

When I arrived in the Senate, Senator BYRD was in the midst of his sixth term, President pro tempore of the Senate, chairman of the Appropriations Committee and already a giant of the institution. It was an honor to work beside him in this body.

Senator BYRD was the longest serving Member of Congress in our Nation's history, elected to an unprecedented ninth term in the Senate in 2006. It was a long road from his humble beginnings in rural West Virginia to his long and distinguished service here. Along the way, Senator BYRD's life was characterized by hard work and a steely determination.

And of all the things he was determined to do, perhaps the most significant was his determination to get an education. Senator BYRD prized education, and fought to get one for himself despite difficult odds. That long effort culminated in Senator BYRD earning his law degree, after 10 years of night classes as he served in Congress by day. He was 46 years old when he graduated, and President John F. Kennedy presented him with the diploma.

He shared that love of learning as a champion of continuing education, and through the establishment of the Robert C. Byrd Honors Scholarship Program, which provides scholarships to high school seniors who show promise of continued excellence in postsecondary education.

Senator BYRD was dedicated to the Senate and served an invaluable role as a historian of the institution. He wrote a distinguished multivolume history of the Senate, and also authored several other books. In fact when I drafted my proposed constitutional amendment on Senate vacancies, I consulted one of his volumes on Senate history. He had written a chapter on the 17th amendment to the Constitution that was very helpful in putting the issue of Senate vacancies in a historical context.

As a student of Senate history, both the U.S. Senate and the Roman Senate, he was also a passionate defender of the powers of the legislative branch. One would expect no less of a man so devoted to our Constitution. Senator BYRD was eloquent as he spoke about the need to stand up for our Constitution and its principles here in the Senate, and faithfully carried a copy of the Constitution with him every day. He was very proud of his efforts to encourage students to learn more about this document and our great democracy.

In Senator BYRD's lifetime of leadership, he worked on so many important issues. As the Senate's majority leader, he helped to lead the fight against the undue influence of money in politics in an effort with then-Senator David Boren of Oklahoma. Together they sponsored campaign finance legislation and worked to pass it in what has been described as "one of the most extraordinary exhibitions of perseverance on the Senate floor, as BYRD led the Senate through eight unsuccessful votes to end a filibuster." While that legisla-

tion stalled, it was one of the efforts that paved the way for later reforms, and I am grateful for his efforts.

I respected him for that, and for so many of the principled stands he took during our service together, including his opposition to the Iraq war. He brought tremendous wisdom and insight to our work here and I know how much those gifts will be missed.

ROBERT C. BYRD was a man who sought to learn every day of his life, and in turn taught all of us a great deal. He taught us about our nation's history, about the people he represented, and about the institution of the Senate he loved. While Senator BYRD's passing is a loss for the nation, his legacy of innumerable achievements will live on for many, many years to come. My thoughts are with his family and many friends today.

Mr. JOHNSON. Mr. President, on Monday, we lost a colleague and dear friend with the passing of Senator ROBERT C. BYRD. My deepest sympathy goes out to his family, friends, dedicated staff, and the people of West Virginia. Senator BYRD was truly a giant among Senators. His presence will be greatly missed.

Few have had the command of history that Senator BYRD possessed, and I suspect none have matched his knowledge of the U.S. Constitution and the Senate in which he served. Senator BYRD never passed up the opportunity to give a history lesson, delivering impassioned speeches peppered with poetry, lessons from ancient Rome, and his unique understanding of the workings of this Chamber. He also never forgot to remind us of the importance of Mother's Day, the beauty of the first day of spring, or how devoted he was to his beloved wife Erma.

Senator BYRD held fiercely to his beliefs. Yet, he had the humility and wisdom to change beliefs he realized were wrong. History will remember Senator BYRD, not only for his numerous records of service, but for his unwavering commitment to education, public infrastructure, and the State of West Virginia.

This year, 19 outstanding high school students from my home State of South Dakota joined the ranks of thousands of Robert C. Byrd Honors Scholarship recipients that are furthering their education, in part, because of Senator BYRD's belief in the value of higher education. He embodied that belief in his own life, earning a law degree while serving in Congress and striving to continue learning each day.

Senator BYRD also understood the value of investing in the small, sometimes overlooked communities of his State. Where others saw "pork," he saw jobs, opportunities, and hope for hard-working Americans. He understood—better than most—that without roads, clean water, and reliable utilities, rural communities will struggle to reach their full potential.

Though he would later "walk with Kings, meet Prime Ministers and de-

bate with Presidents," Senator BYRD never forgot his roots in the hills of West Virginia. West Virginia lost a true champion, but his mark on the State will last far longer than even his half century in Congress.

I am honored to have served with Senator BYRD. This institution is a better place for his time here.

#### PROTECTING AFGHAN CIVILIANS

Mr. LEAHY. Mr. President, as we take stock of the changes made last week by President Obama to the military command in Afghanistan, there is a related issue that has been discussed in the press that is of particular concern to me.

I believe the President's decision to replace General McChrystal was the right decision. The published comments of the general and his aides were unquestionably insubordinate. They portrayed extraordinarily poor judgment and disrespect, and a deterioration of discipline that was unacceptable.

But putting aside those matters, I believe General McChrystal's command was notable for his recognition, to an unprecedented extent, of the importance of protecting the lives of innocent Afghan civilians for the safety of U.S. troops and to improve the chances of success of the mission.

Before General McChrystal's tenure, the need to do more to reduce civilian casualties was discussed, particularly after each incident when civilians were inadvertently killed or injured. But far too little was done about it. The frequent reliance on air power in areas where civilians were present caused many innocent casualties. Whole villages were destroyed. Wedding parties were wiped out. Night raids also often caused civilian deaths or injuries, as well as widespread anger and resentment towards U.S. troops who were perceived as disrespectful of Afghan customs.

General McChrystal implemented stricter rules of engagement to reduce these tragic incidents. While in some cases these rules have limited our troops' actions, they do not prevent soldiers from acting in self-defense when there is a real or perceived threat. There is no basis, as far as I am aware, military or otherwise, to criticize these efforts to protect civilian lives. Indeed, I believe more can still be done, particularly to prevent such unfortunate incidents at roadblocks and checkpoints, where those killed have, with few exceptions, turned out to be unarmed civilians who posed no threat. Their deaths caused great suffering for their families, and incited support for the Taliban in their communities.

Reducing civilian casualties, and by doing so winning the support of the Afghan people, is essential. In late April, the people of the town of Gizab, north of Kandahar, took up arms and ousted the Taliban. This is encouraging, but it is unlikely to continue to occur if the

United States and our ISAF partners are perceived by the civilian population as another invader.

I have my own concerns with the President's strategy in Afghanistan, which I will discuss at a later time. But today, as General Petraeus prepares to assume command of U.S. forces in Afghanistan, it is fortunate, I believe, that he knows from Iraq that winning the support and respect of the local population means much more than the cliché it has become. Progress in Afghanistan depends on it.

#### RECOGNIZING THE FRATERNAL ORDER OF EAGLES

Mr. HARKIN. Mr. President, one of the great joys of my job as Senator is working with non-profit organizations dedicated to improving the lives of all Americans. I would like to take a moment to salute one such organization, the Fraternal Order of Eagles.

The Fraternal Order of Eagles is an international nonprofit organization with over 1 million members worldwide. Established in 1898, the Fraternal Order of Eagles has truly made the lives of people across the world better by raising millions of dollars to combat cancer and heart disease, help children living with disabilities, and support the elderly.

Two years ago, over 700 delegates representing the Fraternal Order of Eagles voted by unanimous consent to commit \$25 million to the University of Iowa to create the world's premier diabetes research center. Already a world leader in medical and diabetes research, the University of Iowa has the unique ability to fully maximize every dollar being donated. But that isn't the only reason the Fraternal Order of Eagles selected the University of Iowa to receive these funds; both the Eagles and the University of Iowa have had a tradition of helping those in their communities and beyond for over a century.

One of the missions of the Fraternal Order of Eagles is to lessen the ills of mankind, and I can't think of a more appropriate way to do that than to join in the fight against diabetes. In the United States, over 23 million children and adults already suffer from the diabetes, with an additional 1.6 million adults being diagnosed every year. It is said that an ounce of prevention is worth a pound of cure, and perhaps nowhere is that more applicable than in the case of diabetes. Unlike other chronic diseases which do not appear until later in life, diabetes does not spare the young. Almost 200,000 Americans below the age of 20 suffer from diabetes. It was recently predicted that one in three children born in 2000 will eventually suffer from diabetes if current rates continue. The health care cost associated with caring for these patients is enormous, amounting to over \$170 billion in 2007. But the costs to patients and their loved ones who suffer from diabetes are even greater.

Patients with diabetes are subject to an increased risk of blindness, kidney failure, high blood pressure, need for amputations, nerve damage, and premature death. The potential benefits of a cure for diabetes are truly outstanding, and that is why donations such as the one made by the Fraternal Order of Eagles are so important to improving the lives of all Americans.

Martin Luther King Jr. once said, "Life's most persistent and urgent question is: What are you doing for others?" I think it is quite clear that the Fraternal Order of Eagles is doing a great deal. For this donation and for their other good works, I commend the Fraternal Order of Eagles.

#### HIRA

Mr. BURRIS. Mr. President, a few months ago, my colleagues and I passed a landmark health insurance reform bill.

President Obama signed it into law, and together we ushered in a new era of transparency, accountability, and cost savings for the American people.

Now, these reforms will go a long way towards fixing our broken health care system.

They will restore responsibility to the insurance market, and impose commonsense regulations, to ensure that every American can get a fair deal.

Some of these provisions have already gone into effect. Others will take time to implement correctly.

But as we move swiftly to translate this legislation into reality, we need to be mindful of those who would take advantage of this period of transition.

Already, there are reports that some health insurance companies have drastically increased their rates, using our reform law as an excuse.

I recently heard from Charles, a small business owner from Plano, IL, who reported that his employees will see their premiums go up by an average of almost 28 percent next year.

And some folks will have to pay an arbitrary increase of 35 percent—even though their benefits haven't changed yet.

That is because a few big insurance companies have chosen to hike up their profits before our health reform law requires them to improve their services as well.

Now, there is nothing wrong with making an honest buck.

But these abusive increases will make it harder for ordinary folks and small businesses to get coverage in the short term.

There is no question that they violate the spirit of our reform law—so I believe we need to take action.

It is time to close this loophole, so big companies must compete with others in an open marketplace—and so they can be held accountable for unreasonable rate hikes.

That is why I am proud to support the Health Insurance Rate Authority Act.

This legislation would require insurance companies to justify major increases in their premiums—a power that already resides with regulators in a handful of States.

Our bill would merely bring similar regulatory authority to a national level, in response to numerous claims of abuse all across the country.

Mr. President, this wouldn't put insurers out of business or prevent them from making an honest profit, but it would increase transparency, restore accountability, and ensure that these corporations can remain solvent.

In my home State of Illinois, some insurers must already supply rate increase information to the State department of insurance.

But under current law, regulators are powerless to rein in obvious abuses when they occur.

And as a result, small business owners like Charles—and countless folks in the individual market—are held hostage to the same corporate agendas that led us to pass a health reform law in the first place.

This is unacceptable. We need to pass the Health Insurance Rate Authority Act, to keep insurance providers in check until the full effects of the new law have taken hold.

I would urge my colleagues to join with me in standing up to the insurance giants.

Let's give regulators the authority to approve or deny excessive rate hikes, so we can make sure every American can get a fair deal—starting today.

#### REMEMBERING DONALD J. RUHL

Mr. BARRASSO. Mr. President, this weekend, the citizens of Greybull, WY gather to dedicate a monument at the Donald J. Ruhl Memorial Cemetery. This monument is the culmination of the hopes, dreams and hard work of dozens of people in the community. A true American hero was laid to rest in their cemetery, and these committed individuals wanted his memory to be honored forever. Donald served our Nation during World War II as a marine. His bravery and ultimate sacrifice earned him our Nation's most distinguished recognition, the Medal of Honor.

Donald J. "Johnny" Ruhl, enlisted in the Marine Corps Reserve on September 12, 1942. Immediately going on active duty, the new recruit used his lifelong experience with firearms to qualify as a sharpshooter, and demonstrated his endurance by becoming a combat swimmer. Following his exemplary performance at boot camp, Private Ruhl volunteered for Parachute Training School. At the conclusion of this 5-week training, Ruhl was promoted to private first class and assigned to further training in New Caledonia.

He first saw combat at Bougainville, but it was his actions at Iwo Jima that truly demonstrated his heroism. In February 1945, Johnny departed from