

various experts across the country. Both reports documented serious concerns from individuals in various communities throughout Virginia and the Nation regarding the treatment of student medical records.

One main theme that kept resonating in various communities was concern with the appropriate balance between providing for the safety of our communities while at the same time protecting privacy rights. Too many college administrators are unsure how to balance the right to privacy against public safety, and Federal law and regulations are of little help.

This bill simply attempts to clear up any ambiguity that currently exists within the Family Educational Rights and Privacy Act, known as FERPA, which allows for the sharing of student educational records in order to protect the health or safety of a student or the general public.

FERPA, written in 1974, was created at a time when schools did not provide the health care services they do today. According to the National Institute of Mental Health, half of all lifetime cases of mental illness begin by age 14. Schools today, whether they are K-12 or a post-secondary institution, have critical student health records in their hands.

It is important for Congress to ensure that we provide our school officials, administrators, and counselors clear Federal guidelines to protect the privacy and to ensure the safety of our students. My bill attempts to address the concerns raised by school officials, administrators, and institutions in interpreting FERPA.

If one looks back at the recommendations of the Virginia Tech Review Panel, one notices that a key re-sounding issue is the misinterpretation of Federal and State privacy laws. My bill does three things to amend FERPA so that tragic situations such as the one at Virginia Tech are less likely to occur. First, it adds an explicit "safe harbor" provision to make clear that no violation of FERPA occurs if a school official discloses information in a good-faith belief that it is necessary to protect the health or safety of a student or the general public. Second, it clarifies how FERPA applies to student treatment records held for treatment purposes. Third, it clarifies the emergency exception in FERPA to emphasize that in an emergency, information-sharing is allowed if done in a good-faith belief that doing so will protect against a possible threat to the health or safety of a student or the general public.

This is a straightforward attempt to address several recommendations that were made by the Virginia Tech Review Panel in clarifying the widespread perception that information privacy laws make it difficult to respond effectively to troubled students. It is important for school officials to use their best professional judgment in deciding when to disclose or not to disclose in-

formation without fear of violating Federal educational privacy laws.

There is widespread agreement that existing law is in need of clarification. In this regard, I note that the Department of Education proposed a rule on March 24 of this year, which is an attempt to clarify and give guidance to university administration on what they can and cannot do in handling treatment records. I believe this bill is a more direct and effective way to achieve that desired clarity.

Together with the passage of the Mental Health Parity Act in both the House and Senate and other measures to ensure access to mental health services, my bill will be a good step in addressing this growing issue of mental disorders that is all too common in many communities. I look forward to working with my colleagues in the Senate for quick passage of the Family Educational Rights and Privacy Act Amendments of 2008.

Madam President, I yield the floor, I thank the Chair, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. BOXER. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

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

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

#### HIGHWAY TECHNICAL CORRECTIONS ACT OF 2007—MOTION TO PROCEED

The PRESIDING OFFICER. Under the previous order, the Senate will resume the motion to proceed to H.R. 1195, which the clerk will report.

The assistant legislative clerk read as follows:

Motion to proceed to consideration of Calendar No. 608, a bill (H.R. 1195) to amend the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users, to make technical corrections, and for other purposes.

The PRESIDING OFFICER. Under the previous order, the time until 5:30 p.m. shall be equally divided and controlled between the two leaders or their designees.

Who yields time? The Senator from California.

Mrs. BOXER. That means I would have how much time now?

The PRESIDING OFFICER. The Senator has 23 minutes.

Mrs. BOXER. Mr. President, I am glad you are in the chair. As a member of the Environment and Public Works Committee, you have been very involved in everything we have done so far and we will do in the future, in

terms of rebuilding the infrastructure of this Nation, building a transit infrastructure, and some of the other things that we do.

I am very pleased the majority leader has called for a motion to proceed to H.R. 1195, the SAFETEA-LU Technical Corrections Act of 2008. On August 10, 2005, President Bush signed into law the SAFETEA-LU Act, which authorized our Nation's highways, transit, and highway safety programs through the end of 2009.

We all know a country cannot be great if it does not have the physical infrastructure to move people and to move goods and to be efficient. The funding provided in SAFETEA-LU is currently being used on highway and transit projects that clearly increase our economic productivity, create thousands and thousands of new jobs, and improve America's quality of life.

It has been several years since SAFETEA-LU was signed into law, and we on the committee, the Environment and Public Works Committee, and on the Banking Committee and on the Commerce Committee, have worked across party lines to identify the technical corrections that need to be made. These include updating of project descriptions, adjustments to some of the legislative language, and in some cases where projects could not move forward Members have said we have other projects that are ready to move forward. That is why this bill is so important.

If we do not do this bill, we are simply going to languish until the next highway bill in a couple of years, and we are going to waste time. We do not have time to waste. The issues need to be addressed to ensure that various programs authorized in SAFETEA-LU are being carried out according to congressional intent and are not bogged down in unintended consequences.

In an effort to address the issues identified since the passage of SAFETEA-LU, the House of Representatives approved H.R. 1195 in March of 2007 by a voice vote. The legislation was subsequently amended and approved by voice vote in the Senate Committee on Environment and Public Works in June of 2007. That is the committee I chair, and my ranking member, Senator INHOFE, and I have worked very closely on this and other infrastructure matters.

My remarks today are on the Technical Corrections Act of 2008, which has been filed as an amendment in the nature of a complete substitute to H.R. 1195. This amendment mirrors the earlier technical corrections legislation approved by the Senate and House committees but has been updated for the fiscal year, and it addresses additional issues which have been discovered since H.R. 1195 was first approved by the House and considered by our committee.

I truly believe this is a straightforward, noncontroversial bill that corrects technical issues, confirms congressional intent, and moves us forward. It is foolish for us to ignore this bill or to try to stop this bill because it doesn't cost an additional penny. The funding comes through the highway trust fund, and that funding is there. If we do not make these technical corrections, a lot of projects simply will be stalled. At a time when our economy is in trouble, we should be moving ahead.

Senator INHOFE and I have worked very closely with the bipartisan leadership of the House Committee on Transportation Infrastructure to craft this legislation that we bring to the floor as a substitute. We have also worked closely with Chairman DODD and Ranking Member SHELBY of the Committee on Banking, Housing and Urban Affairs and Chairman INOUE and Ranking Member STEVENS of the Committee on Commerce, Science and Transportation because we wanted to ensure that corrections to SAFETEA-LU that fell within their jurisdiction were all included in this legislation.

I say to my friends who may be listening to this debate, this is truly a bipartisan bill. It is more than a bipartisan bill, it involves three different committees and all of us want to see this move ahead. Again, the legislation does not increase overall spending by the Federal Government. It works within the confines of the existing SAFETEA-LU authorization. Changes which restore funding left out of SAFETEA-LU are paid for through the use of existing funds. If anybody says to colleagues we are spending more, we are not. We are simply making it possible for us to fulfill our promises we made to the American people several years ago when we told them we were funding a highway and transit bill.

Project changes are usually made because of State and local authorities who have told us that changes are necessary. This legislation emanates in many ways from the people back home. Let me give an idea of one of the issues that is very important in this legislation. It will fix an oversight in SAFETEA-LU that resulted in the Surface Transportation Research, Development and Deployment Account being oversubscribed. This means funding is not available for the Federal Highway Administration to conduct its legacy research programs and research activities. This legislation corrects the issue by removing the Future Strategic Highway Research Program from the Surface Transportation Research Development and Deployment Account and, instead, funds it through funds already allocated for core highway programs. This will free up about \$50 million per year, enough funding to finance the remaining programs and projects in the Surface Transportation Research Development and Deployment Account and will allow DOT, the Department of Transportation, to continue its important legacy research

programs and activities, including the biennial Conditions and Performance Report.

What is the Conditions and Performance Report? It is a report that provides an appraisal of highway, bridge, and transit finance, the physical condition of roads and bridges and their operational performance, and estimates of future investment requirements. That will provide crucial information on the current conditions and future needs of our national transportation system as we develop the next transit and highway safety bill. We will need this information. It will be crucial to setting priorities in the next highway bill.

Remember, we have seen bridges in our Nation collapsing. We have seen bad problems in our infrastructure. We need to make sure we have a very fair appraisal of the condition of our roads, the condition of our bridges, what it is going to cost to fix them before we go into our next funding cycle, our full funding cycle which will occur in 2009.

The legislation also fixes and modifies descriptions for highway and transit projects that were included in SAFETEA-LU but have not yet been completed. Without the changes included in this legislation, many of these projects are stuck at a red light. Until that light turns green, the benefits to the transportation system will not be realized.

This technical corrections legislation provides a green light that could unleash up to \$1 billion into the economy. Remember, this is not new spending. This is freeing up the dollars we already voted to spend on transportation projects, transit projects, highway projects. This is funding that has already been provided through SAFETEA-LU. It is not new money, but if we do not act, simply speaking, \$1 billion of important highway and transportation programs will simply not be spent.

Given the current slowdown in our economy, we can't afford to let these funds remain unused due to technical matters. Just last month, President Bush acknowledged that we must respond decisively to the economic downturn we are going through. Investing in infrastructure is one of the best ways to stimulate our economy. Infrastructure investments provide immediate economic stimulus through job creation and long-term economic benefits through reduced transportation costs.

In the past, the Department of Transportation has told us that for every \$1 billion in Federal spending on transportation infrastructure, 47,500 jobs are created. It may be that the number is slightly smaller now due to inflation, but in any event we know it is tens of thousands of good-paying jobs.

The benefits of infrastructure investment stay in America. Infrastructure investment creates American jobs and helps American businesses that produce most of the construction materials and equipment used in our Nation.

Finally, I would like to point out again—again—that this legislation will not increase spending. I have to say that over and over again, and it complies with earmark disclosure requirements of rule XLIV even though it only addresses changes to previously authorized projects.

I thank Senator DEMINT for giving me a call this morning and saying that he was very pleased with the way our committee handled this disclosure. I was very pleased with that call, and I thank him for it.

I urge my colleagues to support the technical corrections that have been included in this legislation so we can make the final changes needed to complete SAFETEA-LU and then turn our Nation to the next highway transit and highway safety authorization bill to be completed in the next Congress.

What I want to do is have put into the RECORD, if I might, Mr. President, without objection, a very important letter that comes from some very important constituents of all of ours.

I am going to show you what this letter is. I ask unanimous consent to have the letter printed in the RECORD.

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

APRIL 1, 2008.

Hon. HARRY REID,  
*Majority Leader,*  
*U.S. Senate, Washington, DC.*

Hon. BARBARA BOXER,  
*Chairwoman, Environment & Public Works*  
*Committee, U.S. Senate, Washington DC.*

Hon. CHRISTOPHER J. DODD,  
*Chairman, Banking, Housing & Urban Affairs*  
*Committee, U.S. Senate, Washington, DC.*

Hon. DANIEL K. INOUE,  
*Chairman, Commerce, Science & Transportation*  
*Committee, U.S. Senate, Washington, DC.*

Hon. MITCH MCCONNELL,  
*Republican Leader,*  
*U.S. Senate, Washington, DC.*

Hon. JAMES M. INHOFE,  
*Ranking Member, Environment & Public Works*  
*Committee, U.S. Senate, Washington, DC.*

Hon. RICHARD C. SHELBY,  
*Ranking Member, Banking, Housing & Urban*  
*Affairs Committee, U.S. Senate, Wash-*  
*ington, DC.*

Hon. TED STEVENS,  
*Ranking Member, Commerce, Science & Trans-*  
*portation Committee, U.S. Senate, Wash-*  
*ington, DC.*

DEAR SENATORS: We are writing to urge you to schedule a vote on HR 1195 making technical corrections to SAFETEA-LU (Public Law 109-59) as soon as possible.

Since enactment of SAFETEA-LU in August of 2005, Congress has worked diligently to pass into law corrections to SAFETEA-LU so that full implementation of important transportation programs and policies is possible. To address our Nation's transportation needs and challenges the full benefit of our transportation programs and policies in SAFETEA-LU is needed.

Congress' commitment to improving our transportation systems through the programs and policies it provided in SAFETEA-LU can be enhanced. We stand ready to continue to support this commitment.

Sincerely,  
American Association of Highway and  
Transportation Officials.  
American Highways Users Alliance.  
American Public Transit Association.

American Road and Transportation Builders Associations.

Associated General Contractors.  
Council of University Transportation Centers.

National Sand, Stone and Gravel Association.

National Asphalt and Pavement Association.

Mrs. BOXER. This is the group who sent the letter. I want to say who it is, who signed this letter: No. 1, the American Association of Highway and Transportation Officials; that is departments of transportation in all 50 States—red States, blue States, purple States—50 States signed this letter. They want us to move forward. No. 2, the American Highway Users Alliance; that is millions of highway users throughout this Nation of ours; the American Public Transit Association, which is transit systems from across the country, in all of our States; the American Road and Transportation Builders Associations, more than 5,000 members of the transportation construction industry. We know our construction industry in the housing sector is hurting. That means the jobs are decreasing. This is a moment in time where we can give a little boost to our transportation workers; the Associated General Contractors, more than 32,000 of them, service providers and suppliers; Council of University Transportation Centers, more than 30 university transportation centers from across the country; the National Stone, Sand and Gravel Association, companies that produce more than 92 percent of crushed stone and 75 percent of sand and gravel used in the U.S. annually; and the National Asphalt and Pavement Association, more than 1,100 companies that produce and pave with asphalt.

Mr. President, I say to Senators who might hear my voice, this a moment for us to come together across party lines such as Senator INHOFE and I have done, just as Senators DODD and SHELBY have done and just as Senators INOUE and STEVENS have done in our respective committees. This is a simple bill. This bill simply says we have about \$1 billion that is stuck because there have been some technical problems with the language. Some projects were not able to move forward. We substitute some others within the same funding cap. Some have legislative language which was confusing, and we are dealing with that. We feel very good about this bill.

We have listened very carefully to the ethics in the Senate. We know we needed to act to put all these projects on the Web site. We have identified who has asked for them, and we really do believe this technical corrections bill is ready for action. I can only hope that we will not see anybody try to hold up this bill for no reason at all.

If you have amendments, please let us know. We would be happy to give you as much time as you want. Today is the motion to proceed to the bill. We urge everyone to vote for that, and

that vote will occur, as I understand it, at 5:30; is that correct?

The PRESIDING OFFICER. The Senator is correct.

Mrs. BOXER. I will withhold the remainder of my time. How much time do I have remaining?

The PRESIDING OFFICER. The Senator has 7½ minutes remaining.

Mrs. BOXER. I will withhold. I say that I expect that Senator INHOFE will be here. I would ask my colleague from North Carolina, are you here to speak on this bill?

Mrs. DOLE. No, I am not.

Mr. CRAIG. I will speak in morning business.

Mrs. BOXER. I ask unanimous consent if we can please go into morning business to accommodate my colleagues. But I would say, Senator INHOFE may well have a statement. I ask unanimous consent that my two colleagues have 5 minutes each to speak and then the remainder of the time be reserved for Senator INHOFE, minus my 7 minutes, then go to a vote at 5:30.

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

The Senator from North Carolina.

#### TRIBUTE TO SENATOR BOB DOLE

Mrs. DOLE. Mr. President, I rise today to pay tribute to the remarkable accomplishments of a former Member of the Senate who delivered his first speech in this Chamber exactly 39 years ago. It was April 14, 1969, when that Senator stood, not far from here, to address his Senate colleagues for the first time.

The Senator used his speech to call attention to a group of Americans who were very close to his heart and who, up until that time, had been largely ignored. It was a group of Americans he had joined on April 14, 1945, when, as a soldier in the famed 10th Mountain Division, he was severely wounded as he led his troops into battle in the hills of Italy.

As a result of his wounds, the soldier would spend 39 months in various hospitals, and doctors would operate on him eight times. Eventually, the soldier would be left without the use of his right arm.

So it was that Bob Dole rose on April 14, 1969, not just to speak as a Senator, he also spoke as one of the millions upon millions of Americans who happened to have a disability.

Mr. President, I ask unanimous consent that a copy of the speech delivered by Senator Bob Dole on April 14, 1969, be printed in the RECORD.

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

[From the Congressional Record, Apr. 14, 1969]

#### PROCEEDINGS AND DEBATES OF THE 91ST CONGRESS, FIRST SESSION HANDICAPPED AMERICANS

Mr. DOLE. Mr. President, my remarks today concern an exceptional group which I joined on another April 14, twenty-four years ago, during World War II.

It is a minority group whose existence affects every person in our society and the very fiber of our Nation.

It is a group which no one joins by personal choice—a group whose requirements for membership are not based on age, sex, wealth, education, skin color, religious beliefs, political party, power, or prestige.

As a minority, it has always known exclusion—maybe not exclusion from the front of the bus, but perhaps from even climbing aboard it; maybe not exclusion from pursuing advanced education, but perhaps from experiencing any formal education; maybe not exclusion from day-to-day life itself, but perhaps from an adequate opportunity to develop and contribute to his or her fullest capacity.

It is a minority, yet a group to which at least one out of every five Americans belongs.

Mr. President, I speak today about 42 million citizens of our Nation who are physically, mentally, or emotionally handicapped.

#### WHO ARE THE HANDICAPPED?

Who are the handicapped?

They are persons—men, women, and children—who cannot achieve full physical, mental, and social potential because of disability.

Although some live in institutions, many more live in the community. Some are so severely disabled as to be home-bound, or even bed-bound. Still others are able to take part in community activities when they have access and facilities.

They include amputees, paraplegics, polio victims. Causes of disability include arthritis, cardio-vascular diseases, multiple sclerosis, and muscular dystrophy.

While you may have good vision and hearing, many persons live each day with limited eyesight or hearing, or with none at all.

While you may enjoy full muscle strength and coordination in your legs, there are those who must rely on braces or crutches, or perhaps a walker or wheelchair.

While you perform daily millions of tasks with your hands and arms, there are many who live with limited or total disability in theirs.

And in contrast to most people, thousands of adults and children suffer mental or emotional disorders which hinder their abilities to learn and apply what is learned and to cope adequately with their families, jobs, and communities.

Then there are those who are afflicted with combination or multiple handicaps.

#### NOT JUST THE HANDICAP

For our nation's 42 million handicapped persons and their families, yesterday, today, and tomorrow are not filled with "everyday" kinds of problems which can be solved or soothed by "everyday" kinds of answers. Their daily challenge is: accepting and working with a disability so that the handicapped person can become as active and useful, as independent, secure, and dignified as his ability will allow.

Too many handicapped persons lead lives of loneliness and despair; too many feel and too many are out of from our work-oriented society; too many cannot fill empty hours in a satisfying, constructive manner. The leisure most of us crave can and has become a curse to many of our Nation's handicapped.

Often when a handicapped person is able to work full or part time, there are few jobs or inadequate training programs in his locale. Although progress is being made, many employers are hesitant to hire a handicapped person, ignoring statistics that show he is often a better and more dependable worker.

The result is that abilities of a person are overlooked because of disabilities which may bear little or no true relation to the job at hand. The result to the taxpayer may be to support one more person at a cost of as much as \$3,500 per person a year. To the handicapped person himself, it means more dependency.

#### STATISTICS

Consider these statistics: Only one-third of America's blind and less than half of the paraplegics of working age are employed, while only a handful of about 200,000 persons with cerebral palsy who are of working age are employed.

Beyond this, far too many handicapped persons and their families bear serious economic problems—despite token Government pensions and income tax deductions for a few, and other financial aids. I recall a portion of a letter received recently from the mother of a cerebral palsy child in a Midwestern urban area:

There are the never-ending surgeries, braces, orthopedic shoes, wheelchairs, walkers, standing tables, bath tables and so on . . . we parents follow up on every hopeful lead in clinics and with specialists; we go up and down paths blindly and always expensively . . . I have talked with four major insurance companies who do not insure or infrequently insure CP children . . . although our daughter is included in her father's group hospitalization plan, many families are not as fortunate. These are just a few of the problems, compounded by the fact we must try to adequately meet the needs of our other "normal" children. In many cases, some kind of financial assistance would enable us and others like us to provide for our children in our homes, avoiding overcrowding of already overcrowded facilities and further adding to the taxpayer's burden costs for complete care.

There are other problems—availability and access of health care personnel and facilities at the time and place the individual with handicaps needs them. In my own largely rural State of Kansas, many handicapped persons travel 300 miles or more to receive the basic health services they require.

Education presents difficulties for many parents of handicapped children. Although a child may be educable, there may be few, if any, opportunities in the community for him to receive an education. Private tutoring, if available, is often too expensive. Sadly, to date, the Council for Exceptional Children estimates less than one-third of the Nation's children requiring special education are receiving it.

In rehabilitation, the Department of Health, Education, and Welfare said recently 25 percent of America's disabled have not received rehabilitation services and do not know where to seek such help. They estimate that at least 5 million disabled persons may be eligible for assistance.

Other problems the handicapped person faces each day include availability and access of recreation and transportation facilities, architectural barriers in residences and other buildings, and many, many more.

#### STILL A PROMISING OUTLOOK

We in America are still far from the halfway point of assuring that every handicapped person can become as active and useful as his capacities will allow. The outlook for the handicapped person in 1969, however, is not altogether bleak. Unparalleled achievements in medicine, science, education, technology as well as in public attitudes have cemented a framework in which the handicapped person today has more opportunities available to him than ever before. Consider first what government is doing.

#### THE GOVERNMENT STORY

The story of what the Federal Government, hand in hand with State governments, is doing to help meet the needs of the handicapped is not one that draws the biggest and boldest headlines. Broadly, the story is a "good" one, consisting of achievements in financial assistance, rehabilitation, research, education, and training of the handicapped—a massive effort to help many disabled Americans live as normal, as full and rich lives as possible.

It is, in part, the story of a man who, at age 21, became a paraplegic after sustaining injuries to his spinal cord and head in an accident while on the job.

In 1968, he joined over 2,300,000 other disabled men and women who have been restored to more productive, useful lives since the State-Federal vocational rehabilitation program began 48 years ago.

In 1964, the young man—a high school dropout with a wife and child—was referred to his State's division of vocational rehabilitation where a thorough program of total rehabilitation began. In addition, he was enrolled in a training school and was graduated as a fully licensed insurance agent.

Today—4 years later—he has his own successful insurance business. He and his wife have built a new home and adopted a baby.

It is a measure of America's concern for its handicapped citizens that even 50 years ago, this story could not have been told.

It takes place now because the Congress and the Federal Government initiated and guided a vital, vigorous program of vocational rehabilitation.

Mr. President, vocational rehabilitation is one of many ways the Federal Government works to aid the handicapped. But none of the Federal programs necessarily reaches or helps every handicapped person.

Nevertheless, the role of the Government has been basically successful in terms of numbers assisted, basic research performed, and the movement of increasingly large numbers of persons into more productive, satisfying channels. It demonstrates what Congress and Federal and State governments are doing to help America's handicapped better participate and achieve.

Mr. President, at this point, I ask unanimous consent to have printed in the RECORD, at the close of my remarks, a brief summary of Federal programs for the handicapped.

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

(See exhibit 1.)

#### THE PRIVATE SECTOR

Mr. DOLE. Mr. President, it is in the American tradition and spirit that parallel to Government effort there has developed the vital and growing effort for the handicapped by individuals, business and industry, churches and private, voluntary organizations. It is a herculean task to properly assess the many, far-reaching effects of the private sector—in health care, education, employment; in research, rehabilitation, by fundraising drives and through professional organizations and groups for the handicapped themselves. But it is here in the private sector—with its emphasis on the creativity, concern, and energies of our people—that America has become the envy of the world. Our private economy and the resources of our people have combined to improve the quality of life in America in ways and for persons the Government could not begin to match or reach.

For the handicapped, their achievements have been no less. I shall not today, detail or single out the achievements of the voluntary groups and private enterprise involved in aiding the handicapped. But let the record show that without the sincerity, scope, and

success of their efforts—in public information, employment and training, in upgrading health care and education personnel and facilities, in fundraising and in supporting research to conquer or at least minimize the effects of handicapping conditions—the prospects for the handicapped individuals would not be as hopeful as they are today.

#### WHERE DO WE GO FROM HERE?

Mr. President, as new public and private programs are developed, as old ones are strengthened and some, perhaps eliminated, as we in Congress allocate comparatively limited funds to help the handicapped, the responsibilities and opportunities loom large before us.

We must insure our efforts and money are not misplaced or misdirected—that they do not just promise, but really do the job.

Are we all doing our best to see that all the knowledge, information, money, and other help is consolidated and available to the handicapped person in the form he can use and at the time and place he most needs it?

Is there sufficient coordination and planning between and among the private groups and the Government agencies to avoid multiplicity and duplication so that we best serve America's handicapped?

Are we sometimes engaged in a numbers race—attending to cases that respond more quickly in order to show results to donors, members, and taxpayers, thus sacrificing some attention which should be focused on the really tough problems?

Many handicapped persons of our Nation are no longer helpless or hopeless because of private and public efforts which have helped them to better help and be themselves.

But the fact remains that some of our Nation's handicapped and their families are attacking the very programs and projects created to help them.

Some are disillusioned and disaffected by the programs.

Too often, the information, the services, the human help and encouragement are not reaching the person for whom they were intended and at the time and place he needs them.

Some sincerely believe there may be better ways we can demonstrate our concern and thereby better achieve for the person with handicaps the independence, security, and dignity to which he is entitled.

I am reminded of a statement given recently by the 1968 president of the National Rehabilitation Association:

It is the person, not the program that is of overwhelming importance. It is not the disability that claims our attention, it is the person with handicaps. It is not the maintenance of prestige of a particular profession that matters. It is the contribution of the profession to solving the complex problems of the individual who has handicaps.

When more of this emphasis on the individual better influences the agencies and professions dealing with the handicapped, I believe we can begin to open new, more meaningful vistas for more persons with handicaps.

We have been involved in efforts which have been creditable to date. Of this, there is no doubt.

But are we doing our best?

A highly respected official of the U.S. Department of Health, Education, and Welfare summed up the problem this way:

I do not feel we are spending our dollars—public or voluntary—as effectively as we could. We need to take a whole new look at what is going on, where the service is given. We need to try to design new methods and clearer purposes for our efforts. We need to relate our efforts more closely to the needs

of a community, to the needs of its individuals. And we need to try to measure, as concretely and specifically as possible what is actually achieved by our expenditures.

Our handicapped citizens are one of our Nation's greatest unmet responsibilities and untapped resources. We must do better.

#### PRESIDENTIAL TASK FORCE

With this in mind, I suggest the creation of a Presidential task force or commission to review what the public and private sectors are doing and to recommend how we can do better.

Composed of representatives of the public and private sectors, this task force or commission could provide an overview of how to provide the handicapped more help and hope.

Such a task force or commission could provide valuable assistance to Congress and the administration as we develop programs and allocate comparatively limited funds for the handicapped.

It could also help private organizations and voluntary groups conduct their efforts more efficiently and effectively.

The goal of a task force or commission, to achieve maximum independence, security, and dignity for the individual with handicaps, should encompass the total needs of the handicapped, not just employment or education or any other \* \* \*

Rather the task force or commission should concern itself with the whole broad spectrum of needs and services, because as I have pointed out the problems of the handicapped do not begin and end with the handicap itself.

Although there are hundreds of areas a task force or commission could review, I am hopeful, if created, it would include the following subjects:

First. Expansion of employment, transportation, and recreation opportunities for the handicapped.

Second. A directory or central clearinghouse to help inform the handicapped person and his family of available public and private assistance.

There are many helpful handbooks and information sources available. But most are not comprehensive and are more accessible to professionals in the field than to the handicapped who really need the guidance and information.

Third. Removal of architectural barriers.

Many persons cannot secure employment or fill their leisure hours because their disabilities bar use of the facilities. It is just as easy to build and equip buildings so that the handicapped and unhandicapped can use them. The Federal Government is doing this now for federally financed structures.

Fourth. More development of health care on a regional or community basis.

This is a tough, but priority matter and one which cannot be accomplished quickly or inexpensively. But we must begin to move toward more adequate health care facilities and personnel which serve each person at the time and place he needs them.

Fifth. Better serving the special educational needs of the handicapped.

Both the person and the Nation suffer when any educatable child—handicapped or unhandicapped—does not receive an education.

Sixth. Income tax deductions and/or other financial assistance to extend relief to more handicapped persons and their families.

Seventh. More attention on the family of the handicapped person.

These are the people who often need a degree of encouragement, counseling, and "rehabilitation" themselves. Are there services we should provide to family members whose own lives and resources are deeply affected by the presence of a handicapped person?

Eighth. Increased dialog and coordination between private and voluntary groups and Government agencies to avoid multiplicity and duplication.

What is at stake is not the agency, group, or program. What is at stake is the future of the handicapped person with his own abilities and potentialities.

#### CONCLUSION

This, then, Mr. President, is the sum and substance of my first speech in the Senate.

I know of no more important subject matter, not solely because of my personal interest, but because in our great country some 42 million Americans suffer from a physical, mental, or emotional handicap. Progress has been and will continue to be made by Federal and State governments, by private agencies, and individual Americans; but nonetheless there is still much to be done, if the handicapped American: young, old, black, white, rich, or poor is to share in the joys experienced by others. The task ahead is monumental, but I am confident that there are forces in America ready and willing to meet the challenge—including, of course, many of my distinguished colleagues who by their acts and deeds have demonstrated their great interest.

#### EXHIBIT 1

##### FEDERAL PROGRAMS FOR THE HANDICAPPED DISABLED VETERANS

The program of services for disabled veterans as we know it today began with enactment of the Soldier Rehabilitation Act, which was passed unanimously by Congress June 27, 1918 (P.L. 178, 65th Congress). Under the law, the Federal Board for Vocational Education, created by legislation the year before, was authorized to organize and offer vocational rehabilitation programs for disabled veterans.

The program was finally closed out July 2, 1928. In the program's 10-year existence, about 675,000 veterans applied for training. About 330,000 completed their courses satisfactorily and were considered rehabilitated, and about 98 percent of them were employed at the time their training was completed or terminated.

Soon after the U.S. entered World War II, planning began for vocational rehabilitation programs for disabled servicemen returning from that war.

On March 13, 1943, after much discussion over whether the veterans program should be allied with the civilian vocational rehabilitation program, the House passed a bill authorizing a separate veterans' program. It was signed into law 11 days later as P.L. 16, 78th Congress, and covered veterans who served in the armed services between Pearl Harbor Day, December 7, 1941, and the declared end of the war. This legislation set into motion an effort which, before termination, benefitted several hundred thousand disabled veterans.

When the U.S. entered the Korean conflict, the Congress enacted legislation to insure that the men who fought there could receive the same services as World War II veterans. By 1955, about 36,000 Korean veterans had received vocational rehabilitation training for service-connected disabilities.

Later legislation made it possible for veterans disabled after the conclusion of the Korean conflict to receive rehabilitation and other services of the Veterans' Administration. This includes peace-time veterans and the veterans of the Vietnam war. In 1968 alone, 5,192 veterans participated in vocational rehabilitation training, bringing the total number since the program began to 721,000.

Disabled veterans who need prosthetic and sensory aids can obtain them from the Vet-

erans Administration. In 1968 prosthetic appliances and services were furnished to about 465,000 disabled veterans, including 5,400 Vietnam veterans. Approximately \$10.2 million was spent in 1968 for the procurement and repair of prosthetic and other related appliances.

Last year, too, requests for grants were approved to help pay for special automobiles for 2,850 veterans because of loss of hands or feet or severe eye impairment. Expenditures for this benefit in 1968 totalled almost \$3.5 million, bringing the total cost to \$83.6 million since this program was enacted in 1946.

Another special benefit for disabled veterans is the grant program for acquiring specially-adapted housing for those who need braces, crutches, canes, or wheelchairs. Grants totaling \$4.4 million were made to 460 veterans in 1968. Since the program began in 1948, 9,705 grants at a cost of \$92.7 million have been awarded.

With the creation of a new Department of Medicine and Surgery December 31, 1945, the Veterans Administration set in motion a new pattern of care and rehabilitation service for sick, injured and disabled veterans entering VA hospitals. A special rehabilitation service was developed; selected hospitals were specially staffed and equipped for certain disabilities such as spinal cord injury, blindness, epilepsy, amputation and other conditions.

##### PROGRAMS FOR DISABLED CIVILIANS

A rehabilitation program for disabled civilians was not enacted simultaneously with the veterans' program because of opposition that it was not practicable and also not the responsibility of the Federal Government.

Two years later—June 2, 1920—President Wilson signed into law the Civilian Vocational Rehabilitation Act (P.L. 236, 66th Congress). The bill, known as the Smith-Fess Act, is one of the oldest grant-in-aid programs for providing services for individuals. At that time, services under the act were confined to counseling, job training, artificial limbs and other prosthetic appliances, and job placement. It provided for an appropriation of \$750,000 for fiscal year 1921 and \$1 million for fiscal years 1922 to 1924 and for payments to States cooperating in vocational rehabilitation of persons disabled in industry. Federal funds were to be matched by the States and were not to be used for institutions for handicapped persons except when individuals entitled to benefits of the act, required special training.

In its first year, the vocational rehabilitation program helped rehabilitate 523 disabled persons. Authorization for the program was renewed by Congress several times until 1935, when the Social Security Act included permanent authorization. This action demonstrated the consensus of congressional thought that vocational rehabilitation should be a permanent program in the United States. Continuing to grow, the program rehabilitated 11,890 persons in 1940.

The entry of the United States into World War II caused a manpower shortage which gave disabled persons who had been rehabilitated an opportunity to show the nation that the disabled could be productive, capable workers. Many employers began calling for more rehabilitated workers than the vocational rehabilitation program, despite its success, was prepared to provide. For more than 20 years since its enactment, the program had been limited in scope and uncertainly financed. Some States had excellent programs, but many did not. Development on a national scale had been uneven.

Legislation in 1943 helped solve some of these problems, and other legislation in later years helped to shape it into the more meaningful and effective program it is today.

In 1943 after an attempt to combine the Veterans' and civilian vocational programs was defeated, the Vocational Rehabilitation Act Amendments of 1943 (P.L. 113, 78th Congress) were signed into law. The 1943 law superseded the 1920 legislation and broadened the vocational rehabilitation program—more liberal financing, increased State services, and broadened the concept of rehabilitation.

Rehabilitation services were extended to the mentally handicapped and the mentally ill. Separate State agencies for the blind were incorporated into the Federal-State rehabilitation program. In addition, the now 50 States, and Puerto Rico were all placed on the same footing with respect to Federal grants. An improved provision of the 1943 law was coverage for specified corrective surgery or therapeutic treatment necessary to reduce or eliminate a disability. Administration of the program was transferred from the Commissioner of Education to the Federal Security Agency. In 1950, 59,597 persons were rehabilitated.

There were problems, however. Partly because the financial system was becoming inadequate and because there was no provision for research, professional training, and other features, essential progress was not being made.

Legislation in 1954, supported by President Eisenhower, was an effort to remedy these problems. While retaining the basic pattern of services, the 1954 amendments (P.L. 565, 83rd Congress) made sweeping improvements. They included provisions for research, demonstration, and training activities. The Federal share was increased on a formula basis, to give greater support to States with relatively large populations and relatively small per capita income. It initiated a new system of project grants for improvement and extension of services. For the first time, the use of Federal grants to expand, modernize and equip rehabilitation facilities and workshops was also authorized.

In 1954, congress also amended the Hill-Burton hospital survey and construction act to provide Federal grants to help construct rehabilitation facilities.

While in 1960, 88,275 persons were rehabilitated under the vocational rehabilitation program, by 1965 it had mushroomed to over 135,000 persons.

The 1965 amendments to the vocational rehabilitation act (P.L. 89-333) were designed to bring the public and voluntary agencies into a closer working alliance. It expanded and enlarged the program by broadening its legal and financial base. Services to the severely disabled, the mentally retarded, the deaf, and other handicapped individuals were increased. A national commission on architectural barriers to rehabilitation of the handicapped was established. Federal financial support was extended to local areas for funding more vocational rehabilitation programs. In a drive to build more rehabilitation facilities and workshops, funds were authorized for a comprehensive program to improve the workshops and to construct more vocationally-oriented rehabilitation facilities. Grants to States to conduct comprehensive State-wide planning by agencies designated by the Governors were also provided.

In 1967 Congress took further steps to improve rehabilitation programs for the Nation's disabled. The 1967 amendments (P.L. 90-99) extended and expanded grant authorizations to States for rehabilitation services. Provisions were made to establish a national center for deaf-blind youth and adults and to extend services to disabled migrants, and their families. In addition, the 1967 amendments required State agencies to provide services to the handicapped without regard to their residence locations.

Finally, just this past year, Congress passed another bill amending the vocational

rehabilitation program. The bill increased the Federal share for basic support of State programs from 75 to 80 percent, beginning in fiscal 1970, and established a minimum allotment of \$1 million for each State to increase efficiency, expand services, and reach more clients. The 1968 amendments (P.L. 90-391) also extended programs of grants for innovation, for special projects and for rehabilitation facilities construction and staffing.

The bill established a new vocational evaluation and work adjustment program to serve those who are disadvantaged by such reasons as physical or mental disability, youth, advanced age, low educational attainment, ethnic or cultural factors, or prison or delinquency records, especially in association with poverty.

Evaluation may include preliminary diagnostic studies to determine whether the individual is disadvantaged, has or will have an employment handicap, and needs rehabilitation services. Work adjustment services include appraisal of the individual's pattern of work behavior and development of work habits, work tolerance, and social and behavior patterns suitable for successful job performance.

Establishment of the social and rehabilitation service in 1967 also brought about an expansion of the Federal Vocational Rehabilitation Agency, and its transfer to the Division of Mental Retardation, under the newly-named Rehabilitation Services Administration. In 1961, President Kennedy appointed the President's Panel on Mental Retardation and gave them a mandate to recommend a national plan to combat mental retardation.

The Maternal and Child Health and Mental Retardation Planning Amendments of 1963 (P.L. 88-156) carried out several recommendations of the panel. This act provided funds to assist the States in planning comprehensive State and community programs for the mentally retarded. The Social Security Amendments of 1965 (P.L. 89-97) extended comprehensive planning grants to the States, enabling implementation of their comprehensive plans to combat mental retardation.

The Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963 (P.L. 88-164) authorized grants to States to construct facilities to serve the mentally retarded. It also provided grants to assist in construction of university-affiliated facilities to provide an interdisciplinary approach for clinical training of specialized personnel and for demonstration of new service techniques.

The Mental Retardation Amendment of 1967 (P.L. 90-170) extended these two programs and established a new grant program to pay part of the compensation of professional and technical personnel in community facilities for the retarded, for initial operation of new facilities, or of new services in a facility. Projects have been approved for construction of 242 community facilities to serve over 63,000 retardates.

In 1963, Congress authorized the hospital improvement program to support projects to improve services in State mental retardation institutions. This program is assisting about 100 of the 169 existing facilities.

The Vocational Rehabilitation Amendments of 1968 (P.L. 90-391) authorized projects for rehabilitation of mentally retarded persons not eligible for vocational rehabilitation due to age, severity of handicap, or other reasons. The first appropriation for this program is being requested for 1970.

Today, there are 90 rehabilitation agencies with 800 offices operating nationwide and in four territories. They serve nearly 700,000 handicapped persons each year at a State-Federal cost of over a half-billion dollars.

#### PROGRAMS FOR THE BLIND

One of the first pieces of legislation providing Federal aid for handicapped persons was approved March 3, 1879, under the title "An Act To Promote the Education of the Blind." This law set up a perpetual trust fund of United States Bonds, the income from which, in the amount of \$10,000 a year, would go to the American Printing House For the Blind in Louisville, Kentucky, so that books and other materials could be distributed among the schools for the blind throughout the country. Subsequent amendments gradually increased the authorization for this program. In 1956, it was \$410,000 a year. Then in 1961, Congress removed the ceiling from the annual appropriation and made it an amount to be determined by Congress. In fiscal year 1968, the printing house served some 19,000 blind children with books and other teaching materials at a cost of \$1.5 million.

The printing house was originally designed to serve blind children. In 1931, Congress enacted the so-called Pratt-Smoot Act (P.L. 787, 71st Congress) to "Provide Books for the Use of the Adult Blind Residents of the United States." This legislation formed the basis for the Federally-supported library service to the blind vested in the division for the blind and physically handicapped in the Library of Congress.

In 1933, an amendment to the act made available for distribution talking books, or phonograph records, in addition to the Braille books already used.

As commercial firms became interested in producing talking book records, a 1939 amendment gave preference to "nonprofit-making institutions or agencies whose activities are primarily concerned with the blind." A 1942 amendment provided maintenance and replacement of talking book machines as well as the talking books.

Then in 1952 Congress enacted an amendment removing the word "adult" from the act, clearing the way for blind children to also benefit from the program. In 1966, another amendment extended the program to include other physically handicapped persons. In 1968, 140,000 handicapped readers received catalogs from which to select reading matter and circulation of the containers, and reels, and volumes, was over 5,265,000. The expenditure for the program in 1968 was \$5.6 million.

One aspect of the vocational rehabilitation program is the emphasis given to adjustment, training, and placement of blind persons in competitive employment. Attention was first focused on this severely disabled group as a result of the passage of P.L. 113 in 1943.

The amendments to the vocational rehabilitation act in 1954 made a limited amount of training and research money available, so employment opportunities for blind workers have been greatly expanded. In 1968, 6,800 blind and 12,000 visually-limited persons were placed in a variety of occupations. In addition, special workshops for the blind now employ approximately 5,000.

Another phase of employment for the blind was made available through the provisions of the Randolph-Sheppard Act (P.L. 732) in 1936 which gave preference for operation of snack bars, vending stands, and other facilities of Federal properties to qualified blind persons. Installation of facilities, training, and supervision of blind operators are responsibilities of the State licensing agencies. In 1968, 3,259 blind persons earned \$16.6 million, an average of \$5,580 per operator.

#### EDUCATION OF THE HANDICAPPED

In 1864 President Abraham Lincoln signed into law a bill establishing a national college for the deaf later to be known as Gallaudet

College, and in 1879, Congress enacted legislation giving federal financial aid to the American Printing House for the Blind. Unfortunately, these two programs were the extent of Federal aid for education of handicapped children for the next three quarters of a Century.

In 1954 Congress enacted the cooperative Research Act (P.L. 83-531) for research grants in education. In 1957, \$675,000 of the \$1 million appropriated under the Act was earmarked to be spent on research on education of the mentally retarded.

In 1958 Congress passed the captioned films for the Deaf Program (P.L. 85-905). Originally aimed at cultural enrichment and recreation, amendments in 1962 and 1965 broadened the program into a flexible, comprehensive instructional program for the deaf, including teacher training. 1967 legislation extended the program to include all handicapped children requiring special education.

Legislation in 1958 (P.L. 85-926) authorized grants to educational institutions to help train professional personnel to train teachers of mentally retarded children. In 1961, Congress enacted legislation authorizing support for training classroom teachers of the deaf (P.L. 87-276).

In 1963, these programs for training personnel to work with handicapped children were expanded to include teachers of children who are "hard of hearing, speech impaired, visually handicapped, seriously emotionally disturbed, crippled, or other health impaired," as well as mentally retarded and deaf. The same legislation (P.L. 88-164) authorized grants for research and demonstration projects in education of handicapped children. A 1965 amendment to this program authorized construction, equipping, and operation of facilities for research and related purposes.

The year 1965 saw enactment of a great body of legislation to aid in the education of handicapped youngsters. The Elementary and Secondary Education Act (P.L. 89-10) provided programs through local education agencies to reach handicapped children in low income areas. It also provided support for supplemental services including special instruction for the handicapped and for innovative programs. A 1965 amendment to this act (P.L. 89-313) provided grants to State agencies directly responsible for educating handicapped children. This brought assistance to State-operated or State-supported schools for the deaf, retarded, etc., not eligible under the original act.

Also in 1965 Congress enacted the National Technical Institute for the Deaf Act (P.L. 89-36) authorizing establishment and operation of a postsecondary technical training facility for young adults who are deaf. This institute, which is being established at the Rochester Institute of Technology, Rochester, New York, complements Gallaudet College, which provides a liberal arts program.

1966 saw more legislation for education of the handicapped. There was the Model Secondary School for the Deaf Act (P.L. 89-694) which created a model high school as part of Gallaudet College to serve deaf children of the Washington, D.C. area. Planned to offer a full curriculum and the normal extracurricular activities of high schools, this model high school for deaf children may lead to formation of other similar schools throughout the country.

Also in 1966, Congress passed further amendments (P.L. 89-750) to the Elementary and Secondary Education Act, which authorized funds to assist the States in improvement of programs and projects for the education of handicapped children at preschool, elementary, and secondary levels. The 1966 amendment also required establishment of a

National Advisory Committee on Handicapped Children to make recommendations concerning programs carried on for handicapped children by the Office of Education.

In addition, the Congress undertook a bold precedent, establishing the Bureau of Education for the Handicapped to administer all Office of Education programs for the handicapped. The Bureau of Education for the Handicapped has made major strides in stimulating a local, State and Federal partnership for improvement of education for handicapped children.

The 1967 amendments to the Elementary and Secondary Education Act further broadened and extended the program of services to the handicapped. Regional resource centers were authorized to determine special education needs of handicapped children referred to them, develop educational programs to meet these needs, and assist schools in providing such programs. The 1967 legislation also authorized establishment and operation of centers for deaf-blind children, programs designed to improve recruiting of educational personnel and to improve dissemination of information on educational opportunities for the handicapped.

The 1967 Mental Retardation amendments (P.L. 90-170) provided support for training professional personnel and for research and demonstration activities in physical education and recreation for mentally retarded and other handicapped children.

The most recent piece of legislation for education of handicapped children was enacted in the Handicapped Children's Early Education Assistance Act of 1968 (P.L. 90-538). It authorizes grants to public and private agencies and organizations for establishment of experimental preschool and early education programs which show promise of developing comprehensive and innovative approaches for meeting special problems of handicapped children. This legislation recognizes that the most rapid learning period comes in the years before school traditionally begins. The programs engendered by this legislation should do much to identify handicapped children early and to help give them a better start toward full, productive lives.

#### EMPLOYMENT OF THE HANDICAPPED

Once a handicapped person is rehabilitated and able to support himself, he often encounters tremendous difficulties in securing meaningful employment. A case is not considered closed, in the vocational rehabilitation program, until the disabled person is on the job, and has satisfactorily adjusted in the eyes of both the disabled person and his employer.

For many reasons, employers are reluctant to hire the handicapped. The Federal Government is trying to change this attitude among employers and the public and has met with some success.

In addition to the placement program of the vocational rehabilitation program, the Bureau of Employment Security, through state and local employment services, provides direct employment counseling and assistance to physically and mentally handicapped persons seeking work. Public information and educational activities directed toward employers and labor organizations are part of the effort made under these programs. Selective placement techniques are also used to help match the physical demands of a job to the physical capacities of a worker.

The President's Committee on Employment of the Handicapped, a voluntary group of about 600 men and women, has made great accomplishments in the past 20 years to promote greater employment opportunity for qualified handicapped men and women. Operating within the Department of Labor and

within a budget that until last year had a ceiling of only a half million dollars, the Committee maintains working relationships with the 53 cooperating governor's committees, and with the various Federal Departments, Agencies, and Commissions. The Committee works to help assure that the handicapped are considered for their abilities, and to help facilitate development of maximum employment opportunities for them. The peak of its activity, although it goes full steam throughout each year, is in the first full week of October, National Employment of the Physically Handicapped Week.

The Department of Labor is also involved in training the handicapped. Enactment of the Manpower Development and Training Act in 1962 widened the opportunity for the Department to develop meaningful training programs for handicapped workers. It was estimated that by the summer of 1966, well over 25,000 handicapped persons had received training under MDTA and over 20,000 of those had already obtained jobs.

#### HOUSING FOR THE HANDICAPPED

The Federal Government is involved in several programs concerned with housing for the handicapped or disabled. The Housing Assistance Administration of the Department of Housing and Urban Development provides loans and contributions to local housing authorities which, in turn, provide decent, safe, and sanitary housing for low-income families at rent they can afford. Handicapped persons of limited income are among those eligible for benefits under this program, established by the U.S. Housing Act of 1937 (P.L. 75-412).

The Housing Assistance Administration also provides low-interest, long-term loans to private nonprofit corporations, consumer cooperatives, and public agencies for new and renovated rental housing, dining facilities, community rooms, and workshops for the elderly and the handicapped whose incomes are above the levels set for admission to public housing projects, but below that needed to pay rents for available private housing. This program was enacted by the Housing Act of 1959 (P.L. 86-372).

The Housing Act of 1961 (P.L. 87-70) established a grant program for public and private groups to develop new or improved means of providing housing for low-income persons, the physically handicapped, and families. Demonstration of means to provide housing is specifically authorized by this legislation.

The Housing and Urban Development Act of 1965 (P.L. 89-117) authorized rent supplement payments to help assure privately-owned housing is available to low-income individuals or families of low income. The handicapped are among those eligible for this program if their income does not exceed the maximum amount established in the area for occupancy of federally-aided, low-rent public housing.

#### ARCHITECTURAL BARRIERS

Related to housing, Congress in 1968, passed legislation to insure that certain buildings financed with Federal funds are designed and constructed to be accessible to the physically handicapped (P.L. 90-480). This legislation applies to any public buildings constructed in whole or part with Federal funds. The only exceptions are privately-owned residences and buildings or facilities on military installations intended primarily for use by able-bodied military personnel.

This legislation was passed after recommendations were made by the National Commission of Architectural Barriers to Rehabilitation of the Handicapped, authorized by the Vocational Rehabilitation Amendments of 1965 and appointed by the President in 1966.

The legislation should spur States and local governments to enact legislation and regulations so that all public buildings, not only those built with Federal funds, will be so constructed that the disabled will be able to fully utilize them. Some 45 States have laws or resolutions already, but many of them are not strong enough to have much effect. Only a few municipalities thus far have taken similar action.

ASSISTANCE FOR THE NEEDY BLIND AND  
TOTALLY DISABLED

The Federal Government is involved in programs of support for needy blind persons and for permanently and totally disabled persons through social security legislation enacted in 1935 and 1950. Under these public assistance programs, the Government provides grants to States and the States, in turn, provide three forms of assistance: cash payments for food, clothing, shelter, and other basic needs; medical or remedial care recognized under State law, through payments directly to hospitals, physicians, dentists, and other providers of care; and social services, such as counseling on personal problems, help in finding better housing, referral to community resources, and home-maker services.

These programs are available to needy blind persons so that they may attain or retain their self-support or self-care capability and to people over age 18 who cannot support themselves because they have a permanent and total physical or mental impairment.

In 1967 the number of persons receiving aid to the blind in the States and territories with programs in operation totaled over 82,000. Combined, total expenditure of local, State, and Federal funds for this purpose was over \$86.9 million, and the average payment for all individuals participating nationwide was \$90.45 per month. Under the program for the permanently and totally disabled, there were 646,000 recipients receiving a total of \$573.5 million, averaging \$80.60 per monthly payment.

SOCIAL SECURITY DISABILITY INSURANCE

The basic social security program which provides benefits to the worker when he retires also provides cash benefits to covered disabled workers under age 65 and to their dependents for as long as the worker is unable to engage in "substantial gainful activity." In 1967, over two million disabled workers and dependents received social security cash benefits totalling over \$147.8 million. Under the 1965 social security amendments, use of trust funds was authorized to pay the cost of rehabilitation services provided by the State vocational rehabilitation agencies to certain disability insurance beneficiaries.

The "Medicare" Act passed in 1965 included a little-publicized but valuable new arrangement for restoring more disabled people: It authorized the Social Security Administration to transfer from trust funds for retirement and disability benefits certain amounts for vocational rehabilitation services to disabled workers receiving social security benefits. A limit of one percent of the total benefits being received placed a control on how many funds could be transferred each year. These funds are used by the Federal-State Vocational Rehabilitation Program to pay for services to disabled beneficiaries, most of whom can be restored to activity and work, thereby resuming their payments into the trust funds. For this year, \$18,077,000 was transferred for this work.

SUMMARY

The above Federal programs have been described briefly and quite possibly some programs may have been unintentionally overlooked in our research.

At any rate, the summary may be of assistance to those interested in the problems and

programs concerning handicapped Americans.

Mr. PEARSON. Mr. President, I should like to express great pride in, and ask to be associated with this most excellent statement just made by my distinguished colleague. He speaks of a problem which, in his own words, affects every person in our society and every fiber of our Nation.

Here is, then, a definition coupled with a solution and, treated with sympathy and yet with reason, an approach, I am sure, that will yield to progress.

I think that one point he so clearly set forth is the challenge. That is when he asked all of us:

Are we doing our best to see that all the knowledge, the information, and money, and other help is consolidated and available to the handicapped person in the form he can best use and in the time and place he needs it most?

I think he answered that question by saying a little later on that we must do better. He makes a proposal which is specific in its recommendations, and is an enormous contribution, I think, to a very great problem.

I look forward to the other proposal that he shall be making in the days ahead in regard to what is, really, one of the great problems facing this country in the last third of the 20th century.

I congratulate my distinguished colleague. I am very much pleased to be here today when he makes his first speech in the Senate.

Mr. COTTON. Mr. President, will the Senator from Kansas yield?

Mr. DOLE. I yield.

Mr. COTTON. Mr. President, I should like to join my friend, the other distinguished Senator from Kansas (Mr. PEARSON), in commending the distinguished Senator from Kansas (Mr. DOLE) FOR HIS CONTRIBUTION THIS AFTERNOON.

I have served in this body many years. I do not know that I have ever heard a new Senator make a greater contribution in what he characterizes as his first speech in this body.

He talked on a subject which is close to the hearts of all Americans. This country has grown so fast, with over 200 million people in it, with a huge Government requiring complicated machinery, that it is a supertask for us to try to see that some of the less fortunate people in this country are not ground under the wheels of the massive instrument that we have played our part in creating.

I predict for the junior Senator from Kansas a long and distinguished career. I venture to say that although his contributions, I am sure, will be great, he can always remember with pride the fact that his first contribution was on a subject which is so important to all Americans.

As a Member of the Senate, I join in congratulating the distinguished Senator from Kansas on the masterly speech he has just delivered.

Mr. MATHIAS. Mr. President, will the Senator from Kansas yield?

Mr. DOLE. I yield.

Mr. MATHIAS. Mr. President, I should like to join the senior Senator from Kansas (Mr. PEARSON) and the Senator from New Hampshire (Mr. COTTON) in commenting on the speech which the junior Senator from Kansas (Mr. DOLE) has just completed—a speech which addresses itself to a problem which is becoming increasingly felt as one of the serious problems in America today. The subject has a humanitarian impact because it deals with the problems of the individual, but it also has a social and economic impact because it affects the way in which we, as a nation, deal with problems that touch the lives of so many of our citizens.

The Senator has treated the subject in great depth, with thoroughness, and with understanding. I can only say that this is typical of him. He and I entered the other body on the same day. We came to the Senate on the same day. I have known him very well in the intervening years.

The remarks of the junior Senator from Kansas today are evidence of the promise of the enormously valuable service which he will render in this body as the years pass by.

I wish to express my appreciation to him for his valuable contribution.

Mr. DOLE. Mr. President, I thank my distinguished colleagues for their patience and their kind remarks.

Mr. HRUSKA. Mr. President, the junior Senator from Kansas is to be commended for his statement today on problems faced by the handicapped. This statement, in many ways, typifies the man who made it. It is well prepared, thoughtful, and above all, it is a warm and human examination of the problem.

The Senator from Kansas, during his four terms in the House of Representatives, established himself as a man who truly cares about people and does his best to aid them. His emphasis is not on statistics, but on the people involved. This is as it must be. The dollars spent, the programs generated, mean nothing unless they benefit those in need.

The problem of aiding the physically, mentally, or emotionally handicapped is not one to be solved by government alone. In the end it is people who must help. People will provide jobs, training, and dignity. A partnership of government, local and national, and the private sector of our economy is the wise way of approaching the question of assistance to the handicapped. It is the way highlighted by the able Senator from Kansas.

There is one final point I wish to make, Mr. President. In mentioning specific causes of disability, there is one the Senator from Kansas left out—service to our Nation. A great number of our citizens have made the sacrifice of health and well-being for the cause of peace. The distinguished Senator knows well the problems of which he speaks today. He knows the vitality that remains in the human soul despite injury to the body. He has demonstrated how well a man can serve his country despite a handicap.

Mr. President, I congratulate the junior Senator from Kansas on his fine remarks to the Senate.

Mr. DOLE. I thank the Senator from Nebraska.

Mrs. DOLE. Mr. President, I urge my colleagues to read the speech because it is as compelling and timely today as it was 39 years ago. It offers a comprehensive analysis of the challenges facing those with disabilities and the steps that need to be taken to fulfill their dreams of full participation in our society. Thanks to the leadership and perseverance of Bob Dole and the work of other Senators such as Senator DOMENICI, Senator HARKIN, and Senator KENNEDY, those dreams became a reality with the passage in 1990 of the Americans with Disabilities Act.

Bob has described July 26, 1990, the day President George Herbert Walker Bush signed the ADA into law, as one of the most rewarding days of his life. He once said:

I suppose there were some that day who saw only a White House lawn covered with wheelchairs and guide dogs. But that just goes to show who in our society is truly limited.



My own perspective was very different. As I looked around, I saw Americans with amazing gifts; Americans who could finally contribute to a Nation much in need of their skills and insights.

Bob Dole not only devoted much of his public life to serve as an advocate for Americans with disabilities, he devoted much of his private life as well. He began the Dole Foundation and worked to raise millions, which were used to fund job training and placement programs for disabled workers. Bob also established a scholarship fund for law students with disabilities at the Washburn University School of Law. The funds provide assistance to students with disabilities for tuition, books, and other special needs.

Throughout his career, Bob Dole has never wavered in his special commitment to the veterans who were disabled in service to our country. As my colleagues know, last year President Bush appointed Bob and former Health and Human Services Secretary Donna Shalala to serve as cochairs of the President's Commission on Care for America's Returned Wounded Warriors.

The Commission was asked to provide a comprehensive review of the care provided to service men and women wounded in the global war on terrorism and to recommend needed improvements to that care. In the course of their work, the Commission visited DOD facilities, VA hospitals, and other care sites across the country. They met with injured servicemembers, their families, professionals who provide medical and rehabilitative services, program administrators, and many others.

Last July, the Commission issued a final report with important recommendations that would serve and support our veterans while simplifying an overly complex system. As Senators ROBERTS and BROWNBACK know, the State motto of Kansas is: "To the stars through difficulties."

Quite simply, I can think of no American who has done more in his life and career to ensure that individuals with disabilities have the opportunity to fly as high and soar as far as their skills and talent can take them than Bob Dole.

In doing so, he has earned more than the pride and admiration of a loving wife. He has earned the respect of a grateful nation and the enduring thanks of millions of individuals he has never met but whose lives are immeasurably better and richer and more productive because of him.

I yield the floor.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. CRAIG. I have been listening to Senator DOLE speak of her husband, a great American. I would like to tell the Senator that as a member of the Veterans' Affairs Committee, we are now examining the Dole-Shalala proposal that the Senator referenced, which is a quantum leap in good advice and sound understanding of the needs of Amer-

ica's veterans. We thank you. More importantly, we thank Senator DOLE for that great effort.

#### TAX CODE REFORM

Mr. CRAIG. I rise today, on the eve of Tax Day, 2008, to discuss the State of our Nation's Tax Code. Only a few weeks ago, we debated the fiscal year 2009 budget resolution and some recurring themes very quickly emerged.

Over and over again, both sides of the aisle were speaking of the problems they heard about, the death tax and problems with the alternative minimum tax and the unfair tax advantage of the wealthy and the burden on the middle class and other problems that are systemic within America's Tax Code.

You know what we did about these problems? We only offered temporary solutions like we have offered for the last decade. Here is what is wrong with that type of thinking: There are not temporary problems that can be fixed with temporary solutions, they are fundamental problems that require fundamental changes in America's Tax Code.

Our current Tax Code is broken, and you saw Democrats and Republicans alike opining on the floor of the Senate during the debate over the budget resolution about taxes. We tried to fix it with a temporary measure, but we have served only to make things worse. There is exactly what we have done over the last good number of years.

Today's Tax Code is over 67,000 pages long, and it is growing. According to IRS estimates, taxpayers spend 6 billion hours annually trying to fit themselves into the Tax Code and over \$265 billion in related compliance costs.

Ladies and gentlemen, fellow Americans, it is only going to get worse. Since the last major overhaul of the Tax Code in 1986, we have made 15,000 changes. That is right, since 1986, we have made 15,000 changes. That equates to a couple of changes to our Tax Code every day.

This nonstop tinkering has created a tax system that is overly complex, incredibly inefficient, and extremely unfair. We cannot continue down this unsustainable path of temporary fixes. We need to do fundamental reform to our Tax Code. We need a system that is simple and transparent and fair. We need to wipe the slate clean and start all over.

I am amazed we have not done the very fundamental aspects of what we need to do to fix the Tax Code. Our broken code does more than cost us money in compliance costs and a waste of time, it hurts us both socially and economically. Socially our Tax Code tells us when is the best time to marry, how many children we ought to have, how much to save, how much to invest, where to live, and even, to a degree, what time we should die in our lives that is the most economically advantaged to our estate.

That is what our Tax Code does. Economically, we waste billions of dollars

that could have been reinvested in the economy. Instead, we employ some of America's brightest minds on innovation, while we waste them on finding ways to navigate through this phenomenally complex 67,000-page code. Moreover, our complex Tax Code and high corporate tax rate are putting Americans out of business as we compete in a world around us, not just here in America but all over the world. Companies today are locating where they have a greater tax advantage.

I spent several years examining several different tax systems, and after examining the facts, I believe the best alternative to a broken Tax Code has been the very tax idea I introduced some years ago. That was a flat tax—no games, no gimmicks, a straightforward approach.

Our Tax Code is the workhorse pulling our economy, as I stated earlier, pulling us in the wrong direction. This horse that pulls our economy, the American Tax Code, has grown very lame. I grew up farming and ranching. Let me tell you, when the horse got lame, you took it out of the harness and put it in the barn. Sometimes, if it could not get well, you would simply have to dispose of it. How tragic that was.

But today's tragedy is the lame horse that is still in the harness, attempting to pull the Tax Code and the American people and the economy in the right direction when it is headed in the wrong direction.

So now as Americans file their taxes responsibly and dutifully, after they have navigated their way through a maze, and they have taken them to their accountant, and their accountant puts his or her final seal on it, and they send it in, if they were to ask an IRS agent: Did I do it right, there is no IRS agent today, no matter how schooled and how learned and how long-serving in the IRS, who can say: Yes, you have done it right. And that is not appropriate. The best they can tell you is that they think, in fact they guess, that you did it right.

That ought to be an embarrassment to our country, and more importantly it ought to be an embarrassment to America's policymakers. That is us, those who write the Tax Code of our country that drives our economy.

I yield the floor.

The PRESIDING OFFICER (Ms. STABENOW). The Senator from Oklahoma.

Mr. INHOFE. Let me use some of the time for the issue at hand. First of all, I wish to talk about the technical corrections bill that is going to be voted on in about 15 minutes—not the bill but the motion to proceed to the bill.

The Transportation bill that we are involved in, that Senator BOXER and I were involved in back in 2005, that we passed August 10 of 2005, authorized \$286 billion in transportation and infrastructure spending for fiscal years 2005 through 2009.

Now, let me say that as a conservative standing here, that is a huge

number. I think that may have been the largest nondefense spending bill at the time up to that time. But it is interesting that if we spend all of that, it is not going to even maintain what we have today.

That is why we put into the bill a committee to look into new ways of funding infrastructure, new ways of funding transportation. We have been doing it the same way since President Eisenhower, and it is time we tried something different.

I think there is a resistance to continuing to increase taxes as the only way of funding our infrastructure. Included in the bill are recommended technical changes from the Department of Transportation that address functional problems in implementing the bill, technical changes to safety products which will continue to be delayed from breaking ground due to simple drafting errors and descriptions.

Furthermore, universities and other transportation research entities will not receive their fully intended funding, and the States will be unable to use millions of dollars in transportation funds that were authorized 3 years ago.

Something that is interesting, the bill does not increase the overall size of SAFETEA. I have heard a lot of people say: Well, this is a big spending bill. First of all, it is not a spending bill, it is an authorizing bill. But the technical corrections are also an authorization.

Now, it is my understanding, and I believe it is true, that the total amount of authorization that was in the bill itself is not changed by the technical corrections bill.

A lot of people are implying it is. I do not believe it is. We have had staff and ourselves looking at it. It may change some of the priorities in the authorization, but the overall figure, the top line, is going to be the same.

Several of my colleagues have approached me recently with additional project fixes. In some cases, I have had to say no to their requests because they either submitted them too late to be considered in our negotiations with the House—the request went beyond the scope of a technical fix—or because the proposed fix was to a House project which the House objected to. Let's keep in mind, we have two Houses working on this. We have the Senate and the House of Representatives. This is a difficult type of legislation to get passed. But one thing you can't do is start making changes and anticipate that the House is going to go along with those changes, because I can tell my colleagues, they will not do it. Our House colleagues have passed this bill several times, but each time it comes over to the Senate it has been held up.

The bill before us, along with the manager's substitute amendment, is the commutation of negotiations between the House and the Senate. Any changes to the bill at this point will require the concurrence of the House or

the bill will not proceed. Therefore, I ask my colleagues to understand that if they are planning on filing an amendment before the chairman and I can agree to it, we need to determine if our counterparts in the House would find it to be agreeable. I suggest they probably will not.

I heard about an hour ago, when I arrived in Washington, that it might be that the administration could have some objections. I am having a hard time understanding how that could be. First, they supported the bill. They signed the bill when it first passed in August of 2005. Technical corrections is a common thing. It does not have a net increase in authorizations. I can't see why it would be. I understand there would be one provision having to do with rapid transit that would not be in our committee. It was not in the committee chaired by Senator BOXER and formerly chaired by me. It is in the Banking Committee. So we want to look at that. If that is the objection, I certainly believe we can talk to the administration and keep them from opposing it.

We have some amendments that have been discussed. I have not been here long enough to find out this week if people are going to come forward with their amendments. My junior Senator, Mr. COBURN, makes a very good point on a project down in Florida called Coconut Road, that there have been some problems. Apparently, all those have been corrected. The only thing I wish to talk to my junior Senator about is if he wants to examine this, investigate this, that is a good idea. It is already being done. However, we have enough committees and commissions around this place, thousands of them. I am not sure we need another one. That is something we might want to debate. I know Senator BOND has an amendment that he has discussed. I look forward to visiting with him. Any of these amendments, yes, we want to talk about them. But keep in mind, we do have this commitment that we have a technical corrections bill that has to pass or we cannot implement those provisions that otherwise are going to allow us to correct some of the problems we have.

Again, here I am, a conservative, saying this is not adequate, what we have done today. We have another one that should be coming up next year. Hopefully, it will. Sometimes it doesn't happen like it should. But in the meantime, I want that committee that is supposed to be examining the way we have historically funded roads and highways and infrastructure to come up with some ideas. There are experiments in different States right now. But we will have to recognize the fact that this country has got to have infrastructure for it to survive.

In conclusion, I assure my colleagues that I appreciate their responsiveness to our numerous requests to advise the committee of their requests, thereby assisting us to help them. If we were

unable to satisfactorily address their concerns in this bill, there will be additional opportunities do so when we reauthorize SAFETEA, and that reauthorization should be under way next year.

With that, I hope those who object to this will at least let us proceed to this bill. Then we can look at it and see if there are any of the amendments that we feel would not violate the agreement between the Senate and House and would have the effect of killing the whole bill.

I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Madam President, I thank my ranking member. He and I, when we are on the same page, have had very good results. I think our colleagues trust that when we can come together on something, it has gone through all the hoops and all the "I's" have been dotted and the "T's" have been crossed. I want to assure colleagues that on this particular piece of legislation, we have worked closely together, as have Senators DODD and SHELBY over at Banking, as have Senators INOUE and STEVENS. This is one of those moments which doesn't come that often around here—not often enough for me—where we do have a lot of us working together across party lines, across committee jurisdictions.

Mr. INHOFE. Will the Senator yield for a moment?

Mrs. BOXER. Yes.

Mr. INHOFE. I neglected to mention that when we went through this long and arduous legislation initially, there are probably not two Members of the Senate who are more opposed to each other philosophically than the two of us, Senator BOXER and myself. But we recognize that the process we used is one that is fair. We developed criteria. There are projects in here that met the criteria. Some of them I would oppose personally, but nonetheless, you have to come up with a bill if you are going to have roads to travel and infrastructure to serve this great Nation.

I compliment Senator BOXER in working with me on some of the problems I had initially with this bill.

Mrs. BOXER. Madam President, I am pleased we can work so well together. I want to thank our staffs also. We have developed very trusting relationships with our senior staff, and it reflects the relationship we have developed to be able, even if we disagree, to be completely honest with each other. This is helpful for the Senate as a whole.

I wanted to share with the Senate this amazing group who came together to support us in our efforts on this technical corrections bill which will unleash some funding that is rather stuck right now, at a time when we could use some construction activity. I think it is important to see. We have the American Association of Highway and Transportation Officials—those are Departments of Transportation from all 50 States—American Highway Users

Alliance, millions of highway users throughout the country; American Public Transit Association, transit systems from across the country; American Road and Transportation Builders Associations, more than 5,000 members of the transportation construction industry—these people have all written to us and have said: Get this bill going—Associated General Contractors, more than 32,000 contractors, service providers and suppliers; the Council of University Transportation Centers, more than 30 university transportation centers from across the country; National Stone, Sand and Gravel Association, companies in America that produce more than 92 percent of crushed stone and 75 percent of sand and gravel used in the United States annually; and the National Asphalt and Pavement Association, more than 1,100 companies that produce and pave with asphalt. These are the folks who are saying to all of us: Please bring this bill to the floor, please work together.

I personally have a very good feeling about this bill. Senator DEMINT, who sometimes has trouble with these bills, was complimentary to both of us and the work we have done. He has a couple of amendments, maybe only one amendment. He said he did not intend to hold up our bill. So I think we are moving in a good direction. But I want to reiterate what Senator INHOFE said: Please, if you do have an amendment, talk to us, because we are not going to have this bill go through unless the House signs off. So we would hope we could keep this bill pretty clean. We hope we can work out our differences with a couple of Senators who have some problems. If we can't work it out, we will have to see what the body wants to do. This is sort of a very mini stimulus package, frankly, and one that doesn't mean one dollar of new spending that hasn't already been authorized. It is a good moment for the Senate.

I thank Senator REID, working with Senator MCCONNELL, for getting this bill before us. A lot of our communities will be very happy when they see that projects that were stalled, because there were some technical problems, can now go forward.

Some of our colleagues who said: Look, leg one of this project can go forward but not leg two. Can you change the wording?

We are allowing colleagues this kind of latitude. Of course, we put a freeze on all of that because we had to cut off at some point. I think this bill is a good bill. It is a technical corrections bill. It is not breaking any new ground. We look forward to an "aye" vote from as many of our colleagues whom we can convince this is a good idea. I understand we are about to go into the vote. I look forward to a solid vote. Then Senator INHOFE and I will be in the well, and we will talk to all our colleagues who may want to talk about their amendments.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. BOXER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

CLOTURE MOTION

Under the previous order, pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to proceed to Calendar No. 608, H.R. 1195, an act to amend the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users, to make technical corrections, and for other purposes.

Harry Reid, Barbara Boxer, Richard Durbin, Charles E. Schumer, Sherrod Brown, Frank R. Lautenberg, Jon Tester, Mark L. Pryor, Bernard Sanders, Benjamin L. Cardin, Jeff Bingaman, Patty Murray, Sheldon Whitehouse, Debbie Stabenow, Bill Nelson, John D. Rockefeller IV, Jack Reed.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the motion to proceed to H.R. 1195, a bill to amend the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users, to make technical corrections, and for other purposes, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant journal clerk called the roll.

Mr. DURBIN. I announce that the Senator from New York (Mrs. CLINTON), the Senator from Massachusetts (Mr. KENNEDY), the Senator from New Jersey (Mr. LAUTENBERG), the Senator from New Jersey (Mr. MENENDEZ), and the Senator from Illinois (Mr. OBAMA) are necessarily absent.

I further announce that, if present and voting, the Senator from New Jersey (Mr. MENENDEZ) would vote "yea."

Mr. KYL. The following Senator is necessarily absent: the Senator from Arizona (Mr. MCCAIN).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 93, nays 1, as follows:

[Rollcall Vote No. 103 Leg.]

YEAS—93

Akaka	Brown	Coburn
Alexander	Brownback	Cochran
Allard	Bunning	Coleman
Barrasso	Burr	Collins
Baucus	Byrd	Conrad
Bayh	Cantwell	Corker
Bennett	Cardin	Cornyn
Biden	Carper	Craig
Bingaman	Casey	Crapo
Boxer	Chambliss	DeMint

Dodd	Klobuchar	Rockefeller
Dole	Kohl	Salazar
Domenici	Kyl	Sanders
Dorgan	Landrieu	Schumer
Durbin	Leahy	Sessions
Ensign	Levin	Shelby
Enzi	Lieberman	Smith
Feingold	Lincoln	Snowe
Feinstein	Lugar	Specter
Graham	Murray	Stabenow
Grassley	Martinez	Stevens
Gregg	McCaskill	Sununu
Hagel	McConnell	Tester
Harkin	Mikulski	Thune
Hatch	Murkowski	Vitter
Hutchison	Murray	Voinovich
Inhofe	Nelson (FL)	Warner
Inouye	Nelson (NE)	Webb
Isakson	Pryor	Whitehouse
Johnson	Reed	Wicker
Kerry	Reid	Wyden
	Roberts	

NAYS—1

Bond

NOT VOTING—6

Clinton	Lautenberg	Menendez
Kennedy	McCain	Obama

The PRESIDING OFFICER. On this vote, the yeas are 93, the nays are 1. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

Mr. REID. Madam President, I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. DORGAN. Madam President, I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. BOXER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mrs. BOXER. Madam President, I just need 30 seconds. On behalf of my ranking member, JIM INHOFE, and myself, I thank colleagues for giving us this go-ahead to go to the technical corrections bill. It is not the most exciting of bills, but it will be a bit of an economic stimulus to our Nation. It doesn't add a dollar of new spending; it just makes corrections to a bill that is a very popular bill—SAFETEA-LU—and it will allow a lot of highway construction and transit projects to proceed. We are very pleased with this vote.

Before giving up the floor so Senator INHOFE can say a couple of words, if my colleagues have any amendments—we know that amendments do threaten this bill—we will be delighted to speak with our colleagues about them and try to figure out a way to either work them out so that the House agrees and we agree we can move forward or figure out a way to get an early vote so we can get on with consideration and then on to something else.

At this point, I yield the floor and again say thank you very much to our colleagues.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized.

Mr. INHOFE. Madam President, let me say I do agree with what Senator BOXER says, although it is a little bit

more than that. Not only does it not spend more, it doesn't authorize more. I think that is very important for people to understand. There is some confusion from some things I have read in different publications that make it appear that we have increased the authorization. Some things have been moved around, but the bottom line is it has remained unchanged.

The other thing that is important to repeat is that as big as this bill was, the 2005 bill we are scheduled to get into again next year, in 2009, it still doesn't take care of the problem. We have a problem in this country with the \$286 billion figure; it doesn't even maintain what we have today. That is critical. I am hoping the committee that was established for the purpose of exploring new ways of funding transportation will come up with something a little more creative than they have so far because we are not going to be able to do it just by redoing and expanding what Eisenhower started many years ago. So we need to have this bill in order to go ahead and finish the projects that we have authorized and that are paid for at this time, and we won't do it unless we can pass this bill.

So I hope anyone—I would agree with Senator BOXER—anyone with amendments, let's bring them down and talk about them, and I am available to talk, and I am doing that as we speak. I have spoken with a couple of Members who have talked about an amendment. So if you have any amendments, bring them down so Senator BOXER and I can visit with you about the amendments.

I yield the floor.

#### MORNING BUSINESS

Mrs. BOXER. Madam President, I ask unanimous consent that the Senate proceed to a period for the transaction of morning business with Senators permitted to speak therein for up to 10 minutes each.

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

#### 50TH ANNIVERSARY OF AARP

Mr. REID. Madam President, I rise today to call the attention of the Senate to the 50th Anniversary of a remarkable organization that boasts 35 million members, for whom it provides services ranging from discounted prescription drugs, to travel services, to financial services. Most of us on Capitol Hill are far more familiar with this organization as the tireless advocate for the interests of Americans over the age of 50. The organization, of course, is AARP.

In its half-century of service, the organization that we know today as AARP has been transformed from its modest beginnings in 1958 when Dr. Ethel Percy Andrus, a retired high school principal, transformed the National Retired Teachers' Organization into the American Association for Retired Persons. The organization was

known under this name until 1999 when it became just AARP to reflect the fact that many of its members are still active in the labor force.

Characteristic of the work of AARP over the past 50 years has been its efforts to influence national policy on behalf of the well being of Americans over the age of 50 and to defend the programs that protect them, especially Social Security and Medicare. More recently, AARP has spearheaded the effort to get bipartisan action in Congress to provide all Americans with health care and long-term financial security with its Divided We Fail campaign. I commend AARP for its outstanding leadership on these issues, which are so critical to millions of Americans.

When President Bush in 2005, fresh from his election victory, made the privatization of Social Security his top domestic priority, he met his match in AARP, which mobilized its members to oppose this very risky plan. Congressional Democrats worked very closely with AARP in that effort, and in the end we were successful, at least temporarily. Unfortunately, given the continuing support for privatization among many in Washington, that battle will have to continue in the years ahead, and I look forward to working closely with AARP to continue to make the case against privatization, and to make sure that America keeps its promise to our seniors.

So I offer a cordial birthday greeting to an organization that is 50 years old and stronger than ever. AARP has kept pace with the needs of mature Americans and, more importantly, it has kept faith with them. In the process, it has made this country a better place for all Americans.

#### REAUTHORIZATION OF THE TRAUMATIC BRAIN INJURY PROGRAM

Mr. HATCH. Madam President, I rise today to acknowledge the passage of S. 793, the reauthorization of the Traumatic Brain Injury, TBI, Program. Both the Senate and House of Representatives have passed this bill and it will now be sent to the President's desk to be signed into law.

I thank my colleague and coauthor of the Senate bill, Senator KENNEDY, and his staff for their hard work over the past few years. I also extend my gratitude to Senator ENZI and his staff for their diligent efforts in helping to reauthorize this important program.

I also must thank the leaders of this effort in the House, Representatives BILL PASCRELL, Jr., FRANK PALLONE, Jr., and their staffs who have been so dedicated to helping individuals with TBI.

Also, this bill would not have been possible without the cooperation and input from involved organizations, such as the Brain Injury Association of America, BIAA; the National Association of State Head Injury Administrators, NASHIA; the National Brain In-

jury Research, Treatment and Training Foundation, NBIRTT; and the National Disability Rights Network, NDRN; and I thank them all for their contributions.

It means a lot to the 5.3 million Americans living with TBI, and their families, to reauthorize the only Federal program that helps them. The Federal TBI Program comprises prevention and surveillance activities at the Center for Disease Control, CDC, research at the National Institutes of Health, NIH, and grants to States from the Health Resources and Services Administrations, HRSA. This reauthorization bill expands and improves those activities, and includes provisions to look at the reintegration of war vets returning to their communities.

Each year, 1.4 million people sustain a TBI and face long-term or lifelong need for help to perform activities of daily living as a result. Direct medical costs and indirect costs such as lost productivity of TBI totaled an estimated \$60 billion in the United States in 2000. We can help truncate those costs and ensure that people are connected to the services they need by continuing this important program.

It has been a labor of love to draft and enact legislation to reauthorize this important program. On behalf of individuals living with TBI, and their families, I thank my colleagues in Congress for passing this legislation and reaffirming our commitment to helping those with who suffer from traumatic brain injuries.

#### NATIONAL CRIME VICTIMS' RIGHTS WEEK

Mr. LEAHY. Madam President, yesterday marked the official beginning of National Crime Victims' Rights Week. Since 1981, communities in Vermont and across the Nation have observed this week with candlelight vigils and public rallies to renew our commitment to crime victims and their families. It is vitally important that we recognize the needs of crime victims and their family members, and work together to promote victims' rights and services.

We have been able to make some progress during the past 27 years to provide victims with greater rights and assistance. In particular, I was honored to support the passage of the Victims of Crime Act of 1984, VOCA, Public Law 98-473, which established the Crime Victims Fund. The Crime Victims Fund allows the Federal Government to provide grants to State crime victim compensation programs, direct victim assistance services, and services to victims of Federal crimes. Nearly 90 percent of the Crime Victims Fund is used to award victim assistance formula grants and provide State crime victim compensation. These VOCA-funded victim assistance programs serve nearly 4 million crime victims each year, including victims of domestic violence, sexual assault, child abuse, elder abuse,