

expose and our own personal experiences back home to heart when we consider the measures that are coming before us. I don't want another scandal on this watch. I want to make sure this Building 18 doesn't become another Hurricane Katrina, the ninth ward of New Orleans, LA. It was an indication of lack of skill, lack of management, and lack of commitment that led to this situation. Now it is time for Congress and the President to step up for these men and women who serve us so well.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. CASEY). Without objection, it is so ordered.

#### ADDITIONAL STATEMENTS

##### ROSENBAUM FAMILY'S SELFLESS ACT

• Mr. LEAHY. Mr. President, the front page of The Washington Post Friday delivered the remarkable news that the family of David Rosenbaum has entered into an agreement with Washington's city leaders under which the family will withdraw a \$20 million lawsuit—a lawsuit in which they were said to have an excellent chance of prevailing—if the city lives up to a promise to fix the city's troubled emergency response system.

David Rosenbaum, the retired New York Times reporter, was fatally beaten last year near his home in Washington. He was a good husband and father, a kind friend and neighbor, and a talented and respected journalist. He had a passion for making government more effective in doing its job. He was a good and a kind man. Those who knew or knew of the Rosenbaums were further saddened last year when David's widow, Virginia Rosenbaum, succumbed to cancer.

How fitting, how constructive, and how typical of David Rosenbaum and his life and his work that his family has taken this selfless step. Our best wishes—and our admiration and gratitude—go out to them.

The material follows.

[From the Washington Post, March 9, 2007]  
JOURNALIST'S FAMILY WANTS REFORM, NOT MONEY

(By David Nakamura)

The family of a slain New York Times journalist yesterday agreed to forgo the potential of millions of dollars in damages in exchange for something that might be harder for the D.C. government to deliver: an overhaul of the emergency medical response system that bungled his care at nearly every step.

David E. Rosenbaum's family said it will give up a \$20 million lawsuit against the

city—but only if changes are made within one year.

Under a novel legal settlement, the city agreed to set up a task force to improve the troubled emergency response system and look at issues such as training, communication and supervision. A member of the family will be on the panel.

Although legal experts said the family could have won millions had it pursued the case, Rosenbaum's brother Marcus said he and other relatives were more interested in making sure that the city enacted measurable changes.

"As details of the case started to come out, we decided among ourselves to do something for all the citizens so that things would be improved," Marcus Rosenbaum said, standing next to a dogwood sapling planted near where his brother was mugged in January 2006. David Rosenbaum was pounded on the head with a metal pipe by robbers who accosted him during an evening walk. He then was mistakenly treated as a drunk by D.C. firefighters and other emergency workers, who failed to notice his severe head wound.

Rosenbaum, 63, died of a brain injury two days after the attack on Gramercy Street NW. He had recently retired after nearly four decades at the New York Times, where he covered economic policy and other issues, but continued to work in the Washington bureau on special assignments.

The D.C. inspector general's office issued a blistering report in June that faulted firefighters, emergency workers, police and hospital personnel for an "unacceptable chain of failure" and warned of broader problems with emergency care. The report called for stronger supervision and training, clearer communication and more internal controls for emergency workers and hospital personnel.

D.C. Mayor Adrian M. Fenty (D), who joined the Rosenbaum family at the announcement, said that he was pleased with the settlement but that it was just the start of a long process of reform. He did not identify potential changes.

"This was a failure of the government, the most tragic kind of failure the government can have," said Fenty, flanked by Acting D.C. Attorney General Linda Singer. "A settlement does not let anyone off the hook, especially the District government."

Fenty, who took office in January, pledged last year to oust the chief of the D.C. Fire and Emergency Medical Services Department, Adrian H. Thompson, who many officials felt did not act quickly or aggressively enough to address the failures. Among other things, Thompson issued a statement three days after Rosenbaum's death that said "everything possible" had been done to provide care. He later changed course, saying he had been misled, and dismissed or took disciplinary action against at least 10 employees.

This week, Fenty nominated Atlanta Fire Chief Dennis L. Rubin to head the department. Rubin said he is familiar with the Rosenbaum case and intends to make changes after studying the D.C. response system more closely. Among issues likely to be on the table: the creation of a separate city department for emergency medical response.

Marcus Rosenbaum said he is hoping for the best. "We are really happy with the way things have gone with the District," he said. "It's like we are adversaries on the same side. We hope this settlement will lead to something good."

The lawsuit was filed in November on behalf of Rosenbaum's adult children, Daniel and Dottie.

Family attorney Patrick Regan praised Fenty for reaching out to the family even before he was sworn in and then instructing his staff to work closely with the Rosenbaums

to forge a settlement. But Regan had harsh words for Howard University Hospital—which remains a defendant in the lawsuit in D.C. Superior Court.

The city's ambulance bypassed the closest hospital and took Rosenbaum to Howard because one of the emergency medical technicians had personal business to attend to near there. Rosenbaum was not seen by a hospital physician for more than 90 minutes and did not get a neurological evaluation until he had been there almost four hours, the family's lawsuit alleges.

"Howard University's performance was unacceptable, atrocious. It was Third World service in the nation's capital," Regan said. "While the District has stepped up and said, 'Work with us,' Howard has refused to step up. They've covered up what they did. . . . At every turn, Howard has offered excuse after excuse."

A spokeswoman for Howard did not respond to a request for comment.

D.C. police also were faulted in the case for failing to thoroughly investigate an earlier robbery that could have led to the suspects. Two men have been convicted in the killing: Percy Jordan, who was sentenced to a 65-year term, and his cousin Michael C. Hamlin, who cooperated with prosecutors and received a 26-year term.

The city's new task force will have six months to develop a report. Toby Halliday, Rosenbaum's son-in-law, will serve as the family's representative. The panel will include city officials and emergency care experts who have yet to be identified.

"Our goal is to look beyond the individual errors in this case to bigger issues of emergency medical services," Halliday said, as his wife, brother-in-law and other family members looked on.

"The results must be meaningful and measurable," Halliday added, "with changes and results that can be tracked over time to see if they are effective."•

#### WELCOMING SADIE FAY MORGENSTERN

• Mr. CRAPO. Mr. President, today I offer a most heartfelt welcome to a bright young lady who just made her entrance into this world—Sadie Fay Morgenstern. Sadie was born just over a week ago on March 4, 2007. She joins her big sister Sydney and parents, Andrew and Beth Morgenstern. I understand that little Sadie is proving to be alert, happy, and content. Undoubtedly, she will grow into a healthy, fun-loving and curious young lady, traits she will share with her older sister, Sydney. I am honored to share this news of the birth of a happy, healthy baby into a loving family, and I wish them the best. Thank you for joining me today in sending best wishes to the blessed and growing Morgenstern family.•

#### MESSAGES FROM THE PRESIDENT

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

#### EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages

from the President of the United States submitting sundry nominations and a withdrawal which were referred to the appropriate committees.

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

#### MESSAGE FROM THE HOUSE

At 2:45 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 720. An act to amend the Federal Water Pollution Control Act to authorize appropriations for State water pollution control revolving funds, and for other purposes.

#### MEASURES REFERRED

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

H.R. 720. An act to amend the Federal Water Pollution Control Act to authorize appropriations for State water pollution control revolving funds, and for other purposes; to the Committee on Environment and Public Works.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

By Mr. SMITH (for himself, Mr. BINGAMAN, and Ms. LANDRIEU):

S. 838. A bill to authorize funding for eligible joint ventures between United States and Israeli businesses and academic persons, to establish the International Energy Advisory Board, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. ROBERTS (for himself and Mr. BROWNBACK):

S. 839. A bill to amend the Internal Revenue Code of 1986 to exclude amounts received as a military basic housing allowance from consideration as income for purposes of the low-income housing credit and qualified residential rental projects; to the Committee on Finance.

By Mr. COLEMAN (for himself and Ms. KLOBUCHAR):

S. 840. A bill to amend the Torture Victims Relief Act of 1998 to authorize assistance for domestic and foreign programs and centers for the treatment of victims of torture, and for other purposes; to the Committee on Foreign Relations.

By Mrs. FEINSTEIN:

S. 841. A bill for the relief of Alfredo Plascencia Lopez and Maria Del Refugio Plascencia; to the Committee on the Judiciary.

By Mr. DOMENICI (for himself and Mr. BINGAMAN):

S. 842. A bill to authorize to be appropriated \$9,200,000 for fiscal year 2008 to acquire real property and carry out military construction projects at Cannon Air Force Base, New Mexico; to the Committee on Armed Services.

By Ms. COLLINS (for herself, Mr. LIEBERMAN, and Mrs. CLINTON):

S. 843. A bill to provide for the establishment of a national mercury monitoring pro-

gram; to the Committee on Environment and Public Works.

By Mrs. FEINSTEIN (for herself, Mr. HAGEL, Mr. KENNEDY, Mr. FEINGOLD, Ms. CANTWELL, and Mr. KERRY):

S. 844. A bill to provide for the protection of unaccompanied alien children, and for other purposes; to the Committee on the Judiciary.

By Mr. ENZI (for himself and Ms. MIKULSKI):

S. 845. A bill to direct the Secretary of Health and Human Services to expand and intensify programs with respect to research and related activities concerning elder falls; to the Committee on Health, Education, Labor, and Pensions.

By Mr. ISAKSON:

S. 846. A bill to amend the Longshore and Harbor Workers' Compensation Act to improve the compensation system, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

#### ADDITIONAL COSPONSORS

S. 21

At the request of Mr. REID, the names of the Senator from Delaware (Mr. BIDEN) and the Senator from Delaware (Mr. CARPER) were added as cosponsors of S. 21, a bill to expand access to preventive health care services that help reduce unintended pregnancy, reduce abortions, and improve access to women's health care.

S. 231

At the request of Mrs. FEINSTEIN, the names of the Senator from Louisiana (Ms. LANDRIEU) and the Senator from Pennsylvania (Mr. SPECTER) were added as cosponsors of S. 231, a bill to authorize the Edward Byrne Memorial Justice Assistance Grant Program at fiscal year 2006 levels through 2012.

S. 261

At the request of Ms. CANTWELL, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 261, a bill to amend title 18, United States Code, to strengthen prohibitions against animal fighting, and for other purposes.

S. 329

At the request of Mr. CRAPO, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 329, a bill to amend title XVIII of the Social Security Act to provide coverage for cardiac rehabilitation and pulmonary rehabilitation services.

S. 373

At the request of Mr. BUNNING, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. 373, a bill to facilitate and expedite direct refunds to coal producers and exporters of the excise tax unconstitutionally imposed on coal exported from the United States.

S. 376

At the request of Mr. LEAHY, the name of the Senator from Montana (Mr. BAUCUS) was added as a cosponsor of S. 376, a bill to amend title 18, United States Code, to improve the provisions relating to the carrying of concealed weapons by law enforcement officers, and for other purposes.

S. 381

At the request of Mr. INOUE, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 381, a bill to establish a fact-finding Commission to extend the study of a prior Commission to investigate and determine facts and circumstances surrounding the relocation, internment, and deportation to Axis countries of Latin Americans of Japanese descent from December 1941 through February 1948, and the impact of those actions by the United States, and to recommend appropriate remedies, and for other purposes.

S. 439

At the request of Mr. REID, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 439, a bill to amend title 10, United States Code, to permit certain retired members of the uniformed services who have a service-connected disability to receive both disability compensation from the Department of Veterans Affairs for their disability and either retired pay by reason of their years of military service or Combat-Related Special Compensation.

S. 450

At the request of Mr. ENSIGN, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 450, a bill to amend title XVIII of the Social Security Act to repeal the Medicare outpatient rehabilitation therapy caps.

S. 474

At the request of Mrs. HUTCHISON, the name of the Senator from Ohio (Mr. VOINOVICH) was added as a cosponsor of S. 474, a bill to award a congressional gold medal to Michael Ellis DeBakey, M.D.

S. 505

At the request of Ms. COLLINS, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 505, a bill to amend the Internal Revenue Code of 1986 to increase the above-the-line deduction for teacher classroom supplies and to expand such deduction to include qualified professional development expenses.

S. 513

At the request of Mr. LEAHY, the names of the Senator from Wisconsin (Mr. FEINGOLD) and the Senator from Ohio (Mr. BROWN) were added as cosponsors of S. 513, a bill to amend title 10, United States Code, to revive previous authority on the use of the Armed Forces and the militia to address interference with State or Federal law, and for other purposes.

S. 558

At the request of Mr. DOMENICI, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 558, a bill to provide parity between health insurance coverage of mental health benefits and benefits for medical and surgical services.

S. 579

At the request of Mr. REID, the names of the Senator from Connecticut