

in managing the appearance of that office with attention to detail and commendable diplomacy.

Although he sometimes displayed a choice of sharp words and even some short public displays of temper, I appreciated that each conversation I enjoyed with him was businesslike, friendly, and educational.

I did not have the privilege of serving on the major committees which Ted chaired, but I did enjoy, especially, our work on the Arms Control Observer Group. In 1986, President Ronald Reagan, anticipating intensive negotiations with the Soviet Union over potential reductions of nuclear weapons and other weapons of mass destruction, appointed a bipartisan Arms Control Observer Group to proceed to Geneva, Switzerland, and monitor what were anticipated to be spirited and productive negotiations. The Arms Control Observer Group would then be in a position to lead the debate on the Senate floor to obtain the two-thirds majority needed for a historical arms control agreement with the Soviet Union.

Senator Robert Byrd and Senator Robert Dole were appointed to the group along with other Senators such as Ted Kennedy, Al Gore, and Sam Nunn, who made substantial contributions to consideration of the negotiations with the Soviets over many years.

Ted and his wife Catherine took the assignment so seriously that they rented an apartment in Geneva anticipating that they would stay and continue to monitor the negotiations even after the Senators had returned to their normal debates on the Senate floor.

Unfortunately, negotiations did not proceed rapidly and, as a matter of fact, took several years to reach maturity. But Ted Stevens remained a thoughtful and vigilant observer in Geneva, in Washington, and in other places on Earth where his acute observations and comments were especially important.

As former Senator Sam Nunn and I formulated the Nunn-Lugar Cooperative Threat Reduction Program which was adopted by the Congress in 1991, Ted Stevens was a strong supporter of our efforts, and many of my conversations with him centered upon the methods of verifying all aspects of the treaty and further steps we could take with the Soviet Union, and then later, Russia, to provide increasing safety for all American cities and military installations.

I was visiting South Bend, IN, on the day that news of the tragic death of Ted Stevens flashed around the world. That night, I told all of the local correspondents that were following my activities that Ted Stevens was a son of Indiana, a student in two of the public schools in Indianapolis that had meant so much to both of us, and a remarkable champion both for his adopted state of Alaska and for our country. I will always be grateful for the friend-

ship we enjoyed and the wonderful memories of that friendship that remain so vivid at this moment.

HONORING OUR ARMED FORCES

STAFF SERGEANT KENNETH K. MC ANINCH

Mr. BAYH. Mr. President, I rise today to honor the life of SSG Kenneth K. McAninch of the U.S. Army and Logansport, IN.

Staff Sergeant McAninch was assigned to the 1st Battalion, 506th Infantry Regiment, 101st Airborne Division at Fort Campbell, KY. He was 28 years old when he lost his life on October 21, 2010, while serving bravely in support of Operation Enduring Freedom in Paktika Province, Afghanistan. He was serving his third tour of duty.

A native Hoosier, Kenny attended Lewis Cass Junior-Senior High School in Walton, IN. His principal described Kenny as "one of those kids who always worked hard to get things done."

Staff Sergeant McAninch enlisted in the U.S. Army in 2005. A decorated soldier, his awards include the Joint Service Commendation Medal, Joint Service Achievement Medal, Joint Meritorious Unit Award, Army Good Conduct Medal, and the National Defense Service Medal.

Staff Sergeant McAninch was a devoted husband, father, and son. I join his family and friends in mourning his death. He is survived by his wife, Shawna McAninch; his children, Jeremiah, Braxton, Brayden, Colby, and Shyanne; his father, Marvin McAninch of Logansport, IN; and his mother, Cheryl Nance of Peru, IN.

We take pride in the example of this American hero, even as we struggle to express our sorrow over this loss. We cherish the legacy of his service and his life.

As I search for words to honor this fallen soldier, I recall President Lincoln's words to the families of the fallen at Gettysburg: "We cannot dedicate, we cannot consecrate, we cannot hallow this ground. The brave men, living and dead, who struggled here, have consecrated it, far above our poor power to add or detract. The world will little note nor long remember what we say here, but it can never forget what they did here."

It is my sad duty to enter the name of SSG Kenneth K. McAninch in the official RECORD of the U.S. Senate for his service to our country and for his commitment to freedom, democracy, and peace.

FREEDOM OF INFORMATION ACT

Mr. LEAHY. Mr. President, in the coming months, the Supreme Court of the United States will consider Federal Communications Commission v. AT&T—a monumental Freedom of Information Act, FOIA, case that could vastly expand the rights of corporations to shield their activities from public view. Like many Americans who

deeply value openness, transparency and accountability in our government, I urge the Court to reject efforts to broaden the personal privacy exemption to FOIA to include corporate information.

A decade after Congress first enacted the Freedom of Information Act, Congress created an exemption to this law for law enforcement records that contain sensitive personal information. The so-called "personal privacy exemption" for law enforcement records—FOIA exemption 7(C)—allows the government to withhold information contained in its investigatory files that "could reasonably be expected to constitute an unwarranted invasion of personal privacy."

By creating this exemption, Congress intended to shield from public disclosure sensitive personal information about individuals who may be mentioned in government files. However, Congress never intended for this exemption to apply to corporations.

The legislative history for the personal privacy exemption makes clear that Congress intended for this exemption to protect an individual's right to privacy. Indeed, when the Senate debated this exemption in May of 1974, Senator Philip Hart, who drafted the personal privacy exemption, remarked that "the protection for personal privacy included in [the exemption] . . . is part of the sixth exemption [to FOIA] in the present law. By adding the protective language here, we simply make clear that the protections in the sixth exemption for personal privacy also apply to disclosure under the seventh exemption. I wish to also make it clear, in case there is any doubt, that this clause is intended to protect the privacy of any person mentioned in the requested files, and not only the person who is the object of the investigation."

Former Senator Roman Hruska also confirmed that Congress intended for the exemption to address individual privacy rights. Regarding the personal privacy exemption, he said "we are dealing in this matter with what I believe to be the most important rights, and in some respect the most important rights, an individual may possess, his right to privacy, and his right to personal safety." The universal understanding that the personal privacy exemption pertains only to the privacy rights of individuals is further confirmed by the remarks of former Senator Strom Thurmond, who noted during the Senate debate that "[a]ll of us are aware of the general feeling permeating the country, that our citizens want to know what their Government is doing . . . However, by the same token, we are also concerned about a mutual problem of invasion of an individual's privacy."

During the more than four decades since the Congress enacted the personal privacy exemption to FOIA, our Federal courts and Federal agencies have consistently interpreted this exemption to apply only to individuals.

Over the years, the Congress—with the full knowledge of how the courts have interpreted this exemption—has never amended this exemption, nor called into question the universally held view that the exemption protects the personal privacy rights of individuals.

Given the clear legislative history and the longstanding case precedent in this area, I am deeply troubled by recent efforts to vastly—and I believe improperly—expand the scope of this exemption to reach corporations. While I do not quibble with the notion that certain corporate information should be exempt from public disclosure, I firmly believe that Congress has provided meaningful and adequate protections for sensitive corporate information in other parts of FOIA. Indeed, Congress specifically enacted FOIA exemption 4 to protect trade secrets and other sensitive corporate information from public disclosure. Tellingly, American corporations have successfully relied upon exemption 4 for decades, to safeguard their sensitive business information when it is shared with the government.

I fear that vastly expanding the personal privacy exemption for law enforcement records would close a vital window into how our government works. I also fear that extending this exemption to corporations would permit corporations to shield from public view critical information about public health and safety, environmental dangers, and financial misconduct, among other things—to the great detriment of the people's right to know and to our democracy.

As Senator Hart wisely noted during the debate of the 1974 FOIA amendments, "survival for a society such as ours hinges very importantly on the access that a citizen can have to the performance of those he has hired." I sincerely hope that our Nation's highest Court will carefully consider these words and that the Court will narrowly construe the personal privacy exemption, consistent with congressional intent. Should the Court decide to do otherwise, I will work with others in the Congress to ensure that FOIA, and specifically the personal privacy exemption for law enforcement records, remains a meaningful safeguard for the American people's right to know.

BREAST CANCER AWARENESS MONTH

Mr. BAUCUS. Mr. President, women are the backbone of the American family and a driving force of our economy. They are our mothers, sisters, wives, and daughters. Women are the heart of American families and local communities.

October is National Breast Cancer Awareness Month, and this October we have many reasons to reflect and celebrate. Thanks to the concerted efforts of the public and private sectors, we have come a long way to ensuring that women have long, healthy lives.

Twenty years ago, Congress created the National Breast and Cervical Cancer Early Detection Program. Today, the program provides screening services for breast and cervical cancer in all 50 States, the District of Columbia, five U.S. territories, and 12 American Indian or Alaska Native tribes and tribal organizations. Since the program got started, almost 4 million women have been served—giving them access to breast and cervical cancer screenings that they otherwise could not afford.

We have recently expanded opportunities for women across the country to be screened by including free preventive care, like mammograms and cervical cancer screenings, in the new health care reform law. The Affordable Care Act eliminates all insurance copays for these screenings, which means more women will have access to early detection and more women's lives will be saved.

This October, we are also celebrating the 30th anniversary of the beginnings of Susan G. Komen for the Cure, an organization founded on Susan's sister's promise to end breast cancer forever. Today, Susan G. Komen for the Cure is the largest source of nonprofit funds dedicated to the fight against breast cancer, investing nearly \$1.5 billion in grassroots advocacy for quality care and research.

These efforts have made a big difference. In the last 30 years, we have improved the rate of cancer screenings—increasing the percentage of women over 40 who receive regular mammograms from less than 30 to nearly 75 percent. We have improved the treatment outcomes for women with cancer—increasing the 5-year survival rate from 74 percent to 98 percent. We have also increased the amount of Federal funding going toward breast cancer research, prevention, and treatment—ensuring that American women benefit from the best that science has to offer.

Despite these advances, it is estimated that nearly 40,000 women will die of breast cancer this year. That means that 40,000 American families will lose their mother or grandmother, sister or daughter. We cannot let up in this fight. We made a commitment to improving women's health in health reform—ending insurance industry abuses that have disproportionately affected women for decades, providing preventive benefits tailored to meet women's unique health needs, and ensuring women of all ages have access to comprehensive, high-quality coverage.

Improving women's health has a positive effect on the whole family. According to the Department of Labor, women make four out of five health care decisions for their families and are more likely to be the caregivers when family members are ill.

Improving women's health also has a positive effect on the economy. A healthy pregnancy, for example, begins with a healthy woman and leads to

long, productive lives for mother and child.

We have come a long way, but we are not there yet. I am confident that with the consistent efforts of Congress and private sector groups such as Susan G. Komen for the Cure, we will continue to make progress for years to come.

AMERICAN DIABETES MONTH.

Mr. JOHNSON. Mr. President, I rise today in recognition of November as American Diabetes Month. National studies estimate 23.6 million Americans have diabetes and a quarter of people with diabetes do not know they have this disease. The State of South Dakota is home to nearly 40,000 diabetic adults, a figure which does not take into account the number of people who are undiagnosed, who are living with prediabetes, or those under age 18 who have child-onset diabetes, which is a growing problem linked to the increase of childhood obesity.

American Diabetes Month focuses on increased awareness of the disease and its risks. The disease carries with it an increased rate of heart disease and stroke, high blood pressure, kidney disease, blindness, and amputation of the lower extremities, among other associated health problems. As the prevalence of diabetes increases, we are beginning to understand the costs to both our citizens' health and to our economy. The high costs to our government in direct medical and indirect costs, coupled with the personal costs of rising health care coverage and treatment, make diabetes control and prevention a national priority.

Throughout my career in the U.S. House and Senate, I have strongly supported initiatives that would advance research, funding and education about diabetes, such as those conducted at the National Institutes of Health, the National Institute of Diabetes and Digestive and Kidney Diseases, as well as the Centers for Disease Control and Prevention.

Two special funding programs hold great promise in our efforts to prevent and cure diabetes among South Dakotans and our Nation at large. The Special Funding Program for Type One Diabetes Research provides additional funding for the National Institutes of Health to expand its juvenile diabetes research efforts. The program has funded clinical trials to test various drugs and therapies, increased understanding about reversing complications from the disease, improving our ability to predict risk of development, and helped develop new technologies for treatment.

I also am a proud supporter of the Special Diabetes Program for Indians, SDPI, which has addressed the high incidence of diabetes among Native Americans for the past 13 years by providing grants to tribal and urban Indian programs to create or enhance diabetes prevention and treatment efforts. Through SDPI, the Indian Health