

IBC cases. IBC is also an especially aggressive form of breast cancer. As a result, the survival rate for patients with IBC is significantly lower than those with non-IBC breast cancer.

These sobering facts tell us that education and awareness about this rare cancer are desperately needed so that women are quickly and properly diagnosed. My home State of Washington is making important strides in this direction. In fact, Washington State recently celebrated Inflammatory Breast Cancer Awareness Week, thanks to the foresight of Governor Christine Gregoire and the hard work of Washington's IBC advocates. This special observance goes a long way in raising awareness about IBC in my home State.

Efforts such as Washington State's awareness week are a good start, but more education and awareness are needed for both patients and their physicians. We also must increase access to screening, especially for low-income women. One important step that Congress can take to increase these efforts is to pass S. 1687, the National Breast and Cervical Cancer Early Detection Program Reauthorization Act of 2005. For all types of breast cancer—but especially for IBC—early detection is critical to catching cancer early before it spreads. I am working with Chairman ENZI and Ranking Member KENNEDY to bring this bill up for a vote in the Health, Education, Labor, and Pensions Committee, and it is my hope that we can pass this bill before the end of the 109th Congress.

In closing, I commend the efforts of Governor Gregoire and the IBC advocates in Washington State. I am committed to making the Federal Government a strong partner in these efforts by increasing awareness and access to screening. Together, we can help ensure that every woman gets screened for breast cancer and that she and her doctor have access to the latest medical research.

Mr. President, I ask unanimous consent to have printed in the RECORD a copy of the proclamation from Washington State to which I referred.

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

PROCLAMATION

Whereas, except for nonmelanoma skin cancers, breast cancer is the most common cancer among women, and is the second leading cause of cancer death in women, exceeded only by lung cancer; and

Whereas, Inflammatory Breast Cancer (IBC) is the most aggressive form of breast cancer and has a faster doubling time than other breast cancers; and

Whereas, the total number of breast cancer cases diagnosed for 2005 was 210,000, and of that number, six percent were IBC; and

Whereas, symptoms of IBC are similar to those of mastitis, a benign breast infection, and because IBC usually grows in nests or sheets rather than a solid tumor, it can spread throughout the breast without a detectable lump. It is usually not detected by mammograms or ultrasounds unless there is a defined tumor; and

Whereas, laboratory based research on IBC has been limited because little, if any, pretreatment tumor tissue is available for research; and

Whereas, we recognize the courage and strength of women battling IBC, and the families and friends who love and support them, and our state is grateful for the hard work and commitment of our dedicated researchers and medical professionals; and

Whereas, with continued effort, we can raise any awareness of IBC and find new ways to prevent and treat this deadly disease;

Now, therefore, I, Christine O. Gregoire, Governor of the state of Washington, do hereby proclaim October 1-7, 2006, as Inflammatory Breast Cancer Awareness Week in Washington State, and I urge all citizens to join me in this special observance.

PRESERVING CRIME VICTIMS' RESTITUTION ACT

Mr. SESSIONS. Mr. President, I am pleased to join with Senator FEINSTEIN and cosponsor the Preserving Crime Victims' Restitution Act of 2006.

When a criminal defendant pleads guilty or is found guilty by a jury of his peers but dies before sentencing or while his case is on appeal, the defendant's victims should not sustain a financial loss and the defendant's estate should not profit from his crimes. The judicially created doctrine of abatement provides, however, "that the death of a criminal defendant pending an appeal of his or her case abates, *ab initio*, the entire criminal proceeding."

In its most extreme form, the scope of the doctrine can be breathtaking. As the U.S. Court of Appeals for the Fifth Circuit held in *United States v. Parsons*:

[T]he appeal does not just disappear, and the case is not merely dismissed. Instead, everything associated with the case is extinguished, leaving the defendant "as if he had never been indicted or convicted."

Common sense requires that punishments like imprisonment or probationary supervision terminate once a defendant dies. But when a criminal conviction involves remedial measures such as restitution to the victims of the crime or implicates civil forfeiture of property connected with the crime, we shouldn't pretend that nothing ever happened. A convicted defendant's death while his case is pending may cheat the hangman, and it may cheat the jailer—but it shouldn't cheat the victims.

Taking a criminal case to trial and obtaining a conviction can involve thousands of hours of work and a huge commitment of resources. In the recent conviction of Ken Lay, for example, the trial took nearly 4 months and cost the taxpayers millions of dollars. When a criminal conviction involves financial restitution to the victims of the crime or when the conviction could be used in a later civil law suit, those effects of the conviction should not be erased by the death of the defendant. It is wrong to force the victims or the government to start over from scratch.

The Preserving Crime Victims' Restitution Act addresses the unnecessary

and unfair effects of the abatement doctrine. It preserves restitution and the potential use of a criminal conviction. In later civil proceedings such as civil forfeiture, while protecting a defendant's rights.

If a defendant dies after pleading guilty or being found guilty by a jury, restitution and the use of the conviction in civil proceedings will be permitted. In such cases, the bill allows the defendant's estate to step into his shoes and continue to defend the conviction. The estate can appear on behalf of the defendant at sentencing, and it can file post-trial motions. The estate can also appeal the conviction.

This assures that the integrity of the criminal and appellate process is preserved and that there is an adequate opportunity to challenge the validity of a conviction and ensure that justice has been done. Basically, under this bill, the criminal and appellate process move forward with respect to restitution and use of a conviction in later civil proceedings just as though the defendant were still alive.

Ultimately, the Preserving Crime Victims' Restitution Act is about fairness. It is fair to victims—who too often get overlooked in the criminal process. It is fair to the Government—which may have committed enormous time and resources to obtaining a conviction. And it is fair to the defendant's estate—which should be allowed to represent the defendant's interests and contest the Government's case but should not be allowed to profit from crime simply because a defendant dies.

I hope we can move quickly to pass the Preserving Crime Victims' Restitution Act of 2006, and I urge my colleagues to support it.

HELP COMMITTEE AGENDA

Mr. KENNEDY. Mr. President, the message from this election is clear. There is little doubt that the American people want a change of course in Iraq. But they also want a government that stands with them and their families as they look to the future—jobs that reward their hard work, health care that is good and affordable, and education that continues to open the door to the American dream for all of our citizens.

That was the agenda of the voters in this election and it will be the agenda of our Health, Education, Labor, and Pensions Committee when we convene in the new year. And with Senator REID as our majority leader, America's families will see great progress on the issues that they care most about.

Yesterday, Democrats selected the membership of our committee. Every member is an experienced legislator with a deep commitment to working families and a solid record for getting things done.

So I welcome back Senator DODD, Senator HARKIN, Senator MIKULSKI, Senator BINGAMAN, Senator MURRAY, Senator JACK REED, and Senator CLINTON. And I welcome our new members:

Senator OBAMA, Senator-elect SANDERS, and Senator-elect BROWN.

I am also grateful to continue working together with Chairman ENZI. The gavel may change hands, but our partnership will not. He is a true leader and has set the standard for fairness and statesmanship, and I look forward to working with him on the many issues before the committee in the next Congress.

My first priority will be to increase the minimum wage. Americans are working harder than ever, but millions of hard-working men and women across the country aren't getting their fair share. We are not rewarding work fairly anymore, and working families are falling behind.

The minimum wage has been stuck at \$5.15 an hour for almost 10 years. A minimum wage worker who works 40 hours a week, 52 weeks a year still makes just \$10,700 a year—\$6,000 below the poverty line for a family of three. In this era of skyrocketing costs, these hard-working Americans are forced to make impossible choices—between paying the rent or buying food, between paying for gas or paying the doctor.

Americans understand fairness, and they know this is unfair. That is why the American people took the battle into their own hands this year. They pounded the pavements for months to put minimum wage increases on the ballot in six States this year. And all six of these ballot initiatives passed by decisive margins. If there is one message from this election that emerged loud and clear, it is that no one who works for a living should have to live in poverty.

Raising the minimum wage to \$7.25 an hour will benefit almost 15 million Americans. It will help more than 7.3 million children whose parents will receive a raise.

Minimum wage workers serve in many of the most difficult and most important jobs in our society. They care for children in day care centers, and for the elderly in nursing homes. They clean office buildings, hotel rooms, and restaurants across the country. They are men and women of dignity, and they deserve a fair wage that respects the dignity of their work. It is long past time to give minimum wage workers a raise.

Another high priority is to remove the barriers to lifesaving stem cell research.

We are in the era of the life sciences, and no area of medical research has more promise than stem cell research to speed the search for new cures for diabetes, Parkinson's Disease, cancer, and many other serious illnesses.

Thanks to the courage of leaders such as Michael J. Fox, the people of Missouri last week chose hope over fear by approving a constitutional amendment to allow stem cell research.

Congress should learn from that example. Last year, a broad bipartisan majority approved legislation to tear down the barriers that have kept NIH

scientists from realizing the full potential of this research. That bill was rejected by the President, but hope can never be vetoed.

We will be back again and again next year until we succeed in overturning the restrictions on stem cell research that hinder the search for new cures, and delay the day when the hope of a better future becomes a reality for patients across America.

We must also address the crisis in college affordability that affects every low and middle income family and that threatens our economic progress. It is more important than ever for our citizens to have a college education so they can compete in the global economy and have a fair chance at the American Dream. But because of soaring college costs, stagnant student aid and heavy student loan debt, it is becoming increasingly difficult for our citizens to get such an education.

Today, students and families are pinching every penny to save for college—but it is not enough. Each year, 400,000 low-income students do not attend a 4-year college because of cost factors. Student debt is also a barrier to the pursuit of vital but lower-paying professions like teaching, public health, and social work.

Last year, we passed an increase in student aid through the Senate only to see our proposals die in the House. With the House and Senate under new management, next year we will provide needed help to families struggling to put their children through college.

We will increase Pell Grants from \$4,050 to \$5,100. We will cap college loan payments to no more than 15 percent of your income. We will cut student loan interest rates. We will reform the student loan program so it works for students and not just the banks. And we will use the savings to increase student aid.

And at long last, we can no longer ignore the need for health care reform. We must reduce the cost of health and we must make it available to each and every American.

Every Member of the Senate, and their staffs, and every Federal employee has a sense of security about health care that is denied to millions of Americans. Members of Congress know that if we get sick, or if our children need medical care, our health insurance plan will cover virtually all of the costs.

Tens of millions of our fellow citizens have no such guarantee. Nearly 50 million Americans lack health care coverage entirely, and tens of millions more have inadequate coverage. In a nation with the best doctors and finest hospitals in the world, it is profoundly wrong that so many Americans suffer from illnesses that could have been prevented or treated more effectively—if only health care had been available and affordable.

The time is long overdue to address the crisis in health care. Bipartisan health care reform is possible, and our

first step toward it should be effective legislation to strengthen and reauthorize CHIP, the program that provides quality health care for 4 million children.

But our experience with health reform in Massachusetts showed that we can do more. We proved that people from all parts of the political spectrum can come together to provide health care for all. So this, too, is one of our top goals for the coming Congress.

Together, we can—we must—make the promise of this century of the life sciences a reality for all Americans by seeing that every American has quality, affordable health care.

These are our top priorities for the new year, but they are not our only priorities.

We must pass the CLASS Act and create a long-term care infrastructure in this country that will support every American's choice to live at home and be part of their community. Every older or disabled American has this right, and it is our job in Congress to provide them with the support they need to make this a reality.

We will strengthen early learning opportunities, starting at birth, for each of our children. Prevention works in health care and it can work in education as well.

We must also ensure that our schools are equipped to meet the challenges of the global economy. Our Nation's future depends on many things, but certainly one of the most important measures of the strength of our democracy is the excellence of our public schools. This year, we will revisit the reforms contained in the No Child Left Behind Act.

The law charted a sound course for American education four years ago, but it is time for us to reshape our commitment and provide better solutions for schools to respond to the challenges identified by the law. These reforms are right and we're ready to work with President Bush, as we did 5 years ago. But given the many failures of implementation by his administration and the meager commitments to education reform in his budgets, the President has a high hurdle to cross to demonstrate that he is seriously committed to these reforms.

In addition, we must give workers a stronger voice in their own futures and in meeting the needs of their families. We must protect workers' right to join together and fight for better wages and working conditions, free from employer intimidation. Workers need opportunities to improve their skills through job training programs. And families deserve paid sick days to care for loved ones without fear of losing their jobs.

Americans who have worked a lifetime to provide for their families deserve to retire in dignity, not in poverty. We must ensure our retirement system works for all Americans, not just corporate executives.

We can make bipartisan progress, too, on measures that will improve

health care and reduce costs—not by denying services to patients, but by improving efficiency and effectiveness. Congress should aid doctors, hospitals, and patients to improve their use of electronic medical records, and we should explore responsible ways to reward the quality of health care, not just the quantity of care.

And we must fulfill our duty through our hearings and our legislative program to ensure that Government is working for the people, that we have strong laws to keep workers safe on the job and that workers are fairly paid, that student loans work for students and not just the banks, that students are protected from exploitation in the private student loan market, that prescription drugs we rely on and the food we eat are safe, that the workers that risked their lives for others on 9/11 are cared for as they deal now with the illness and injury.

These will be my priorities as chairman of the Health, Education, Labor, and Pensions Committee next year. They come directly out of this election where the American people spoke loud and clear. And I look forward to working with my colleagues to make important progress for America's families.

SOMALIA

Mr. FEINGOLD. Mr. President, I remain deeply concerned about rising instability and growing tension in Somalia. It is becoming clear that efforts to date have failed to sufficiently address the stand off between the Islamic courts and the transitional federal government, TFG, and now new tension between Ethiopia and Eritrea is threatening to engulf the entire region in a costly and devastating conflict. Unfortunately, rising instability in Somalia is having a direct effect on stability throughout the region and, if left unchecked, will have a significant impact on our national security and the security of our friends and allies.

As I have said many times before, it is imperative that the U.S. Government begin playing a leadership role in helping to stabilize Somalia and the region and that it do so immediately. We need a comprehensive approach to engaging with regional actors, the international community, and the U.N. to find a permanent solution to this crisis. Such an approach will contribute to stability throughout the Horn of Africa and to our national security.

We can't do this successfully, of course, unless we create a comprehensive approach and apply sufficient resources and attention to this growing problem. I was pleased when the Senate passed an amendment I offered to the Defense authorization bill a few months ago that calls for a comprehensive strategy for establishing long-term stability in Somalia. I believe, as do a number of colleagues on both sides of the aisle, that the United States must develop a comprehensive strategy for Somalia that utilizes all facets of

its power and capability and must ramp up its diplomatic efforts throughout the region and the international community to bring this crisis to an end.

Unfortunately, the administration has yet to appoint a senior coordinator for Somalia to pull together a strategy and to engage fulltime with international and regional partners in addressing this crisis. There also appears to be a reluctance to put in place additional personnel and resources needed to help execute this strategy and to contribute to international efforts to bring about a lasting peace throughout the region. Frustratingly, there has been reluctance among administration officials to work closely with Congress to identify what additional resources are needed to address changing conditions in Somalia. I have asked repeatedly for a description of needed resources and support that we in the U.S. Congress can provide to help address instability in Somalia and have yet to receive a sufficient response.

Meanwhile, conditions in Somalia are becoming more complex and more troubling. According to a new United Nations report released this week, both the ICU and the TFG are obtaining support from a range of outside actors. If this is true, it signals a dangerous mix of regional and international meddling that could ignite the entire region into a devastating conflict. Recent statements by leaders throughout the region, too, suggest that specific countries may be prepared to intervene outside of the context of a political solution or coordinated international intervention.

Our objectives must not be too lofty: we cannot hope to turn Somalia into a peaceful and established democracy overnight. But we do need to establish realistic goals and objectives and address this problem with aggressive diplomacy and engagement—in Somalia, Nairobi, Addis Ababa, New York, Brussels, Asmara, and throughout the Middle East. We must work diligently to establish a robust political framework within which both Somalia-specific and regional concerns can be addressed, and that will help facilitate a broader arrangement that takes into account the range of actors involved in this crisis. This framework must be supported by the international community and key regional actors. It must also take into consideration the very real security concerns of Somalia's neighbors.

Unfortunately, we have very little time. Conditions continue to deteriorate, and we can't count on weak diplomatic efforts to get us what we need. Instability in Somalia has very real national security implications for our country. Somalia remains what it has been for years: a haven for known al-Qaida operatives and terrorist networks and criminal networks that threaten U.S. interests. As we learned in Afghanistan, we cannot ignore the conditions that breed and empower extremist and terrorist organizations.

Accordingly, it is essential that we treat instability in Somalia like the true threat that it is. We need to act quickly and decisively and as if American lives depend on it. They do.

CELEBRATION OF THE 80TH BIRTHDAY OF EARL HOLDING

Mr. HATCH. Mr. President, I rise today to pay tribute to a dynamic man, my constituent, a loyal friend, loving husband and father, and a highly successful businessman—Mr. Earl Holding. Earl is reaching a wonderful milestone, his 80th birthday, and I couldn't let this occasion pass without honoring him for the good he has accomplished throughout his life.

Earl has accomplished feats in business in Utah and throughout our Nation that few have ever achieved. He has made a lasting imprint on many industries including petroleum, ranching, and the travel and hotel industry. His work ethic, and inspirational leadership has literally transformed the business landscape of our State. His acumen and tenacity are legendary and are admired by many.

Earl has not been alone in his success. In 1949, Earl married his business partner, Carol Orme, and together they embarked on a remarkable life journey. These two humble individuals worked together to forge something real and lasting in all aspects of their lives. A story is told of their early years that I believe poignantly displays the dedication they both have always demonstrated. Their wedding night at the Temple Square Hotel in Salt Lake City reached an early end when they left at 5:00 a.m. to take their irrigation turn at their orchard.

In 1952, Earl and Carol accepted the responsibility of managing and investing in Little America, a service station and motel located in a remote area of western Wyoming. At the time Little America was unprofitable. In just 2 short years, through hard work, perseverance, and tenacity, the Holdings were able to turn Little America into the largest and highest volume service station in the United States.

From this beginning, the Little America Hotels and hotel properties led by Earl have become a favorite place for thousands of travelers throughout the Western United States. In fact, in preparation for the 2002 Winter Olympic Games, Earl personally undertook a mission to build the first five-star hotel in Utah. His dream became a reality with the development and building of the Grand America Hotel in Salt Lake City. This property is truly "grand." It is beautiful from the top to the bottom and is a wonderful testament to Earl's dedication to quality and service.

Earl's contribution to the travel and recreation arena doesn't end with his hotel properties. He also owns and manages the Snowbasin ski area in Utah, the home of several Olympic races during the 2002 Olympic Winter