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Senate

The Senate met at 1:01 p.m. and was called to order by the Honorable LAMAR ALEXANDER, a Senator from the State of Tennessee.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal God, who hears and answers prayers, teach us to pray. We confess that we don't know how to pray as we ought. Our desires are deep and our language too shallow. Lord, look beyond our words and see our hearts and souls. Hear our thoughts as we wait patiently for Your providence.

Inspire our lawmakers today with Your presence. As they labor for liberty, help them to find their highest joy in Your purpose and will.

Bless the staff members who provide the wind for the wings of our legislators. Surround these often unsung heroes and heroines with Your peace.

We pray in Your wonderful Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable LAMAR ALEXANDER led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. STEVENS).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, June 25, 2005.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby

appoint the Honorable LAMAR ALEXANDER, a Senator from the State of Tennessee, to perform the duties of the Chair.

TED STEVENS,
President pro tempore.

Mr. ALEXANDER thereupon assumed the Chair as Acting President pro tempore.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

In my capacity as a Senator from Tennessee, I suggest the absence of a quorum.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HARKIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RECOGNIZING THE 15TH ANNIVERSARY OF THE AMERICANS WITH DISABILITIES ACT

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to the consideration of S. Res. 207, the Americans with Disabilities Act resolution, which the clerk will report.

The legislative clerk read as follows:

A resolution (S. Res. 207) recognizing and honoring the 15th anniversary of the enactment of the Americans with Disabilities Act of 1990.

The ACTING PRESIDENT pro tempore. Under the previous order, there will be 30 minutes of debate equally divided between the majority leader and the Senator from Iowa or their designees.

The Senator from Iowa.

Mr. HARKIN. Mr. President, I ask unanimous consent that Senators KENNEDY, HATCH, REID, CLINTON, McCAIN,

DEWINE, JEFFORDS, MIKULSKI, LAUTENBERG, DOLE, DURBIN, LEVIN, LIEBERMAN, BOXER, REED, CHAFEE, SMITH, COLLINS, STABENOW, OBAMA, AKAKA, SALAZAR, DAYTON, BINGAMAN, WYDEN, BIDEN, ISAKSON, FEINGOLD, JOHNSON, NELSON of Florida, BROWNBACK, BURR, SNOWE, and PRYOR be added as cosponsors of the resolution.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. HARKIN. Mr. President, tomorrow, July 26, marks the 15th anniversary of the signing of the Americans with Disabilities Act. Observances and celebrations are being held and will be held all across the country. In fact, I attended three in Iowa over the weekend. There will be a big celebration tonight at the Kennedy Center where I look forward to introducing former President George Bush, the signer of the Americans with Disabilities Act, who will give the keynote address.

On this 15th anniversary, we celebrate one of the great landmark civil rights laws of the 20th century, a long overdue emancipation proclamation for people with disabilities. We also celebrate the men and women from all across America whose daily acts of heroism and protest and persistence and courage moved this law forward to passage 15 years ago.

In 1964, this country passed a civil rights bill. After much struggle, after the freedom riders and the marches in places such as Selma, AL, that are burned in our memories, we passed the Civil Rights Act of 1964 which closed a long, disgraceful chapter of segregation and discrimination, lack of equality of opportunity for Americans just based on race, mostly, sex, creed, and national origin.

I can remember coming home on leave from the military some time after that. I was with my brother Frank who had been totally deaf since early childhood. I had seen how he had been discriminated against all of his

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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lifetime. I remember we were talking about different things, and he mentioned the civil rights bill. He thought it was all well and good. But then he asked the question: What about us? I didn't really know what he was talking about.

I said: Are you talking about us, me?

He said: What about us deaf people?

We are discriminated against every day in terms of where we can work, can go, how we get news, how we go to school.

I began to think about it as I finished my career in the military and through law school and coming here to Congress. I thought, as I watched the struggle of people with disabilities to proclaim their involvement, that they should also be covered by the Civil Rights Act. So there were some minor steps taken. We had section 504 of the Rehab Act in 1973 before I got here. Then after coming to the House in 1974, we had the Education of Handicapped Children Act, 94-142, which my good friend, now Senator JEFFORDS, then Congressman JEFFORDS, was very much involved in getting passed in the House at that time. It later became known as IDEA, the Individuals with Disabilities Education Act. That is how it is known today.

Then there began a long struggle by people with disabilities to gain their full participation in our society.

This started in the late 1970s and early 1980s. Then when I came to the Senate in 1984, 1985, it had been picking up steam and momentum. Various drafts of bills have been presented about disability and this and that.

Finally, it fell to me as chairman of the Disability Policy Subcommittee at that time to pull together the final draft. Here I will pay my great respect and admiration to former Senator Lowell Weicker of Connecticut, who led the charge before I got here to change the law to provide for an overarching law to cover people with disabilities in our country. But then Senator KENNEDY asked me to join his committee and take over the chairmanship of the disability subcommittee, which I did, with the great help of wonderful staff, including Bobby Silverstein and others. We were able to get the words on paper, put it together. It was a pretty long struggle.

It was not a foregone conclusion that we could ever pass it. But there were acts of heroism. I can remember when people with disabilities started coming to Washington to protest. Sometimes they would plug the corridors in the Dirksen Office Building, and the police would have to clear them out. Many got arrested. I remember a man named Dwayne French, who came from Alaska to demonstrate, protest, and demand equal rights under the law. He got arrested and thrown into jail.

I tend to think the one thing that really crystalized what we were trying to do in terms of full participation, accessibility, of nondiscrimination and breaking down barriers—the one event was when Bob Kofka and the group

ADAP rolled their wheelchairs up to the Capitol steps, and there were about between 50 and 75 people. I don't know the exact number. They got out of their wheelchairs and crawled up the steps of the Capitol; they crawled up the steps. That hit the evening news, all the newspapers, and the news magazines, and then we heard from the American public that this should not be allowed to happen, that people with disabilities ought to have accessibility; they ought to be able to participate in all aspects of our American life. And then we hammered out the bill and got it passed in the Senate and the House.

As I said, on July 26, 1990, in a wonderful ceremony, the biggest gathering for the signing of a bill in our Nation's history, people gathered on the lawn of the White House for the signing of the Americans with Disabilities Act by President George Bush. It was a great and joyous occasion.

For all these years, after 1964, we thought we had torn down the walls of segregation. But there was a group of Americans for whom segregation was a daily occurrence, even after the Civil Rights Act, for whom daily discrimination was a fact of life, for whom equal opportunity was just some words on paper. There was a group of Americans for whom access to the American dream was basically closed because of their lack of participation in economic opportunity and accessibility. These were Americans with disabilities.

I often put it this way: On July 25, 1990, if you were a person of color, say, and you went down to apply for a job for which you were qualified and the prospective employer looked at you and said, I am not hiring African Americans, or Black people, or probably, in the contextual framework of that time, I am not hiring colored people, if he said that to you, you could have gone right down to the courthouse. The doors were open there, and you could have filed suit for discrimination based on the Civil Rights Act of 1964. If, however, on July 25, 1990, you were a person with a disability and you went to a prospective employer for a job for which you were qualified—say you rode a wheelchair in there and the employer looked at you and said, We don't hire cripples, get out of here, and you rolled your wheelchair down to the same courthouse door. The doors were locked; they were closed. You had no cause of action. It was not illegal to discriminate on the basis of disability on July 25, 1990. On July 26, after President Bush signed it into law, the courthouse doors were opened. No longer would it be legal to discriminate on the basis of disability in our society.

So for the last 15 years, we have seen what I call a quiet revolution taking place in America. Look around you. You see the curb cuts, ramps, widened doors, elevators that are accessible, and people with disabilities can get on and off buses. I was in Iowa this weekend and went to an ATM machine to get some money, and the ATM machine

is a talking one with brail so that a blind person can use the ATM machine. So we now see people with seeing-eye dogs going into restaurants to have a meal. Fifteen years ago, a restaurant could say, Get that dog out of here, we don't allow it. Now they have to allow it.

Now we see people with disabilities working jobs, traveling, enjoying life, going to movies. Yesterday, I went to a Cedar Rapids Colonels baseball game. It was disability day. They have a new baseball stadium there; it is 4 years old. It is one of the most accessible stadiums I have ever seen in my life. All kinds of people with disabilities can come there and enjoy baseball games. That would not have been true before. The old diamond had one place set aside down on the first base line with people walking in front of them all the time. Now they are up high, and they have great seats in this stadium. So we see this all around us.

For those of us who are able-bodied, we kind of take it for granted. It is not a big deal out there that you have curb cuts or access to buildings. I walked into a hotel downtown a week or so ago, where the National Commission on Independent Living, NCIL, was having their national meeting. Four or five people with disabilities coming into the Hyatt pushed a button at the door, and they could get their wheelchairs in and out. We don't even think about that. So it is a quiet revolution.

My nephew, who is an architect, told me a few years ago that now we are designing buildings the way they should be designed—fully accessible to all. We also have closed captioning on television for the deaf and hard of hearing. We can pick up our remote for the TV and punch the mute and see the words come up, and we take it for granted. But it has transformed lives in America. It has made us a better, richer, more fair society. Now the American family is much more complete than it was before.

So on this, the 15th anniversary, I say thank you to the disabled community of America for their long years of struggle and protest, for the hardships they went through just to make sure they were treated equally in our society. I always point out that in the ADA, there is not one nickel given to a person with a disability. It is not any kind of giveaway program. All it does is break down the barriers. People with disabilities now can apply their God-given talents and their abilities and contribute to our society. So it is quite a step forward for America. We have a lot to be proud of and a lot to be thankful for. But I must say that we are not totally to where we wanted to be.

We had four goals when we passed the ADA. One was economic self-sufficiency. Fifteen years later, over 60 percent of Americans with disabilities are still unemployed, without a job. That is still a national disgrace. So I hope we use this occasion of this 15th anniversary, yes, to look at the great

strides we have made and how far we have come but also to recommit ourselves to make the ADA really complete. We have to do more in terms of job training, personal assistance services, and accessibility so that people with disabilities can have more jobs. Sixty percent unemployment is not right. So I hope we will redouble our commitment to getting this next step passed.

The ACTING PRESIDENT pro tempore. The Senator's time has expired.

Mr. HARKIN. Mr. President, I ask unanimous consent that the Senator from Vermont be given 10 minutes to make his statement at this point.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The Senator from Vermont is recognized.

Mr. JEFFORDS. Mr. President, tomorrow marks a milestone for the Americans with Disabilities Act, ADA. July 26 is the 15th anniversary of the ADA's enactment into law.

The ADA is one of the most significant initiatives to become law during my 30 years in the Congress.

As a Member of the House I was an original cosponsor the first time the ADA bill was introduced in 1988.

Although ADA did not pass during that Congress, action on the ADA legislation would not have to wait much longer.

Under the extraordinary citizen leadership of the late Justin Dart, former Representative Tony Coelho, Representative STENY HOYER, former Senate Majority Leader Bob Dole, my colleague Senator TOM HARKIN, and then President George H.W. Bush, the ADA became law in 1990.

Another important factor that led to the passage of the ADA was the staunch commitment of many diverse organizations.

The ADA is an excellent illustration as to how bipartisanship, combined with the outstanding efforts of our Nation's citizenry, can lead to a landmark change that can positively impact people's lives for centuries to come.

The ADA has literally opened doors that were closed prior to 1990, which has reaped great benefits for all of us.

In 1990, the largest Vermont employment agency successfully placed 505 disabled individuals with employers. As of last year, that successful placement rate had increased almost threefold.

Individual and economic empowerment is the ongoing legacy of the ADA.

Although many great transformations have occurred since ADA's birth 15 years ago, there is room for improvement.

The ADA needs to be protected and its spirit of inclusion and opportunity should be extended.

I thank Senator HARKIN for bringing the ADA birthday resolution to the full Senate. I am proud to join him in wishing the ADA a very happy birthday.

Mr. President, I hope we have others come to speak who are as excited as I am.

Mr. SMITH. Mr. President, in Oregon it is estimated that there are 433,000 people living with disabilities, and I am pleased to be here today to represent them by recognizing and honoring the 15th anniversary of the Americans with Disabilities Act.

The Americans with Disabilities Act will turn 15 years old tomorrow. This act stands as one of the most successful civil rights laws in our history. This law has opened the doors of schools, polling places, and countless other public facilities to our Nation's disabled population. The law is and will continue to be the platform for millions of Americans to realize our Nation's goals of equality of opportunity, economic self-sufficiency, full participation, and independent living.

Fifteen years ago it was often a dream for the 54 million Americans with disabilities to participate in our Nation's daily life. However, the ADA helped these people by removing barriers in employment, transportation, public services, telecommunications, and public accommodations. The act stands as a tribute to the hard work of all of the individuals who brought light to the plight of the disabled before and after this legislation was passed.

For years, people with disabilities were viewed as people in need of help rather than contributors to our country. The passage of the ADA finally moved us to change our attitudes and open doors for people with disabilities.

In Oregon one of the people who has been truly touched by this act is Vail B. Horton. Vail is the founder and CEO of a company called Keen Mobility. Using his disability as motivation, Vail created his company, Keen Mobility, which develops, produces, and distributes innovative, functional and attractive assistive devices that empower individuals by enhancing mobility, bringing greater independence and providing new opportunities.

Vail is also a board member for Providence Child Center for the Medically Fragile Children Foundation and Board member for YMCA of Columbia-Willamette. I have personally recognized him as an Oregon health care hero. As founder and CEO of Keen Mobility, Vail built the company from inception into a team of 16, with three product lines focused on safety and mobility for the disability community.

Vail is a true hero and I am happy to say that the 250,000 families with members who have a disability in Oregon, like his, can see the many signs of our progress. However, we must continue our ongoing efforts to see that persons with disabilities are allowed to be active in our society. Whether they are friends, neighbors or family, persons with disabilities are no longer considered second class citizens. Every day persons with disabilities are demonstrating their abilities and making real contributions. People with disabilities are no longer excluded, and because of that America is a stronger country.

Tomorrow we should all be reminded that equal opportunity is not a privilege, but a fundamental right of every American.

I hope my colleagues will join me in support of this resolution.

Mr. KERRY. Mr. President, 15 years ago a Democratic Congress and a Republican President passed the Americans with Disabilities Act, a critical step in our journey toward civil rights for all.

The ADA represented Washington at its best—both parties coming together, ignoring the special interests, and passing groundbreaking legislation to help people in dire need. Differences were set aside as we united in common respect for all Americans, regardless of physical, cognitive, or emotional abilities. We made a strong statement of our collective belief that in America, all citizens have the right to look at the future with infinite possibility. And I think we can all agree the ADA has been a remarkable success.

On this anniversary, I think it is appropriate to recognize those leaders who took the momentum from decades of struggle that had only led to small legislative advances, and turned it into one of the crowning achievements in civil rights law. My distinguished colleagues Senators HARKIN and KENNEDY, my former colleague Senator Dole and former President Bush, and organizations like DREDF, CCD, NICL and ADAPT, among others, showed such incredible leadership. And we would not have gotten anywhere if the members of the disabilities community had not set all disparate opinions aside to speak with one voice.

Fifteen years after passage of the ADA, we find that the challenge of high unemployment, poverty, poor housing, and limited educational opportunities still plagues people with disabilities in America. If should not be this way. I hope that all of us, who 15 years ago believed that to exclude persons with disabilities from our schools, restaurants, or job force was un-American, are reminded as we celebrate this anniversary that there is still much work left to be done.

Today, we must go beyond congratulating all the pioneers in this movement for this extraordinarily special anniversary. We must also reaffirm that the Congress stands ready to be the leading force in protecting and strengthening this law—never undermining it. Let us all commit to redoubling our efforts to serve this important community and this crucial cause.

Mr. AKAKA. Mr. President, I join my colleagues in commemorating the 15th anniversary of the Americans with Disabilities Act. I thank my friend from Iowa, Senator HARKIN, for sponsoring a resolution recounting the history and accomplishments under this landmark act for countless individuals in the United States. I am pleased to be a cosponsor of this resolution.

The enactment of the Americans with Disabilities Act, ADA, on July 26,

1990, was a milestone and continues to serve the more than 54 million individuals with disabilities in our country today. These individuals are now able to better participate in society thanks to the removal of barriers in areas such as employment, transportation, public services, telecommunications, and public accommodations under the ADA. Prior to the passage of the act, it was much more common for disabled Americans to encounter prejudice, discrimination, and physical exclusion in their everyday lives. The Americans with Disabilities Act marks the culmination of a civil rights movement that keeps faith with the spirit of our forefathers, who believed in the unalienable rights of all individuals.

Under the ADA, my home State has become a leader in providing new and updated facilities for individuals with disabilities. An estimated 148,000 people in Hawaii are living with a disability, and an estimated 22,000 people have difficulty performing self-care activities, such as dressing, bathing, or mobility inside the home according to the 2003 American Community Survey.

Since the passage of the ADA, Hawaii has modified more than 5,000 curb ramps and built 3,000 new curb ramps for better accessibility throughout the State. No one should be denied access to buses, sidewalks, or parks, and I am pleased to say that Hawaii is one of the leaders in ensuring that everyone has an equal opportunity to participate in society. By next year, Hawaii's public sector will be almost 100-percent accessible and, as of today, 70 percent of the private sector has addressed or is addressing the needs of the disabled, according to a nationally recognized ADA consultant.

I join the more than 40 million disabled Americans who have been helped by the ADA in saying mahalo to those who championed this historic piece of legislation. In particular, the tireless efforts of Justin Dart, Jr. His courage and dedication as a disability rights advocate is exemplary in protecting the civil rights of disabled Americans. Mr. Dart has inspired future generations of disabled Americans to reach their full potential as active and engaged members of society.

The work of my fellow Senators HARKIN and KENNEDY in the Senate, as well as Representative HOYER in the House, must also be recognized in addition to everyone else who pushed for this legislation. It was my great privilege to vote in favor of the conference report when it passed in the Senate on July 13, 1990. Our collaborative work in Congress to push the ADA through to passage showed a strong commitment to civil rights and equality. Millions of Americans are forever grateful for the chance they now have to live a better life.

Mr. LAUTENBERG. Mr. President, I rise to commemorate the 15th anniversary of the Americans with Disabilities Act. I am proud to be a cosponsor of this landmark legislation which guar-

antees equal opportunity for people with disabilities in employment, transportation, public services, telecommunications, and public accommodations.

Over the past 15 years, the ADA has provided opportunity and access for the 54 million Americans with disabilities. The passage of ADA resulted from a long struggle by Americans with disabilities to bring an end to their inferior status and unequal protection under law. Prior to passage of this landmark civil rights legislation, these Americans routinely faced prejudice, discrimination, and exclusion—not to mention physical barriers in their everyday lives. Now these Americans have an opportunity to participate more fully in our national life.

We recognize, however, our work is not finished. We still need to do more for people with disabilities. In addition to removing the physical barriers, we must also change attitudes. People with disabilities—like all people—have unique abilities, talents, and aptitudes. And America is better, fairer, and richer when we make full use of those gifts.

As we celebrate this historic accomplishment, I encourage all Americans to work towards increased recognition and understanding of the manner in which the physical and social environment can pose discriminatory barriers to people with disabilities.

Ms. LANDRIEU. Mr. President, I rise today to commemorate the 15th anniversary of the Americans with Disabilities Act. On this day in 1990, President George H.W. Bush signed this monumental piece of legislation into law guaranteeing equal opportunity for people with disabilities in public accommodations, commercial facilities, employment, transportation, State and local government services, and telecommunications.

One out of every five Americans today suffers from a disability. In the national workforce, there are currently 4 million men and 3½ million women with disabilities employed. We have made noteworthy strides in granting equal rights to those with disabilities. However, we still have tremendous work to do to decrease the 70 percent unemployment rate for people with significant disabilities.

In my own State of Louisiana, 710,000 people over the age of 5 were reported to have a disability. This means that 14.8 percent of the population in Louisiana suffers from some form of disability.

There are thousands of stories that capture the significance of this measure to people around this country, but I want to highlight just one. Shirley Adams is a constituent of mine, and she typifies the impact that the ADA can have on a person's life.

Shirley's road to inclusion into her community was long and filled with obstacles. She is a woman with many labels—profound mental retardation, visual impairment, a history of seizures, a rare bone ailment, and nonverbal. How-

ever, with great determination and courage, Shirley has established a life full of meaning surrounded by people who love and care for her. She would have it no other way.

At age 3, Shirley moved to Pinecrest Developmental Center in central Louisiana. She received care while living at Pinecrest, but she never learned to take care of herself. In 1997, at age 31, Shirley received an MR/DD waiver which enabled her to move from Pinecrest into her own apartment in the New Orleans area where she continues to receive 24-hour support.

Shirley is now able to attend church where she has made lifelong friends. In addition, she volunteers at another church where she assists staff in passing out lunches to children enrolled in vacation Bible study, sending mail out to parishioners, and welcoming people to the services each Sunday. She helps her neighborhood association by watering the flowers to the entrance to her apartment complex on a regular basis.

Living on her own has enabled Shirley to travel, which is something that she was unable to do while living in an institution. She loves to vacation in Biloxi and on the beaches of Florida. She is constantly looking for new places to go and for new adventures. If Shirley has it her way, she will continue to soak up the Sun on the gulf coast and explore new frontiers for years to come.

In sum, Shirley is known and loved by hundreds in her community now. She has a sense of belonging and security that she has never experienced before. Her life is full of people who care for her, and she continues to make wonderful progress in living in her own home to this day. Shirley Adams is clearly an inspiration to anyone who wants to explore their surroundings and lead a very happy life surrounded by loved ones in their community.

Shirley and thousands of others in Louisiana now live a full and complete life. The ADA gives people with disabilities such as Shirley a vehicle to request and secure the accommodations they need for both physical and programmatic access to life in Louisiana.

In 1990, when the ADA was passed, Louisiana spent nothing on home and community-based services for people with disabilities such as Shirley. In 2003 alone, Louisiana spent \$157,447,900. These services, inspired by the spirit of equality established by the ADA, allow thousands of Louisiana's citizens with disabilities the opportunity to live their lives as contributing, participating members of our society.

In addition, there are now 3,170 aging or elderly individuals receiving home and community-based services that allow them to remain in their own homes.

The ADA impacts the daily lives of my constituents living with disabilities and for that reason I want to applaud the honorable work being done due to the enactment of this legislation while not losing sight of the fact that we

must work harder to help all disabled persons have equal civil rights and the job opportunities they deserve.

Mr. KYL. Mr. President, I express support for the Senate resolution honoring the 15th anniversary of the Americans with Disabilities Act. This piece of legislation is a celebration of the uniquely American notion that all of our citizens can contribute to society if we provide them with the tools and opportunities they need. Since the law was enacted in 1990, some 54 million disabled Americans have had better opportunities for employment and education. Our public spaces and transportation systems have been improved to ensure access to everyone. The Americans with Disabilities Act gives all people the opportunity to enjoy what American society has to offer, and it has changed public attitudes. The perception of helplessness and dependency has been largely replaced by a recognition that, with the aid of appropriate accommodations, disabled Americans can participate fully in all fields of civic life.

In commending all those involved in the passage of this legislation, we should take time to single out then Senate Majority leader Bob Dole. Senator Dole's sacrifice for his country and service in the Congress prove that disability need not be debilitating.

I admire the courage and perseverance of the millions of Americans who live with disabilities every day. This resolution celebrates not only the passage of the ADA, but also the positive contributions that all Americans make to our society.

Mr. HATCH. Mr. President, I rise, in support of S. Res. 207, the Americans with Disabilities Act resolution commemorating the 15th anniversary of the signing of the law.

As one of the original authors of the Americans with Disabilities Act, ADA, I am a proud cosponsor of this important resolution. I am pleased that the Senate took the time today to remember the passage of landmark legislation which changed the lives of disabled individuals across the country. I am also pleased to stand with my colleague, Senator HARKIN, who did so much to advance this legislation in 1990, and indeed, to nurture its implementation ever since.

When this legislation was being debated on the Senate floor back in 1990, I told my colleagues that I believed that the Americans with Disabilities Act would be good for all America. And 15 years later, I feel the same way.

The Americans with Disabilities Act has done so much for the disabled community throughout our country—due to this law, the lives of disabled individuals have improved dramatically.

When Congress passed the Americans with Disabilities Act in 1990, we knew that this bill would make a difference. As a result of the passage of this bill, valuable resources were dedicated to improving the lives of the disabled through employment, in public accom-

modations, in transportation, and in communications services.

I credit the passage of this legislation to the millions of disabled Americans, all of whom benefit from the ADA. It was their dedication, determination and courage that made the difference. They took the time to educate their members of Congress about why the Americans With Disabilities Act was necessary. And they made a convincing case to many of us. That dedication is why we are celebrating the 15th anniversary of the passage of this law today.

In Utah, I have a disabilities advisory committee that keeps me abreast of all issues of interest to the disability community. I must pay great tribute to the members of this committee as well, for it is their insights that have helped me to reach a better understanding of the partnership our Government must undertake to promote initiatives benefiting the disabled.

I am pleased to be a supporter of the resolution before the Senate today and urge colleagues to support the passage of this resolution.

Mr. DURBIN. Mr. President, earlier this month, America celebrated the 41st anniversary of the Civil Rights Act of 1964. Next month, we will celebrate the 40th anniversary of the Voting Rights Act, one of the most important civil rights victories in our Nation's history. Those are two of the most important achievements in civil rights in our Nation since the ratification of the Bill of Rights. Today, I want to reflect for a few minutes on another critically important achievement in civil rights: the enactment 15 years ago this week of the Americans with Disabilities Act.

I recently saw a young man wearing a T-shirt. In large letters on the front of his shirt were the words: "The ADA . . ." On the back, the shirt read, ". . . boldly going where everyone else has already been." I think that young man's T-shirt sums up the ADA pretty well.

The Americans with Disabilities Act does not grant people with disabilities any special status or position. To the contrary, it simply removes certain barriers that for too long had made it difficult—if not impossible—for people with disabilities to make the most of their God-given skills and abilities, and to participate fully in their communities and in the workplace.

Before the ADA, if you needed a haircut, if you needed to see a doctor, if you just wanted to meet a friend for a cup of coffee, you probably had to rely on family, friends, or a social service agency. Very few transit systems in this country had buses or trains that were accessible to people using wheelchairs. Today, thanks to the ADA, that has changed. If you need go somewhere, you can go to a comer, catch a bus, and be on your way.

Let me tell you another story about the difference the ADA has made. Ann Ford lives near my hometown, Springfield, IL. She is a grandmother now.

She had polio as a child. She uses a motorized scooter now, but for many years, Ann walked with crutches. As anyone who has ever used crutches knows, they can wear you out pretty quickly.

Before the ADA, when Ann Ford needed to go to the grocery store, she would first make a very careful list, then plot out her shopping as efficiently as possible so that she could buy what she needed in 20 minutes and be back home before she ran out of energy.

Shortly after the ADA was enacted, the manager of the grocery store where she shopped pointed out a new electric-powered scooter the store had purchased, and asked Ann if she would like to use it. Well, Ann Ford shopped for an hour and half that day. She went up and down every aisle in that store. She said later she had no idea how many things you could buy in a grocery store.

By removing physical barriers, the ADA is helping to reduce some of the isolation and prejudice that people with disabilities too often have to battle. It provides people with disabilities a degree of autonomy and dignity that everyone deserves. That is progress, and that is worth celebrating.

But we still have a long way to go. The physical barriers are disappearing, but there are other, subtler barriers that continue to prevent far too many Americans with disabilities from participating fully in their communities and in the workplace.

As Senator HARKIN noted, the unemployment rate for people with disabilities is still 60 to 70 percent—the same place it was a decade ago. That has to change. Most people with disabilities want to work, and have to work. ADA mandates access but we can't legislate attitudes. And it is the lingering prejudice or ignorance about disabilities that contributes to this stubbornly high unemployment rate.

Congress can mandate access. With the stroke of his pen, the President can outlaw overt acts of discrimination. But the next step in this civil rights struggle—integrating people with disabilities into our workplaces—is a step we must choose.

Failure to make the greatest possible use of the skills and talents of people with disabilities hurts them. It hurts their families. It hurts all of us. Think for a moment. Where would America be today had we not had Franklin Delano Roosevelt to help pull us through the Great Depression? Dorothea Lange, the great photojournalist, walked with a limp as a result of childhood polio. How much less we might know about our own national history had she not captured it on film for us? How much poorer would the world be without the brilliant insights of Stephen Hawking? How much poorer we would all be artistically and emotionally if we had never heard Ray Charles sing "America the Beautiful?"

We need to tear down the subtler barriers that prevent far too many people

with disabilities from participating fully in our economy. Not just because it is the right thing to do, but because it is the smart thing to do.

I want to make one final point. I mentioned that the Americans with Disabilities Act is part of a tradition of important civil rights achievements. But there is one fundamental way in which the ADA differs from some of those other milestone laws.

The Civil Rights Act was enacted primarily to combat legal, institutionalized racism against African Americans. Title IX of the education amendments of 1972 was passed to prevent discrimination against women and girls in education. Those laws and others protect people from discrimination based on certain fundamental, unchangeable characteristics. If you are not born black, you are not going to become black. But any of us can become disabled—in an instant.

Today, you may think the ADA is for other people and other families, but you may think differently by the time we celebrate the 16th anniversary of the ADA a year from now. In fact, one in three 20-year-olds today will become disabled before the reach retirement age.

This past year, I have had the privilege of getting to know an extraordinary American who became disabled doing her job. Her name is Tammy Duckworth. She is major in the U.S. Army National Guard. Her job was piloting a Black Hawk helicopter in Iraq. Last November, just before Thanksgiving, her Black Hawk was shot down by a rocket-propelled grenade and she lost both of her legs. Although now a double amputee, she is determined to both walk and fly helicopters again.

Thanks to advances in medicine, we are able to save more people who—15 years ago—would not have survived a car crash, or bone cancer, or even military combat. Thank goodness for that.

As we celebrate the 15th anniversary of the Americans with Disabilities Act, I hope we will commit ourselves as a Nation to work to close the gap between our medical abilities, and our mental attitudes. Let us agree that men and women like Tammy Duckworth, who suffered permanent disabilities, will not be forced to fight in this country for basic rights and gainful employment that is worthy of their skills and talents. Let us commit to work across party lines—as Congress did when it passed the Americans with Disabilities Act 15 years ago—to fulfill not just the letter but the spirit of this important law.

Mr. President, I yield the floor and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

SCHEDULE

Mr. McCONNELL. Mr. President, I welcome everyone back for the remaining time of this work period. This will be the last week before the August recess, we expect.

It will be a busy week. Today we begin with a resolution regarding the anniversary of the ADA, the Americans with Disabilities Act, which Senator HARKIN was just discussing. We will be voting on the adoption of that resolution at 5:30 p.m. today.

Also, we resume debate on the Defense authorization bill. As a reminder, a cloture motion was filed on the Defense bill, and under the consent agreement all first-degree amendments should be filed at the desk no later than 2 p.m. today.

Tomorrow we will have a very busy morning. Under the agreement reached last week, we have a series of votes lined up for Tuesday morning. There could be as many as five votes starting early tomorrow morning, and Senators should adjust their schedules to be on or close to the floor tomorrow morning.

Having said that, this will certainly, as I indicated earlier, be a busy week as we consider the Defense authorization bill, the gun manufacturers liability bill, as well as a number of conference reports that may become available during the week. We certainly hope they will become available. With the cooperation of all Senators, we can finish our work in a timely way and adjourn at the end of the week.

Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WARNER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. WARNER. Mr. President, will the Chair advise the Senate as to the pending business?

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2006

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of S. 1042, which the clerk will report.

The legislative clerk read as follows:

A bill (S. 1042) to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

Pending:

Frist modified amendment No. 1342, to support certain youth organizations, including the Boy Scouts of America and Girl Scouts of America.

Inhofe amendment No. 1311, to protect the economic and energy security of the United States.

Inhofe-Collins amendment No. 1312, to express the sense of Congress that the President should take immediate steps to establish a plan to implement the recommendations of the 2004 Report to Congress of the United States-China Economic and Security Review Commission.

Inhofe-Kyl amendment No. 1313, to require an annual report on the use of United States funds with respect to the activities and management of the International Committee of the Red Cross.

Lautenberg amendment No. 1351, to stop corporations from financing terrorism.

Ensign amendment No. 1374, to require a report on the use of riot control agents.

Ensign amendment No. 1375, to require a report on the costs incurred by the Department of Defense in implementing or supporting resolutions of the United Nations Security Council.

Collins amendment No. 1377 (to amendment No. 1351), to ensure that certain persons do not evade or avoid the prohibition imposed under the International Emergency Economic Powers Act.

Durbin amendment No. 1379, to require certain dietary supplement manufacturers to report certain serious adverse events.

Hutchison-Nelson of Florida amendment No. 1357, to express the sense of the Senate with regard to manned space flight.

Thune amendment No. 1389, to postpone the 2005 round of defense base closure and realignment.

Kennedy amendment No. 1415, to transfer funds authorized to be appropriated to the Department of Energy for the National Nuclear Security Administration for weapons activities and available for the robust nuclear earth penetrator to the Army National Guard, Washington, District of Columbia, chapter.

Allard-McConnell amendment No. 1418, to require life cycle cost estimates for the destruction of lethal chemical munitions under the Assembled Chemical Weapons Alternatives program.

Allard-Salazar amendment No. 1419, to authorize a program to provide health, medical, and life insurance benefits to workers at the Rocky Flats Environmental Technology Site, Colorado, who would otherwise fail to qualify for such benefits because of an early physical completion date.

Dorgan amendment No. 1426, to express the sense of the Senate on the declassification and release to the public of certain portions of the Report of the Joint Inquiry into the Terrorist Attacks of September 11, 2001, and to urge the President to release information regarding sources of foreign support for the hijackers involved in the terrorist attacks of September 11, 2001.

Dorgan amendment No. 1429, to establish a special committee of the Senate to investigate the awarding and carrying out of contracts to conduct activities in Afghanistan and Iraq and to fight the war on terrorism.

Salazar amendment No. 1421, to rename the death gratuity payable for deaths of members of the Armed Forces as fallen hero compensation.

Salazar amendment No. 1422, to provide that certain local educational agencies shall be eligible to receive a fiscal year 2005 payment under section 8002 or 8003 of the Elementary and Secondary Education Act of 1965.

Salazar-Reed amendment No. 1423, to provide for Department of Defense support of certain Paralympic sporting events.

Mr. WARNER. Mr. President, I am very pleased the Senate has turned to this important legislation. It was first brought up Wednesday night with activity on Thursday and again on Friday. I thank all those who participated.