

terrible attacks of September 11, 2001, fully knowing that his country would soon be going to war abroad. His quiet demeanor and steadfast service is at the core of what the American military service is about: honor, duty, humility, and loyalty.

His wife Michelle, children Chaynitta and Cayden, and parents Clifford and Jeanette will be in all of our thoughts. He and Michelle, who met at a high school dance, had been planning to renew their vows this spring.

He was on his second tour of duty as an infantryman in the 1st Brigade Combat Team, 101st Airborne Division. We can never fully express our gratitude for our veterans' service; I ask that we stop now to honor Sergeant Yazzie and acknowledge his sacrifice, and that of his family and friends, for our Nation.

LOCAL LAW ENFORCEMENT ENHANCEMENT ACT OF 2005

Mr. SMITH. Mr. President, I rise today to speak about the need for hate crimes legislation. Each Congress, Senator KENNEDY and I introduce hate crimes legislation that would add new categories to current hate crimes law, sending a signal that violence of any kind is unacceptable in our society. Likewise, each Congress I have come to the floor to highlight a separate hate crime that has occurred in our country.

On October 4, 2002, Gwen Araujo was killed by three men in Hayward, CA. Araujo was beaten up, tied, and then strangled. The apparent motivation for this crime was that Araujo was a transgendered teen.

I believe that the Government's first duty is to defend its citizens, to defend them against the harms that are born out of hate. The Local Law Enforcement Enhancement Act is a symbol that can become substance. I believe that by passing this legislation and changing current law, we can change hearts and minds as well.

RECOGNIZING MARTIN LUTHER KING DAY

Mr. KYL. Mr. President, earlier this week, our Nation celebrated Martin Luther King Day. The Reverend Dr. Martin Luther King, Jr., would have been 77 years old on January 16. It was a day to reflect on the life of a man admired for the dream he dreamed for America, and for his words and deeds in pursuit of it.

He dreamed, as he famously said, "that one day this nation will rise up and live out the true meaning of its creed: 'We hold these truths to be self-evident: that all men are created equal.'" Dr. King argued, in words that stir the heart, that racial segregation must end in the South and that Black Americans must be granted their citizenship rights throughout the land and throughout our institutions: in education, in employment, in housing, and in the voting booth.

His role in the push for full voting rights for African Americans is well known but bears repeating. In the spring of 1965, a national television audience was shocked by broadcasts of State troopers and sheriff's deputies brutally repulsing voting rights protesters in Selma, AL. Hours later, Dr. King declared: "No American is without responsibility." He went to Alabama and led a march, under Federal protection, from Selma to the State capital. The event garnered national support and provided momentum for congressional passage of the Voting Rights Act later that year.

Dr. King appreciated the blessings of freedom; he wanted them for his people, and for all people. We remember this Protestant minister's eloquence and also his sense of spiritual mission—he was an ecumenical religious leader who brought people of all faiths, all races, together in mutual respect for one another.

As Taylor Branch, his biographer, put it: "His oratory fused the political promise of equal votes with the spiritual doctrine of equal souls."

His belief in nonviolent protest convinced those who listened to him that here was the high road to vindicating the rights of Black people in this country. It is a bitter fact that he lost his life to violence—he was only 39 when an assassin's bullet cut him down in Memphis—and it makes us understand his great courage in taking on the burden of leadership.

In officially celebrating the life of Dr. King, we celebrate the end of legal segregation and the many inroads we have made against racism and discrimination. Of course, there is more we must do to make sure all Americans enjoy the blessings of freedom. He would tell us that, if he were here. He would also insist that we continue on in his way: with passion and with civility, calling on our fellow human beings to act on their best instincts, not their worst.

Dr. King, who won the Nobel Peace Prize in 1964, is a model here and around the world—from China, and the 1989 antigovernment protests in Tiananmen Square, to South Africa, where apartheid rule gave way in 1990 without provoking the civil war many had feared. In encouraging the holding of free elections and the formation of institutions of civil society in faraway places today, we promote the idea that Martin Luther King put forward so well: that the nonviolent settling of differences among men is the bedrock of democracy.

Let us all take inspiration from the King legacy this week, Mr. President, and every week.

MEDICARE PRESCRIPTION DRUG BENEFIT IMPLEMENTATION

Mr. FEINGOLD. Mr. President, on January 1, 2006, the administration launched the Medicare prescription drug benefit, a program long touted by

President Bush as the vehicle that would provide affordable, easily accessed prescription drugs for seniors. The program has fallen far short of that goal so far. The outcries that I have heard from pharmacists, beneficiaries, and health care providers over the past few weeks make clear that the implementation of the program has been a disaster. This program has not provided either affordable or easily accessed drugs to many Medicare beneficiaries. Instead, it has presented many seniors and the disabled with frustration, confusion, expensive medications, and sometimes no medications at all. It is unacceptable for individuals to go without lifesaving medications, yet this is what has been happening across the country since this program commenced. This situation is an emergency, and Congress needs to address it right away.

Since the beginning of January, I have received panicked phone calls from people in my State saying that they were unable to receive drugs that they have been routinely getting at their pharmacy every other month. Many calls were from people who could not receive essential drugs such as insulin, antipsychotics, or immunosuppressants for transplant patients. At the same time as I was hearing from people suffering from pain because they did not receive their pain medications, I received press releases from the Centers for Medicare and Medicaid that expressed satisfaction with the launch of the program and boasted of the millions of participants in the program. There may be millions participating in the program, but too many of them cannot receive their drugs, and too many pharmacists are unable to comply with the complicated regulations in the program. CMS should be focusing its efforts on addressing this emergency rather than disseminating public relations messages.

All anyone needs to do is visit their local pharmacy in order to see the problems with the benefit firsthand. There, they are likely to see harried pharmacists on the phone with Medicare or private drug plans. Chances are high that they are on hold. There are often long waiting lines of people in need of medications, sometimes in desperate need, and there are customers being charged incorrectly for their prescriptions. Sometimes they are charged so much that they cannot afford it because the costs exceed what they have in the bank or what their credit limits will allow. Tragically, many of the most vulnerable beneficiaries have been forced to walk out of the pharmacies without their drugs.

It is clear that, in many respects, the plan and the contingency plans for implementation have failed. For instance, the drug plan automatically enrolled millions of individuals eligible for both Medicare and Medicaid into drug plans, and although these individuals were supposed to be notified of this, many were not. Imagine the surprise when

these people visited the pharmacy this month thinking that they would receive their medications for the same price they paid in December. Some of these dually eligible individuals were victims of data glitches that resulted in the pharmacists being unable to verify enrollment in any insurance, and they were told to pay for the full costs of their drugs. Some were charged the wrong amount even though their insurance was verified. These bills reached into the thousands of dollars at times. I was disheartened to learn that some of the beneficiaries paid for the drugs on their credit cards, their only other option being to go without their medications. Those with little income will be paying for these drugs for months, with interest, and this is a sad burden for the Federal Government to place on the neediest in society.

While my office did its utmost to help those who called, I wonder how many Wisconsinites did not call my office, did not have relatives to help them, or were unable to get through to the help lines that had waiting times of up to 5 days. How many people are being forced into emergency rooms in order to get their medications? How many people are being injured because of lack of medications? Have any deaths occurred as a result of the extraordinary bureaucratic hurdles in this program? The Centers for Medicare and Medicaid Services needs to find answers to these questions and address this crisis immediately.

Fortunately, many State governments, including Wisconsin's, came to the aid of the public when the Federal Government would not by enacting emergency provisions. Now, these States are depending on the Federal Government to return the favor and reimburse them for funds that were spent out of tight State budgets. To date, the administration has refused to compensate States. I will work to try to make sure that Congress quickly addresses this problem, passes legislation, and reimburses the States.

The health of our Nation's citizens is not a partisan issue, and we all must join together to assist the most needy. I voted against this program in 2003 and have since made numerous attempts to try to improve the program. Since mid-December, I have sent three letters to the administration, urging that the most pressing problems with the Medicare drug benefit be addressed. While these efforts were not supported by Republicans, I want to make new efforts that I hope the other side of the aisle will support. We cannot sustain a great nation if we do not care for the elderly, the sick, the disabled, and the homebound. These are the populations that this drug plan is supposed to be serving, and I fear that they have been dismally let down the past few weeks. Let us not wait any longer. Congress is in session, we are in a position to come to their aid, and I hope that we will do the right thing and quickly bring relief to the suffering.

SALMON RECOVERY

Mr. CRAIG. Mr. President, today, as you may know, Jim Connaughton, chairman of the White House Council on Environmental Quality, called for a comprehensive and collaborative approach to salmon recovery in the Pacific Northwest. While I may not agree completely with Chairman Connaughton's statement, we must stop ignoring what is going on. It is about time that someone speaks out about the reality of the situation in the Northwest in regards to salmon recovery. He proposed to end outdated hatchery programs and to stop harvest levels and practices that impede recovery of salmon listed under the Endangered Species Act, ESA. He also outlined a comprehensive collaborative process to promote a shared goal and responsibility of salmon recovery. As early as next week, the National Oceanic and Atmospheric Administration's fisheries service, NOAA Fisheries, will launch a collaborative review of how harvest and hatcheries are affecting the recovery of ESA-listed salmon and steelhead.

There has been no clear direction in the past, and CEQ is taking the first step to provide a meaningful direction. We have sat back and idly watched while the region moved from injunction to injunction and lawsuit to lawsuit. In fact, over the past 2 years, two injunctions have been ordered and more lawsuits are being filed. This situation just fosters mistrust and the inability to meet common goals and objectives.

Our past practices have focused on keeping the fish in the river and in abundant numbers so that we can have our cake and eat it, too. In no other place in the world do we treat an ESA-listed species this way. We don't raise bald eagles only to use their feathers for our clothes, so why do we spend hundreds of millions of dollars—each year—to recover the species, and then allow a majority of them to be killed through harvesting? The people who pay for these absurd practices are the Northwest ratepayers.

Here are some facts that the region should know. The total cost of fish mitigation in the Northwest from 1978 to 2005 has been approximately \$7 billion. Fish costs now make up to 30 percent of the Bonneville Power Administration's power rates, 30 cents of every dollar paid for BPA-managed power. Snake River Fall Chinook are the most impacted ESA-listed species in the Columbia River system. These fish drive BPA's fish and wildlife program. Approximately 40 percent to 60 percent of this species is harvested.

Last summer, Judge Redden ordered a change in river operations that resulted in an approximately \$75 million dollar hit to the region's ratepayers. This means that depending on how many fish survive, summer spill costs between \$225,000 and \$3 million per fish, and consequently, ratepayers are left with the bill. Even at \$225,000 per fish,

that is a lot of money. Judge Redden, once again, second-guessed the region's fish managers and made the decision to increase spill this spring and summer. This will result in another cost to the ratepayers of approximately \$60 million dollars.

Management of the river by the courts is not management at all. I would like to help the management agencies—the appropriate managers of the river system—to succeed in their efforts to manage the river, in partnership with local, State, and tribal governments.

Why not trust the experts who have the scientific knowledge to make those decisions and help empower the region to work together instead of giving up and having the court systems make management decisions? How are we to succeed in the future if we keep allowing others to make our decisions for us?

When will this silliness stop? When will the region take ownership and responsibility for the river? And when will we work together as a region and get serious about salmon recovery? CEQ made the first step today.

I will work with other Members of Congress to finally face these challenges and to help provide direction and be more accountable to the public and to recovery of the species. If we are serious about recovery, we need to start acting serious and not avoid the tough questions.

I would like to challenge my colleagues to come together in a bipartisan way to help the region get back on track.

TRIBUTE TO WILLIAM B. BONVILLIAN

Mr. LIEBERMAN. Mr. President, I rise today to express my profound gratitude and heartfelt best wishes to a dear friend and dedicated American, William B. Bonvillian, who has served as my legislative director and chief counsel since I first took office in the U.S. Senate in January 1989. It is truly a bittersweet occasion to bid farewell this week to an outstanding and valued staff member with whom I have worked for 17 years in this hallowed institution that we both dearly cherish and respect. I can only say that, as Bill embarks on his new venture as director of federal relations for the Massachusetts Institute of Technology, MIT, my loss is most surely MIT's gain.

Bill came to my Senate office as an accomplished and respected attorney who had previously served in the executive branch from 1977–1980 as Deputy Assistant Secretary of the U.S. Department of Transportation, where he was involved in major legislation relating to transportation deregulation and funding issues. However, our long association actually goes back much further than that, to the early 1970s. Bill was my first intern when I was elected to the State Senate; we rode from New Haven to the State Capitol in Hartford