

disappointed not to have lived to see the next Democrat in the White House.

He was preceded in death by his beloved wife Edith and daughter Sikandra. He is survived by his sons, Patrick, Stephen and William and his grandchildren, Jeanne, James, Aidan, Katherine, and Rachel.

#### GUN VIOLENCE

Mr. DURBIN. Madam President, the flags are at half-mast today in the village of Tinley Park, IL.

They will be lowered for 5 days, 1 day for each victim of the tragic and senseless shootings that took place last Saturday.

Five lives were cut short that morning: Carrie Chiuso, of Frankfort, IL, a social worker and counselor of high school students at Homewood-Flossmoor High School, dedicated to her community and to her family; Rhoda McFarland, of Joliet, who had served as a nurse practitioner in the U.S. Air Force and who was engaged to be married; Jennifer Bishop of South Bend, IN, a nurse who had worked for 13 years saving lives at South Bend Memorial Hospital; Connie Woolfolk, of Flossmoor, IL, a working mother, with a 16-year-old and a 10-year-old; And Sarah Szafranski, of Oak Forest, only 22 years old, a young woman who had just recently graduated from Northern Illinois University and started on a promising career.

We offer our support and our prayers to the friends and families of these victims. We mourn with them in their time of loss.

There are also reports that a sixth victim was shot in this robbery attempt and that she has survived. Our thoughts and prayers are with her and her family as well.

An investigation by law enforcement authorities is underway, and we hope that the person or persons responsible for these killings will be swiftly brought to justice.

Edward Zabrocki, the mayor of Tinley Park, said, "This is a tragedy that should not happen to any town." He is right.

After a gun-related tragedy, we often hear that now is not the time to talk about gun violence in America. But when is it time?

In America, we lose 81 people to gun violence every day—81 people a day, 7 days a week, 365 days a year.

In 2004, the latest year for which the Centers for Disease Control has complete information, 29,569 people died from gun violence in America. That is more than twice as many people who died that year from HIV/AIDS.

And that doesn't count those who are wounded by gunfire. In 2004, 64,389 people were injured by gun violence. That is an average of 176 people every single day.

Firearm violence is at epidemic levels in this country. No matter who we are or how safe we think we are, any of us could be among the dozens of victims each day who end up on the wrong side of a gun.

We need to change the way we talk about gun violence in this country. It is time to move past the stereotypes of "gun nuts" and "gun grabbers" pitted against each other. The majority of those who own guns in this country obtained their guns legally and use them lawfully.

But we also need to recognize that every year tens of thousands of shots in this country are fired at human beings. And while some are fired lawfully in self-defense or in the line of duty, thousands of gunshots end with suicide, homicide, assault, or accidental death.

We need to reduce these violent shootings, without placing undue burdens on the legal uses of guns.

Here are some principles that should guide us:

No. 1, those who own guns have an obligation to store those guns safely.

No. 2, those who sell guns have a duty to sell them only to those who are authorized by law to purchase them. Whether you are selling at a store or a gun show, you should not turn your head the other way and ignore a buyer's background.

No. 3, those of us who make laws have a duty to balance the rights of people to own and use guns safely and legally with the need to prevent gun violence.

We have had too many funerals for Americans like Carrie Chiuso, Rhoda McFarland, Jennifer Bishop, Connie Woolfolk, and Sarah Szafranski. Too many American lives suddenly and brutally cut short. Gun violence is an epidemic in this country, and each of us needs to take seriously our responsibility to end this violence.

#### VOTE EXPLANATION

Mr. DORGAN. Madam President, I was on the floor during the debate and vote on cloture on the motion to proceed to H.R. 5140. My vote was not recorded. I would like the RECORD to reflect that, had my vote been recorded, I would have voted "aye."

#### HONORING OUR ARMED FORCES

STAFF SERGEANT ROBERT J. MILLER

Mr. GRASSLEY. Mr. President, today I give tribute to an American hero who was killed in the line of duty while conducting combat operations for Operation Enduring Freedom in Barikowt, Afghanistan. SSG Robert J. Miller was wounded by small arms fire and died from these injuries sustained on January 25, 2008. His bravery and selflessness will be remembered and honored. I extend my thoughts and prayers to his parents, Philip and Maureen Miller, and all his family and friends.

Robert Miller was born in Harrisburg, PA, and eventually found his way to the University of Iowa, where he attended his freshman year. Miller was an avid gymnast who aspired to be on the university's gymnastics team and

was an enthusiastic fan of the Hawkeyes. After a year of attending the University of Iowa, he decided to enlist in the U.S. Army in 2003. He earned a green beret from the special forces qualification course in 2005. During his years of service, he has been awarded numerous medals including the Army Commendation Medal with Valor, Army Good Conduct Medal, and Global War on Terrorism Service Medal, among others.

Staff Sergeant Miller was assigned to Company A of the 3rd Battalion, 3rd Special Forces Group out of Fort Bragg, NC. He will be remembered for his courageous sacrifice and excellent work ethic. His mother Maureen said it best: "We're proud of what he did, and we loved what we did. He died a hero." I ask my colleagues here in the Senate and all Americans to remember with gratitude and appreciation a brave soldier, SSG Robert J. Miller.

#### SOCIAL SECURITY COLA PROTECTION ACT

Mr. JOHNSON. Madam President, shortly before our adjournment last December, I was joined by several of my Senate colleagues in introducing the Social Security COLA Protection Act of 2007. This legislation will provide seniors with much-needed relief from steadily increasing Medicare premiums and will ensure that their Social Security cost-of-living adjustment, or COLA, is available for other essential needs such as food, housing, and energy.

I want to first thank Senators BOXER, INOUE, LEAHY, MIKULSKI, MURRAY, REED, ROCKEFELLER, and SALAZAR for joining me in this effort. Representative HERSETH SANDLIN introduced the companion bill today in the House of Representatives, and I want to thank her for her leadership on this issue and other important topics to seniors in South Dakota.

Sixteen percent of South Dakotans are Medicare beneficiaries. When compared to a national average of 14 percent, it is clear that Medicare policies significantly affect my home State. Many of these retirees live on modest, fixed incomes and must pay close attention to their monthly expenses. South Dakota's senior citizens worked very hard all of their lives as farmers, small business owners, teachers, and parents. In their retirement, all they are hoping for is an opportunity to enjoy a basic level of comfort and certainty.

Unfortunately, as the cost of health care continues to rise at an alarming rate, it becomes more and more difficult for seniors to achieve this sense of security during retirement. According to the Kaiser Family Foundation, the United States spent about \$2 trillion on health care in 2005, almost three times the \$696 billion spent in 1990. That \$2 trillion represents 16 percent of the gross domestic product. The rate at which our Nation's health care

spending increases is also troubling; health care spending has exceeded economic growth in every decade since the 1970s.

These increasing health care costs hit the pocketbook of every American, but our senior citizens, many of whom live on fixed incomes, have a particularly hard time making ends meet while health care costs climb. The Centers for Medicare and Medicaid Services, or CMS, recently announced that the Medicare Part B premium, which covers seniors' doctor visits and other nonhospital services, would increase 3.1 percent in 2008. CMS correctly noted in its press release that this is smallest percentage increase in the Part B premium since 2001. However, CMS failed to point out that the amount seniors will pay for Part B premiums in 2008, \$96.40, is more than double what they paid in 2000. Our Nation's seniors simply cannot continue to absorb these skyrocketing health care costs.

This doubling of Part B premiums occurred while many Medicare beneficiaries incurred additional premium costs for the Part D prescription drug program. CMS estimates that premium costs for Part D will average \$25 per month. However, a recent analysis by the Kaiser Family Foundation concludes that seniors enrolled in stand-alone prescription programs will experience a 17-percent increase in their premiums next year. Both Part D and Part B premiums generally are deducted from a senior's Social Security check.

While seniors can expect a modest cost-of-living increase in their Social Security benefits every year, this increase has not kept up with the pace of increased health care costs and specifically Medicare premium costs. The Social Security Administration, SSA, announced that all Social Security and Supplemental Security Income, SSI, beneficiaries would receive a 2.3-percent cost-of-living adjustment, COLA, beginning in January 2008. Each year, Social Security benefits are updated based on the overall rate of inflation as calculated by the Bureau of Labor Statistics. COLAs are not intended to provide anybody with a "raise" but are instead intended to ensure that a beneficiary's monthly payment has the same buying power that it had the year before. A 2.3-percent increase isn't much but should help retirees and individuals with disabilities living on a fixed income survive as the prices of food, housing, clothing, and other goods continue to increase.

I know that Social Security beneficiaries need every penny of their COLA, and it is important that rising Medicare costs not completely consume the Social Security COLA. In 1986, a hold-harmless provision took ef-

fect to ensure that no beneficiary's Medicare Part B premium increase could exceed his or her Social Security COLA in any given year. This ensured that no senior would receive a reduced Social Security check due to a Part B premium increase. However, this hold-harmless provision does not apply to Part D premiums, and the increasing cost of both programs is quickly consuming any small increase beneficiaries see in their Social Security checks. This policy is subjecting the incomes of retirees and individuals with disabilities to a tight squeeze. Without a legislative change, millions of retirees will likely see much or all of their COLA wiped out by increases in Medicare premiums over the next several years. We owe it to America's seniors to protect the COLA from being completely consumed by Medicare premium increases.

This is why I have introduced the Social Security COLA Protection Act of 2007, which will protect retirees by ensuring that no more than 25 percent of a senior's COLA is absorbed by the increase in Medicare premiums. This important legislation will protect the financial security of many retirees in my home State and across the country. I thank all of the Members who have introduced this bill with me and urge the rest of my colleagues to join us in our effort.

#### SPENDING IDENTIFICATION

Mr. BINGAMAN. Madam President, I ask unanimous consent that the following letter and attachment be printed in the RECORD.

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

U.S. SENATE, COMMITTEE ON ENERGY  
AND NATURAL RESOURCES,  
Washington, DC, February 4, 2008.

HON. HARRY REID,  
Majority Leader, U.S. Senate,  
Washington, DC.

DEAR MR. LEADER: S. 2483, the National Forests, Parks, Public Land, and Reclamation Projects Authorization Act of 2007, is a collection of 56 separate legislative measures under the jurisdiction of the Committee on Energy and Natural Resources. Forty-five consist of the text of separate bills passed by the House of Representatives, nine are drawn from separate subtitles of another House-passed bill, and one is a House-passed concurrent resolution. Only one provision, section 482, contains new matter that has not passed the House of Representatives. A complete list of the House bills (and their Senate companion measures, where they exist) was printed in the Congressional Record on December 13, 2007, at pages S15474-S15475.

I assembled the 56 measures into a single bill in order to facilitate their consideration by the Senate. Although S. 2483 was placed on the Calendar without referral to the Committee on Energy and Natural Resources,

most of the House bills that make up S. 2483 have been reported, or ordered reported, by the Committee.

Rule XLIV of the Standing Rules of the Senate provides that, before proceeding to the consideration of a bill, the chairman of the committee of jurisdiction must certify that each congressionally designated spending item in the bill and the name of the Senator requesting it has been identified and posted on a publicly accessible website. The term "congressionally designated spending item" is broadly defined, in pertinent part, to include "a provision . . . included primarily at the request of a Senator . . . authorizing . . . a specific amount of discretionary budget authority . . . for . . . expenditure with or to an entity, or targeted to a specific State, locality or Congressional district, other than through a statutory or administrative formula-driven or competitive award process."

Ten of the House-passed bills incorporated into S. 2483 contain provisions authorizing the appropriation of specific amounts targeted to specific entities or localities. These authorizations are included in S. 2483 because they are part of the House-passed text. No Senator submitted a request to me to include them.

In the interest of furthering the transparency and accountability of the legislative process, however, I have posted a list of the specific authorizations in S. 2483 on the Committee on Energy and Natural Resources' website. The list includes the name of the principal sponsor of the Senate companion measure that corresponds to the House-passed bill. A copy of the list is attached for your convenience.

In addition, I have asked the principal sponsor of the Senate companion measure of each House bill contained in S. 2483 to certify that neither the Senator nor the Senator's immediate family has a pecuniary interest in the item, and have posted the certifications on the Committee's website. All certifications received by the Committee pursuant to paragraph 6 of Rule XLIV are posted on the Committee's website as soon as practicable after they are received in accordance with paragraph 6(b).

Thus, in accordance with Rule XLIV of the Standing Rules of the Senate, I hereby certify that each congressionally directed spending item in S. 2483 has been identified through a list and that the list was posted on the Committee's publicly accessible website at approximately 2:30 p.m. on February 4, 2008.

Sincerely,

JEFF BINGAMAN,  
Chairman.

#### COMMITTEE ON ENERGY AND NATURAL RESOURCES CONGRESSIONALLY DIRECTED SPENDING ITEM CERTIFICATION PURSUANT TO RULE XLIV OF THE STANDING RULES OF THE SENATE

S. 2483—THE NATIONAL FORESTS, PARKS, PUBLIC LAND, AND RECLAMATION ACT OF 2007

Provisions in S. 2483 authorizing appropriations in a specific amount for expenditure with or to an entity or targeted to a specific State, locality, or congressional district, other than through a statutory or administrative formula-driven or competitive award process:

Section	Program or entity	State	Senate bill sponsor
333(e)	American Latino Museum Commission	DC	Salazar.
334(j)	Hudson-Fulton and Champlain Commissions	NY & VT	Clinton.
342(f)	Lewis & Clark Visitor Center	NE	Hagel.
409	Hallowed Ground National Heritage Area	VA	Warner.
430	Niagara Falls National Heritage Area	NY	Schumer.
449	Abraham Lincoln National Heritage Area	IL	Durbin.