

terrible attacks of September 11, 2001, fully knowing that his country would soon be going to war abroad. His quiet demeanor and steadfast service is at the core of what the American military service is about: honor, duty, humility, and loyalty.

His wife Michelle, children Chaynitta and Cayden, and parents Clifford and Jeanette will be in all of our thoughts. He and Michelle, who met at a high school dance, had been planning to renew their vows this spring.

He was on his second tour of duty as an infantryman in the 1st Brigade Combat Team, 101st Airborne Division. We can never fully express our gratitude for our veterans' service; I ask that we stop now to honor Sergeant Yazzie and acknowledge his sacrifice, and that of his family and friends, for our Nation.

LOCAL LAW ENFORCEMENT ENHANCEMENT ACT OF 2005

Mr. SMITH. Mr. President, I rise today to speak about the need for hate crimes legislation. Each Congress, Senator KENNEDY and I introduce hate crimes legislation that would add new categories to current hate crimes law, sending a signal that violence of any kind is unacceptable in our society. Likewise, each Congress I have come to the floor to highlight a separate hate crime that has occurred in our country.

On October 4, 2002, Gwen Araujo was killed by three men in Hayward, CA. Araujo was beaten up, tied, and then strangled. The apparent motivation for this crime was that Araujo was a transgendered teen.

I believe that the Government's first duty is to defend its citizens, to defend them against the harms that are born out of hate. The Local Law Enforcement Enhancement Act is a symbol that can become substance. I believe that by passing this legislation and changing current law, we can change hearts and minds as well.

RECOGNIZING MARTIN LUTHER KING DAY

Mr. KYL. Mr. President, earlier this week, our Nation celebrated Martin Luther King Day. The Reverend Dr. Martin Luther King, Jr., would have been 77 years old on January 16. It was a day to reflect on the life of a man admired for the dream he dreamed for America, and for his words and deeds in pursuit of it.

He dreamed, as he famously said, "that one day this nation will rise up and live out the true meaning of its creed: 'We hold these truths to be self-evident: that all men are created equal.'" Dr. King argued, in words that stir the heart, that racial segregation must end in the South and that Black Americans must be granted their citizenship rights throughout the land and throughout our institutions: in education, in employment, in housing, and in the voting booth.

His role in the push for full voting rights for African Americans is well known but bears repeating. In the spring of 1965, a national television audience was shocked by broadcasts of State troopers and sheriff's deputies brutally repulsing voting rights protesters in Selma, AL. Hours later, Dr. King declared: "No American is without responsibility." He went to Alabama and led a march, under Federal protection, from Selma to the State capital. The event garnered national support and provided momentum for congressional passage of the Voting Rights Act later that year.

Dr. King appreciated the blessings of freedom; he wanted them for his people, and for all people. We remember this Protestant minister's eloquence and also his sense of spiritual mission—he was an ecumenical religious leader who brought people of all faiths, all races, together in mutual respect for one another.

As Taylor Branch, his biographer, put it: "His oratory fused the political promise of equal votes with the spiritual doctrine of equal souls."

His belief in nonviolent protest convinced those who listened to him that here was the high road to vindicating the rights of Black people in this country. It is a bitter fact that he lost his life to violence—he was only 39 when an assassin's bullet cut him down in Memphis—and it makes us understand his great courage in taking on the burden of leadership.

In officially celebrating the life of Dr. King, we celebrate the end of legal segregation and the many inroads we have made against racism and discrimination. Of course, there is more we must do to make sure all Americans enjoy the blessings of freedom. He would tell us that, if he were here. He would also insist that we continue on in his way: with passion and with civility, calling on our fellow human beings to act on their best instincts, not their worst.

Dr. King, who won the Nobel Peace Prize in 1964, is a model here and around the world—from China, and the 1989 antigovernment protests in Tiananmen Square, to South Africa, where apartheid rule gave way in 1990 without provoking the civil war many had feared. In encouraging the holding of free elections and the formation of institutions of civil society in faraway places today, we promote the idea that Martin Luther King put forward so well: that the nonviolent settling of differences among men is the bedrock of democracy.

Let us all take inspiration from the King legacy this week, Mr. President, and every week.

MEDICARE PRESCRIPTION DRUG BENEFIT IMPLEMENTATION

Mr. FEINGOLD. Mr. President, on January 1, 2006, the administration launched the Medicare prescription drug benefit, a program long touted by

President Bush as the vehicle that would provide affordable, easily accessed prescription drugs for seniors. The program has fallen far short of that goal so far. The outcries that I have heard from pharmacists, beneficiaries, and health care providers over the past few weeks make clear that the implementation of the program has been a disaster. This program has not provided either affordable or easily accessed drugs to many Medicare beneficiaries. Instead, it has presented many seniors and the disabled with frustration, confusion, expensive medications, and sometimes no medications at all. It is unacceptable for individuals to go without lifesaving medications, yet this is what has been happening across the country since this program commenced. This situation is an emergency, and Congress needs to address it right away.

Since the beginning of January, I have received panicked phone calls from people in my State saying that they were unable to receive drugs that they have been routinely getting at their pharmacy every other month. Many calls were from people who could not receive essential drugs such as insulin, antipsychotics, or immunosuppressants for transplant patients. At the same time as I was hearing from people suffering from pain because they did not receive their pain medications, I received press releases from the Centers for Medicare and Medicaid that expressed satisfaction with the launch of the program and boasted of the millions of participants in the program. There may be millions participating in the program, but too many of them cannot receive their drugs, and too many pharmacists are unable to comply with the complicated regulations in the program. CMS should be focusing its efforts on addressing this emergency rather than disseminating public relations messages.

All anyone needs to do is visit their local pharmacy in order to see the problems with the benefit firsthand. There, they are likely to see harried pharmacists on the phone with Medicare or private drug plans. Chances are high that they are on hold. There are often long waiting lines of people in need of medications, sometimes in desperate need, and there are customers being charged incorrectly for their prescriptions. Sometimes they are charged so much that they cannot afford it because the costs exceed what they have in the bank or what their credit limits will allow. Tragically, many of the most vulnerable beneficiaries have been forced to walk out of the pharmacies without their drugs.

It is clear that, in many respects, the plan and the contingency plans for implementation have failed. For instance, the drug plan automatically enrolled millions of individuals eligible for both Medicare and Medicaid into drug plans, and although these individuals were supposed to be notified of this, many were not. Imagine the surprise when