

close of the 102nd Congress. But when the reasons nominees are not confirmed are accurately considered, the claim that some 60 Clinton nominees were simply pocket filibustered or were blocked at the chairman's prerogative is simply not true.

I believe it to be a gross misrepresentation. I don't blame the majority leader. He is a personal friend of mine. He read from a staff-prepared speech. Nevertheless, that speech was wrong.

Let me give you an illustration. These are people sitting right now on the calendar. Peter Keisler has been waiting 691 days for a vote in the Judiciary Committee. By any measure, he is highly competent, decent, and honorable. He has the highest rating from the American Bar Association. Judge Robert Conrad has been waiting 308 days for a Judiciary Committee hearing. He also has the highest ABA rating. This body confirmed him just three years, without a dissenting vote, to the district court, where he is now chief judge. Steve Matthews has been waiting 257 days for a hearing. He too has first-rate qualifications and a positive ABA rating. Many others are still awaiting a vote, as we have been sitting in the Senate not doing very much regarding judicial nominees.

ELDER JUSTICE ACT

Mr. HATCH. Mr. President, since May is a month to honor and recognize older Americans, I would like to take a few minutes to talk about my strong commitment to having the Elder Justice Act, S. 1070, approved by Congress and signed into law before the conclusion of the 110th Congress.

Emily Dickinson once said, old age comes on suddenly, and not gradually as is thought. As someone who just celebrated a birthday a few months ago, this statement has never seemed more accurate!

Approximately 44 million people in this country are age 60 and above which tells me that caring for older Americans must be a high priority of future Congresses.

In fact, U.S. citizens 60 years of age and above will increase dramatically over the next 30 years more than 76 million baby boomers will be approaching retirement and old age over the next three decades. Let me say that one more time—more than 76 million baby boomers will be approaching retirement and old age over the next three decades.

Earlier this Congress, Senators LINCOLN, SMITH, KOHL and I introduced the Elder Justice Act. Congressmen RAHM EMANUEL and PETER KING introduced a nearly identical bill in the House. Currently, the Senate bill has 28 cosponsors and the House bill has 113 cosponsors.

One person who really deserves a lot of the credit for this bill is our former colleague from Louisiana, Senator John Breaux. He got the ball rolling over here in the Senate. I will never forget him coming to me way back in the 107th Congress and telling me that

I needed to work with him on the Elder Justice Act because it would make a tremendous difference for older Americans throughout the country. He and I introduced the Elder Justice Act back in the 107th Congress and ever since then, the bill has been reintroduced each subsequent Congress.

I also want to acknowledge the fine work of the Elder Justice Coalition, led by Bob Blancato, its national coordinator.

To date, the Elder Justice Coalition has close to 550 members and has done an incredible job advocating for the passage of this legislation.

This Congress, for the first time, the Elder Justice Act has been seriously considered by the House. Last week, the House Judiciary Committee considered the Elder Justice Act and it appears that it will be voted out of that committee this week. In the Senate, the legislation has been reported unanimously by the Finance Committee in both the 109th and 108th Congress; however, it has never been approved by the full Senate. As far as I am concerned, this year is going to be different. I will do everything in my power to ensure that this legislation will pass the Senate and be signed into law before the 110th Congress adjourns.

Senator LINCOLN and I are going to work with Finance Committee Chairman MAX BAUCUS and Ranking Member CHUCK GRASSLEY to schedule a markup on this bill sometime this summer.

Over the past couple of years, I worked very closely with Health and Human Services Secretary Mike Leavitt and his staff to address the concerns that the administration has raised regarding our bill. Last Congress, I felt like we had some fruitful discussions and progress was made. Secretary Leavitt is a good friend of mine and he knows how important it is to me, Senator LINCOLN and senior citizens across the country to have this legislation signed into law. The Secretary assured me that he and his staff would continue to work with us on this bill.

So I intend to initiate discussions with the administration once again in the hope that we will be able to come to agreement. And I think we are very close.

I have had many ask why does there appear to be such a dramatic increase in elder abuse in the United States. Because there is so little data on elder abuse, it is difficult to know the answer to that question.

Quite honestly, I believe that more and more people are taking notice.

In the past, there has been no data collection of elder abuse—I find that quite disturbing. The purpose of our legislation is to make changes in the law so we have more precise numbers on how many seniors are being exploited financially, being neglected or being physically or mentally abused.

Findings from the often cited National Elder Abuse Incidence Study suggest that more than 500,000 Americans aged 60 and above were victims of domestic abuse in 1996. Studies show

the amount of Federal dollars spent on abuse and neglect of elders is substantially smaller than that spent on child and domestic abuse.

Elder abuse is a profoundly personal tragedy for its victims—let me cite a case from my home state of Utah. In Utah and across the country, elderly Americans are being exploited and essentially being swindled out of thousands of dollars. A local news station in Salt Lake recently had a story that discussed check scams and how seniors are typically the target of these questionable operations.

In Utah alone, the money that people have lost due to these types of scams has quadrupled over the last 3 years. And while many of these operations have addresses in the U.S., they typically originate overseas.

For example, a check has been made out to a Salt Lake City senior for close to \$4,000. The senior is told that he has been chosen to be a secret shopper and has the chance to win thousands of dollars. He is told that he may keep \$500, no strings attached, but he must wire more than \$3,000 back to them in order to get the \$500. Because this senior sees the chance to win \$500, he sends the check for \$3,000 and loses all of his money.

According to the postal inspector, once a person responds to these scams, he or she is put on what is called a sucker's list and continues to be promised that hundreds and even thousands of dollars could be gained if a check is sent. In Utah, 6 to 700 checks are reported to be sent to these organizations each month.

The Elder Justice Act would help the Federal Government collect data on how many senior citizens are being financially exploited, mentally and physically abused and neglected.

This chart illustrates the dramatic difference in dollars spent on elder abuse compared to child abuse and domestic abuse.

Ninety-one percent, or \$6.7 billion, is spent on child abuse, 7 percent, or \$520 million on domestic abuse and only 2 percent, or \$153.5 million, is spent on elder abuse. Considering the high numbers of the population above age 60, it astounds me the small percentage the Government is willing to dedicate to ending elder abuse.

The Elder Justice Act aims to address this serious problem.

Our bill would provide Federal resources to support State and community efforts on the front lines dedicated to fighting elder abuse with scarce resources and fragmented systems.

It directs the Federal Government to provide leadership to the States and takes an important first step by calling on the Federal Government to create an appropriate way to collect relevant data on elder abuse so we have a better handle on how prevalent elder abuse is among our neighbors, our friends, and our relatives.

It assures adequate public-private infrastructure and resources to prevent,

detect, treat, understand, intervene in and, where appropriate, prosecute elder abuse, neglect and exploitation.

With more than 76 million baby boomers retiring over the next three decades, we cannot wait any longer for this legislation to pass. Older Americans deserve nothing less. I know that it is extremely important to folks back home in Utah.

In closing, I urge my colleagues to support this legislation so we can provide older Americans the same protections that we provide to our children and victims of domestic violence. Because we are not aging gradually, our response must be immediate—we cannot afford to wait for another Congress to end without approving this legislation.

Ralph Waldo Emerson once said, men are respectable only as they respect. May we strive to be more respectable people by showing respect to those who deserve it the most: our older Americans.

Thank you, Mr. President. I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Arkansas.

OLDER AMERICANS MONTH

Mrs. LINCOLN. Mr. President, each May, our Nation pays tribute to the contribution older Americans have made to our great country as many communities all across our great Nation come together to celebrate Older Americans Month.

Having grown up in eastern Arkansas in a small community, the daughter of a farmer, I was within walking distance of both my grandparents. I learned incredible lessons from them that I still carry with me today. I imagine there are many of my Senate colleagues who can stop and think about a wonderful memory of growing up with grandparents or maybe an older aunt or uncle who lived nearby, perhaps it was a favorite schoolteacher or a mentor in the community or in their neighborhood.

The pride and dedication older Americans have had for our country was impressed upon me from a very early age, from all of those different figures in my life—my grandparents, obviously, but also from wonderful teachers, as well as neighbors, those who shared their stories with me, they shared their values with me, they helped me become the person I am today. Whether it was hearing about my grandfathers' service in World War I—both of them having served as infantrymen in World War I—or maybe it was the jar my grandmother left on the mantelpiece that stored the coins during the Great Depression or the story of my neighbor who, during World War II, flew over "the hump" and did tremendous feats in World War II, so many people who have affected my life. Again, I am sure that if any Senator takes the time, they will remember their lives have been affected as well by an individual just like that.

Even though I didn't know it, I was a caregiver at an early age when it was one of my and my cousin's tasks to take dinner, nightly meals over to our grandparents' house. Later in my life, when my grandmother was ill and lived with us in our home and I shared a room with her, that time spent with my grandparents and with others, other elderly people in my community and in my neighborhood—they were priceless for both of us. Not only was I able to give something of my energy and my experiences in the current time, but it was wonderful also for her, my grandmother, who lived with us, because she was able to share her experiences and values with me, and I was able to learn so many of life's lessons from her and from the others in my community.

Today's world is so much different. Even though we no longer live within walking distance of our parents or grandparents, my husband Steve and I make a very conscious effort to ensure that our children spend quality time with their grandparents. It seems appropriate, then, during Older Americans Month that I rise this morning to draw attention to a piece of legislation that I and my good friend and colleague from Utah, Senator HATCH, who has been on the Senate floor earlier this morning, have introduced that seeks to protect millions of older Americans. It is the Elder Justice Act.

I also want to note that Chairman KOHL and ranking member GORDON SMITH of the Senate Special Committee on Aging have been champions of this legislation as well, and I certainly appreciate all they do in bringing about both support as well as knowledge of this piece of legislation.

I have been a cosponsor of the Elder Justice Act since it was originally introduced in 2002, and I helped pass a version of this bill out of the Senate Finance Committee in 2004, in 2005, and again in 2006. Unfortunately, the Elder Justice Act has yet to become law despite the fact that our Nation continues to grow older and despite the fact that the tragedy of elder abuse, neglect, and exploitation continues.

It is hard for any of us to imagine that our elderly loved ones would be victim to those types of actions, the abuse or neglect or exploitation that exists in this country. We have held hearings on elder abuse for almost 25 years. Yet not one single Federal employee works full time on this issue. We are beginning to make progress. I encourage all my colleagues to join me, not only in this month when we celebrate the wonderful heritage of older Americans, but to ensure that we move a piece of legislation that will protect them.

The House of Representatives recently held its first hearing on this issue in 17 years—thanks to the hard work of Congressman RAHM EMMANUEL and PETER KING—and the Elder Justice Act is currently going through the committee markup in that body. In ad-

dition to adding cosponsors, we are looking for opportunities to pass this legislation this year in the Senate.

Abuse of our senior citizens can be physical, it can be sexual, it can be psychological, or it can be financial. The perpetrator may be a stranger, it may be an acquaintance, it may be a paid caregiver, it might be a corporation and, sadly, even a spouse or another family member. We have an obligation to the older Americans of this country not to sit around for another 25 years but to come up with the solutions that already exist for so many other Americans. Elder abuse happens everywhere and at all levels of income and in all geographic areas, whether you live in an urban area or out on a county road in rural America. No matter how rich you are, and no matter where you live, no one is immune. When we say no one is immune, it means none of our loved ones are immune from this horrific act.

Congress must make our seniors a priority and pass the Elder Justice Act as soon as possible. This bill represents a consensus agreement developed by the Elder Justice Coalition, a national coalition of 547 members, including 226 organizations and 321 individuals, dedicated to eliminating elder abuse, neglect, and exploitation in this great country of ours. This bill reminds us that Congress has already passed comprehensive bills to address child abuse and violence against women but has continued to ignore the fact that we have no Federal law enacted to date on elder abuse.

We have made great strides. I know, as cochairman of the Senate Caucus on Missing and Exploited Children, we have made great strides in how we can better protect our children from exploitation and from all the different fears and dangers that are out there. Why would we not want to do this for the wonderful elderly people of this country who have given all of us so very much?

Every older American has the right to enjoy his or her golden years free of abuse and neglect. As Americans age—and I know and many of us know from personal experience—they want to maintain their independence and their dignity and their pride. It is very difficult when they become exploited or abused or neglected. It is hard for them to reach out and ask for help and care, particularly of their children. It is not something easy for them to do. It is why we have the responsibility in the Senate to do something about elder abuse.

The Elder Justice Act will enhance our knowledge about abuse of our seniors in all of its terrible forms. It will elevate elder abuse to the national stage. We cannot solve this problem if we do not understand it, we do not know how it occurs, and we do not begin to use the tools we have already to protect the seniors of this country. Too many of our seniors suffer needlessly. Each year anywhere between