

gun violence, which is more than twice as many as die from HIV/AIDS. That doesn't count the 176 people who are wounded every day in this country by gunfire. It is of epidemic proportions. No matter where you are, where you live, or how safe you think you are, any of us could be among the dozens of victims each day who end up on the wrong side of a gun.

Just a few months ago, I was invited to speak at a memorial service for a little girl who was killed near Logan Square in Chicago. She was playing on a playground and got caught in the crossfire of gang violence. The gangs started shooting at one another, and this little girl was killed. Her mother could hardly stand, as she was sobbing uncontrollably, even days after it occurred. As I went up to say a few words, the minister said to me, "Don't bring up the gun control issue, it's too controversial." I reflected on that for a long time, and I abided by his wishes and the wishes of the family not to bring it up. But that is an indication of the fact that we cannot even talk about it. We cannot talk about reasonable ways so that guns don't get in the hands of people who will misuse them.

The vast majority of people who own guns in America obtain them legally and use them legally and responsibly. We should do everything we can to protect their rights under our laws to continue to use guns in a safe and legal manner, for sporting purposes or self-defense. But we know—even gun owners know—there are people buying guns at this very minute who have an intent in mind of killing innocent people. This great Nation has to do a better job of keeping those guns out of the hands of those who would misuse them.

The second issue is equally challenging; it is the issue of mental illness. It is ironic that 30 years ago a young boy whom I knew in my hometown of East St. Louis, IL—and I had known him since he was a 2-year old—grew up, graduated high school, and went away to Northern Illinois University. He was gone 5 weeks, and he was sent home. We started asking, "Why did Gary come back? What happened?" We never got the full story until a few months later. When Gary went up to Northern Illinois University, for the first time in his life, he exhibited problems with mental illness, serious mental illness. They decided it was in his best interest for him to go home. And he did. He had a serious problem. Unfortunately, it troubled him for his entire life before he died. It first exhibited itself on that college campus. That is not unusual. Many people who leave their homes for the first time—leave the shelter and comfort of the home environment and head out to a new place, like a new campus or university, move into a dorm room—have a problem that exhibits itself for the first time. When we talk to those who are leaders of universities, they say they offer counseling and try to find the students who need help.

In times gone by, in worst-case scenarios, many students took their lives. The suicide rate on college campuses is higher than people talk about.

Now there is a new element. I spoke to the president of a major university in Illinois about mental illness among the college population. He said that, in years gone by, a student would take his life and it was a tragedy for the school and their family. But now this is a new era, where that student buys a firearm and wants to take others with him. This university president said, "I don't understand. I don't know if it is the video games or the movies or whatever it is; but this idea that you will shoot innocent people before you kill yourself, as this gunman did at Northern Illinois University—this is a challenge for all of us."

We have to first understand that mental illness is an illness and not a curse. It can be treated successfully in the vast majority of cases. We need to enact the Mental Health Parity Act so that more people have mental health protection as part of their health plans. We have to offer counseling for students and people who need a helping hand in this circumstance. We have to understand that the college campus can be an especially important place to focus our resources. We have to encourage students to move into those resources and get help. We cannot penalize or stigmatize them for fear that they won't seek help. But we also have to be protective of the innocent people around them and to understand that at some point you have to draw a line and say this person is now in an unstable or dangerous situation, should never be allowed a firearm, and needs to be at least monitored carefully, if not some other action taken.

This is a difficult issue because for many years we didn't talk honestly and responsibly about mental health. We should. The shooter of these innocent students at Northern Illinois University obviously was suffering from some form of mental illness. I don't know if it could have been traced ahead of time and acted upon, but we have to think about the future and what we can do.

After the shootings at NIU, a group of parents whose children died at Virginia Tech wrote to the newly bereaved parents at NIU to offer their support. Those parents are now joined together by a bond that no parent ever wants to share. The letter from the Virginia Tech parents is posted on the Web site of Northern Illinois University. The question facing us now is, how much larger will we allow the circle of grief to become? How many more support groups will be formed by those who lose someone they love in school and on a campus?

We know guns and mental illness are controversial issues, but we also know that five of the finest young men and women you could ever ask for were taken from us on February 14. If there is any way we could have prevented their loss, we need to find it.

In the days and weeks to come, the victims of the shooting will be in our thoughts and prayers. We stand in solidarity with the Huskies of Northern Illinois University, the students, faculty, the staff, and the members of the families as they mourn their losses and recover from this tragic incident.

EXPRESSING THE CONDOLENCES OF THE SENATE TO THOSE AFFECTED BY THE DEVASTATING SHOOTING INCIDENT OF FEBRUARY 14, 2008, AT NORTHERN ILLINOIS UNIVERSITY IN DEKALB, ILLINOIS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 458, which was submitted earlier today by myself and Senator OBAMA.

The ACTING PRESIDENT pro tempore. The clerk will state the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 458) expressing the condolences of the Senate to those affected by the devastating shooting incident of February 14, 2008, at Northern Illinois University in DeKalb, Illinois.

There being no objection, the Senate proceeded to consider the resolution.

Mr. DURBIN. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and that any statements related to the resolution be printed in the RECORD at the appropriate place as if read.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The resolution (S. Res. 458) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 458

Whereas, on Thursday, February 14, 2008, a gunman entered a lecture hall on the campus of Northern Illinois University and opened fire on the students assembled there;

Whereas the gunman took the lives of 5 students and wounded 17 more;

Whereas the 5 students who lost their lives that day were—

(1) Gayle Dubowski, age 20, of Carol Stream, Illinois, a devout member of her church who sang in the church choir and worked as a camp counselor and volunteer in rural Kentucky;

(2) Catalina "Cati" Garcia, age 20, of Cicero, Illinois, a first-generation American who had hoped to be a teacher, was her family's "princess" and inspiration, and was rarely seen without a beaming smile;

(3) Julianna Gehant, age 32, of Mendota, Illinois, who dreamed of becoming a teacher, and who had spent more than 12 years in the United States Army and Army Reserve serving our Nation and saving money for college;

(4) Ryanne Mace, age 19, of Carpentersville, Illinois, a much-loved only child who was rarely without a warm smile and hoped to be a counselor so she could help others; and

(5) Daniel Parmenter, age 20, of Westchester, Illinois, "Danny" to his friends, a 6-

foot, 5-inch rugby player with a gentle spirit and a bright future, who died trying to protect his girlfriend from gunfire;

Whereas the Northern Illinois University Police Department, the Police Departments of DeKalb, Sycamore, Aurora, Batavia, Cortland, Galesburg, Genoa, Geneva, Mendota, St. Charles, Rockford, and the Village of Winnebago, the Conservation Police, the Sheriff's Offices of DeKalb County, Winnebago County, and Kane County, the Kane County Bomb Squad, the Illinois State Police, the Federal Bureau of Investigation, the Bureau of Alcohol, Tobacco, Firearms, and Explosives, Reach/Air Angel, Flight for Life, Life Line, the Salvation Army, and the Fire and Emergency Medical Services Departments of DeKalb, Sycamore, Cortland, Malta, Maple Park, Rochelle, Hampshire, Burlington, Shabbona, Hinckley, Genoa-Kingston, Waterman, Elburn, St. Charles, Ogle-Lee, Kaneville, Sugar Grove, North Aurora, and Somonauk responded to the emergency promptly and assisted capably in the initial crisis and the subsequent investigation;

Whereas the emergency responders and the doctors, nurses, and other health care providers at Kishwaukee Community Hospital, Saint Anthony Medical Center, Good Samaritan Hospital, Rockford Memorial Hospital, and Northwestern Memorial Hospital provided professional and dedicated care to the victims;

Whereas hundreds of volunteer counselors from Illinois and across the Nation have come to Northern Illinois University to assist the campus community;

Whereas the students, faculty, staff, and administration of Northern Illinois University, the people of the city of DeKalb and the State of Illinois, and all Americans have mourned the victims of this tragedy and have offered support to the victims' friends and families and to the greater Northern Illinois University community;

Whereas Northern Illinois University has established a scholarship fund to honor the memory of the students slain in the February 14 tragedy; and

Whereas the Northern Illinois University community is determined to move "forward, together forward", in the words of the Huskie fight song, and to persevere through this tragedy with heavy hearts but unbroken spirits: Now, therefore, be it

Resolved, That the Senate—

(1) expresses its sincere condolences to the families, friends, and loved ones of those who were killed in the tragic shooting on February 14, 2008, at Northern Illinois University in DeKalb, Illinois: Gayle Dubowski, Catalina Garcia, Julianna Gehant, Ryanne Mace, and Daniel Parmenter;

(2) extends its support and prayers to those who were wounded and wishes them a speedy recovery;

(3) commends the emergency responders, law enforcement officers, healthcare providers, and counselors who performed their duties with professionalism and dedication in response to the tragedy;

(4) reaffirms its commitment to helping ensure that schools, colleges, and universities in the United States are safe and secure environments for learning; and

(5) expresses its solidarity with Northern Illinois University and its students, faculty, staff, and administration as they mourn their losses and as they recover from this tragic incident.

INDIAN HEALTH CARE IMPROVEMENT ACT AMENDMENTS OF 2007

The ACTING PRESIDENT pro tempore. Under the previous order, the

Senate will resume consideration of S. 1200, which the clerk will state by title.

A bill (S. 1200) to amend the Indian Health Care Improvement Act to revise and extend that act.

Pending:

Vitter amendment No. 3896 (to amendment No. 3899), to modify a section relating to limitation on use of funds appropriated to the Service.

Dorgan amendment No. 3899, in the nature of a substitute.

Smith amendment No. 3897 (to amendment No. 3899), to modify a provision relating to development of innovative approaches.

Murkowski (for DeMint) amendment No. 4015 (to amendment No. 3899), to authorize the Secretary of Health and Human Services to establish an Indian health savings account demonstration project.

Murkowski (for DeMint) amendment No. 4066 (to amendment No. 3899), of a perfecting nature.

Murkowski (for DeMint) amendment No. 4070 (to amendment No. 3899), of a perfecting nature.

Murkowski (for DeMint) amendment No. 4073 (to amendment No. 3899), of a perfecting nature.

DeMint amendment No. 4080 (to amendment No. 4070), to rescind funds appropriated by the Consolidated Appropriations Act, 2008, for the city of Berkeley, CA, and any entities located in such city, and to provide that such funds shall be transferred to the Operations and Maintenance, Marine Corps account of the Department of Defense for the purposes of recruiting.

The ACTING PRESIDENT pro tempore. The Senator from North Dakota is recognized.

Mr. DORGAN. Mr. President, my understanding is that we have a cloture vote that will begin at 5:30 this evening. I know Senator DEMINT has two amendments he intends to offer this evening. We expect to have votes on those amendments. I have an opening statement I wish to give for a short period, and I will defer on that. Senator KYL wishes 10 minutes to speak, with 5 minutes on the bill and 5 minutes, I believe, in morning business. I don't want to disadvantage either of my colleagues. I want to comment about the legislation.

We are finally, at long last, going to pass an Indian Health Care Improvement Act. It has been 8 long years. It is long past due. By tomorrow midday, we will have disposed of all of the amendments, and having succeeded in invoking cloture, we will have finally done something that will give cause for millions of Americans to celebrate in this country for the first time in a long time—an improvement in Indian health and Indian health care.

Mr. President, Senator KYL has asked that he be allowed to speak for 5 minutes at this point. I ask unanimous consent that Senator KYL be recognized, following which I would like to speak—and I will make it short—and then Senator DEMINT will be recognized. I notice that the ranking member, Senator MURKOWSKI, is on the floor as well.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Arizona is recognized.

Mr. KYL. Mr. President, first of all, I will address an amendment to the underlying Indian health bill. It is amendment No. 3897, offered by my friend from Oregon. It is an amendment which I hope my colleagues will reject.

This is an amendment that deals with the way in which moneys are disbursed for health facility construction on Indian reservations. For those of us who represent the majority of our Native American population in the United States, this is a very important proposition because most of the construction, as you could imagine, is on the Indian reservations in the Southwest—in particular, Arizona, New Mexico, and, to a lesser extent, some of the other States. It is wrong, therefore, to try to change the formula by which funding is allocated for construction of these facilities to a broader based around-the-country formula rather than based upon the population we are trying to serve. As a result, I think my colleagues should oppose the amendment.

It is helpful that the amendment is not mandatory but, rather, provides that the Secretary can use what is called an "innovative approach" and distribute funding equally among the Indian health care regions rather than target funding to areas where the health care services are needed the most. But it still doesn't make sense to try to use this Indian construction funding as kind of a honey pot of money for everybody to share in equally when certain key areas have the bulk of the need based upon their population. I think this priority based upon need is a much more sensible way to serve our Indian population.

I disagree that the area distribution fund is the answer. It will turn the current process upside down. It would disrupt pending projects. While it may be well intentioned, the amendment doesn't ensure that Federal dollars will be appropriately allocated based upon the greatest health care needs of the individual members of the tribes. Therefore, I urge my colleagues to oppose that amendment.

THE FISA LEGISLATION

Mr. President, I wish to take 2 minutes to address the matter dealt with by my counterpart on the majority side a little while ago, legislation we will presumably have to deal with again—certainly the House of Representatives will—and that is the FISA Act legislation. I wish to put a couple of things in the RECORD. I will explain what they are, and then I will ask consent to do that.

As you know, the Senate has passed this important FISA legislation. The legislation will enable us to continue to collect foreign intelligence on our terrorist enemies. We are waiting for the House of Representatives to act on that legislation so that it can be sent to the President for signature.

There has been some confusion about what the effect of the failure of the