we are indebted to the Kings and their life's work, and the work of countless other civil rights leaders. However, it is an unfortunate reality that, despite all of this progress, inequities remain. To properly pay tribute to their legacy, I believe that it is important that we use this month not just as a time for reflection, but also as a springboard for action.

In looking back at the progress of African Americans throughout the years and how it has changed the face of our Nation, it is clear that Black history is American history. As a nation, we must work together to close the gap on these important issues. Where possible, we must work in our communities on a local level, to ensure that all members of our society have equal opportunities to thrive and succeed.

This is also a national problem that requires a refocusing of national legislative priorities. Earlier this week, President Bush released his budget for fiscal year 2007, and I was disappointed that he did not devote the proper resources to these fundamental issues. President Bush's budget once again underfunds important health care and education priorities. It saddens me that so many people will be negatively affected by the President's proposals. Unfortunately, the administration has again demonstrated a disregard for domestic programs to improve the lives of working people at the expense of tax cuts for the wealthiest.

The administration needs to refocus its priorities. There are a variety of legislative initiatives that have been introduced this Congress which will address the shortcomings in education and health care for minorities, including African Americans. Earlier this year, I introduced S. 1580—the Healthcare Equality and Account-

ability Act—which establishes programs designed to improve the quality of and access to health care for minorities, while also improving health workforce accountability. My bill also includes a comprehensive diabetes education program. Diabetes is a disease that disproportionately impacts African Americans and other minorities such as native Hawaiians.

As a former teacher, I have seen the ways that education can open doors for people from all walks of life. For that reason, I also introduced S. 1521, the Teacher Acculturation Act of 2005. This bill recognizes that cultural incongruence along racial, socioeconomic, and ethnic vectors impedes learning in our classrooms. Too often, this makes it difficult for knowledge that needs to be transmitted between students aiming to learn and teachers seeking to teach. My bill helps teachers implement strategies to create a healthy learning environment for all students.

I am hopeful that my colleagues will join me in support of my bills, which address significant gaps in services for minorities and African Americans. I am proud to stand with my Democratic colleagues in working to support and empower African Americans in addressing important issues like education, health care, and the economy. As we move through the month of February, I am hopeful that we can work together to make America a better place for all Americans.

#### MAKE GUN VIOLENCE PREVENTION A PRIORITY

Mr. LEVIN. Mr. President, last month was declared "Guns Aside Month" by the DC City Council in honor of the grassroots campaign known by the same name. The Guns Aside campaign is run by a DC community organization named Reaching Out to Others Together, or ROOT.

Washington, DC, resident Kenneth Barnes established ROOT after his son was shot to death in 2001. According to its Web site, ROOT is "committed to advocacy, education, and intervention on behalf of individuals and families who have been victimized by homicides. Its mission is to bring visibility and focus community and organizational resources on these homicides on behalf of families, while addressing the root causes of the systemic apathy that fosters a culture of violence in our communities today."

Among other things, Kenneth Barnes and other ROOT members work with the DC police and local and national organizations to help address the needs of families who have been affected by gun violence and homicide. ROOT also works with community organizations to develop violence prevention strategies and better coordinate their efforts.

ROOT's Guns Aside campaign began in September 2004 as a multimedia outreach program targeted at young people. As part of the campaign, ROOT members have visited schools and held