

rest of the world. Importantly, however, DEA's authority to control U.S. exports would not be diminished.

The legislation authorizes the Attorney General, or his designee, the DEA, to permit the re-export of Schedule I and II substances and Schedule III and IV narcotics to countries that are parties to the Single Convention on Narcotic Drugs and the Convention on Psychotropic Substances under tightly controlled circumstances: First, each country is required to have an established system of controls deemed adequate by the DEA. Next, only permit or license holders in those countries may receive regulated products. Third, re-exports are limited to one single cross-border transfer. Then the DEA must be satisfied by substantial evidence that the exported substance will be used to meet an actual medical, scientific or other legitimate need, and that the second country of receipt will hold or issue appropriate import licenses or permits. Fifth, in addition, the exporter must notify the DEA in writing within 30 days of a re-export. And finally, an export permit must have been issued by the DEA.

These safeguards are rigorous but fair, and represent a much-needed modernization of the law. The current restrictions on U.S. exports of controlled substances have remained essentially unchanged for more than 30 years. In that time, the global economy has changed dramatically. For those among us who express concerns about the outsourcing of American jobs and the competitiveness of U.S. companies, this modest change represents an opportunity to address such problems head-on.

The Controlled Substance Act's limitation on U.S. pharmaceutical exports imposes unique, unnecessary, and significant logistical and financial burdens on American businesses. The effect of this outdated policy is to create a strong incentive for domestic pharmaceutical companies to move production overseas, threatening American jobs and eliminating DEA jurisdiction over the manufacture and shipment of their products. The Controlled Substances Export Reform Act removes this unwarranted barrier to U.S. manufacturers' use of cost-effective distribution techniques while retaining full DEA control of U.S. exports and re-exports. Accordingly, I urge my colleagues to join Senator BIDEN and myself in support of this bill.

#### RULES OF THE SENATE COMMITTEE ON THE JUDICIARY

Mr. SPECTER. Mr. President, I ask unanimous consent that the Committee Rules approved by the Senate Committee on the Judiciary be included in the RECORD for today, July 14, 2005.

##### RULES OF THE SENATE COMMITTEE ON THE JUDICIARY

###### I. MEETINGS OF THE COMMITTEE

1. Meetings of the Committee may be called by the Chairman as he may deem nec-

essary on three days' notice of the date, time, place and subject matter of the meeting, or in the alternative with the consent of the Ranking Minority Member, or pursuant to the provision of the Standing Rules of the Senate, as amended.

2. Unless otherwise called pursuant to (1) of this section, Committee meetings shall take place promptly at 9:30 AM each Thursday the Senate is in session.

3. At the request of any Member, or by action of the Chairman, a bill, matter, or nomination on the agenda of the Committee may be held over until the next meeting of the Committee or for one week, whichever occurs later.

###### II. HEARINGS OF THE COMMITTEE

1. The Committee shall provide a public announcement of the date, time, place and subject matter of any hearing to be conducted by the Committee or any Subcommittee at least seven calendar days prior to the commencement of that hearing, unless the Chairman with the consent of the Ranking Minority Member determines that good cause exists to begin such hearing at an earlier date. Witnesses shall provide a written statement of their testimony and curriculum vitae to the Committee at least 24 hours preceding the hearing testimony in as many copies as the Chairman of the Committee or Subcommittee prescribes.

2. In the event 14 calendar days' notice of a hearing has been made, any witness appearing before the Committee, including any witness representing a Government agency, must file with the Committee at least 48 hours preceding her appearance a written statement of her testimony and curriculum vitae in as many copies as the Chairman of the Committee or Subcommittee prescribes. In the event the witness fails to file a written statement in accordance with this rule, the Chairman may permit the witness to testify, or deny the witness the privilege of testifying before the Committee, or permit the witness to testify in response to questions from Senators without the benefit of giving an opening statement.

###### III. QUORUMS

1. One-third of the membership of the Committee, actually present, shall constitute a quorum for the purpose of discussing business. Eight members of the Committee, including at least two members of the minority, must be present to transact business. No bill, matter, or nomination shall be ordered reported from the Committee, however, unless a majority of the Committee is actually present at the time such action is taken and a majority of those present support the action taken.

2. For the purpose of taking sworn testimony, a quorum of the Committee and each Subcommittee thereof, now or hereafter appointed, shall consist of one Senator.

###### IV. BRINGING A MATTER TO A VOTE

1. The Chairman shall entertain a non-debatable motion to bring a matter before the Committee to a vote. If there is objection to bring the matter to a vote without further debate, a roll call vote of the Committee shall be taken, and debate shall be terminated if the motion to bring the matter to a vote without further debate passes with ten votes in the affirmative, one of which must be cast by the minority.

###### V. AMENDMENTS

1. Provided at least seven calendar days' notice of the agenda is given, and the text of the proposed bill or resolution has been made available at least seven calendar days in advance, it shall not be in order for the Committee to consider any amendment in the first degree proposed to any measure under consideration by the Committee unless such

amendment has been delivered to the office of the Committee and circulated via e-mail to each of the offices by at least 5:00 PM the day prior to the scheduled start of the meeting.

2. It shall be in order, without prior notice, for a Member to offer a motion to strike a single section of any bill, resolution, or amendment under consideration.

3. The time limit imposed on the filing of amendments shall apply to no more than three bills identified by the Chairman and included on the Committee's legislative agenda.

4. This section of the rule may be waived by agreement of the Chairman and the Ranking Minority Member.

###### VI. PROXY VOTING

1. When a recorded vote is taken in the Committee on any bill, resolution, amendment, or any other question, a quorum being present, a Member who is unable to attend the meeting may submit her vote by proxy, in writing or by telephone, or through personal instructions. A proxy must be specific with respect to the matters it addresses and may not be counted either in reporting a matter, bill, or nomination to the floor, or in preventing any of the same from being reported to the floor.

###### VII. SUBCOMMITTEES

1. Any Member of the Committee may sit with any Subcommittee during its hearings or any other meeting, but shall not have the authority to vote on any matter before the Subcommittee unless she is a Member of such Subcommittee.

2. Subcommittees shall be considered de novo whenever there is a change in the Subcommittee chairmanship and seniority on the particular Subcommittee shall not necessarily apply.

3. Except for matters retained at the full Committee, matters shall be referred to the appropriate Subcommittee or Subcommittees by the Chairman, except as agreed by a majority vote of the Committee or by the agreement of the Chairman and the Ranking Minority Member.

4. Provided all Members of the Subcommittee consent, a bill or other matter may be polled out of the Subcommittee. In order to be polled out of a Subcommittee, a majority of the Members of the Subcommittee who vote, must vote in favor of reporting the bill or matter to the Committee.

###### VIII. ATTENDANCE RULES

1. Official attendance at all Committee markups and executive sessions of the Committee shall be kept by the Committee Clerk. Official attendance at all Subcommittee markups and executive sessions shall be kept by the Subcommittee Clerk.

2. Official attendance at all hearings shall be kept, provided that Senators are notified by the Committee Chairman and Ranking Minority Member, in the case of Committee hearings, and by the Subcommittee Chairman and Ranking Minority Member, in the case of Subcommittee hearings, 48 hours in advance of the hearing that attendance will be taken; otherwise, no attendance will be taken. Attendance at all hearings is encouraged.

#### NATIVE HAWAIIAN GOVERNMENT REORGANIZATION ACT OF 2005

Mr. AKAKA. Mr. President, for the past 6 years, I have worked with my colleagues in Hawaii's congressional delegation to enact legislation to extend the Federal policy of self-governance and self-determination to Native

Hawaiians. On July 12, 2005, The New York Times published an editorial piece that captures the essence of what we have been trying to do for the people of Hawaii.

Our bill, S. 147, the Native Hawaiian Government Reorganization Act of 2005, provides a process for Native Hawaiians to reorganize their governing entity for the purposes of a federally recognized government-to-government relationship with the United States. Following recognition, the bill provides for a negotiations process between the governing entity and the State and Federal governments to determine how the Native Hawaiian governing entity will exercise its governmental authority. The negotiations process is intended to represent all interested parties through the State, Federal and native governments; and provides the structure that has been missing since 1893 for Hawaii's people to address the longstanding issue resulting from the overthrow of the Kingdom of Hawaii. This bill provides the people of Hawaii with an opportunity for reconciliation and healing so that we can move forward as a State.

Opponents of the legislation have characterized its effect as divisive. The purpose of my bill, however, is to bring unity in the State by providing an inclusive process for all of us, Native Hawaiian and non-Native Hawaiian, to finally address the consequences of our painful history. Lawrence Downes, The New York Times editorial writer who authored the article, captured this in his piece. I ask unanimous consent that the article entitled, "In Hawaii, A Chance to Heal, Long Delayed," be printed in today's RECORD in its entirety.

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

[From the New York Times, July 12, 2005]  
IN HAWAII, A CHANCE TO HEAL, LONG DELAYED  
(By Lawrence Downes)

Less than a month after 9/11, with terrorism fears threatening to put jet travel and thus the Hawaiian economy into a death spiral, tourism officials there announced an emergency marketing campaign to promote the State as a place of rest, solace and healing. Anyone who has ever stepped off a plane in Honolulu, trading the brittle staleness of the aircraft cabin for the liquid Hawaiian breeze, warm and heavy with the scent of flowers, knows exactly what they meant.

The selling of Hawaii as a land of gracious welcome works so well because it happens to be true. But for the members of one group, that has always evoked a bitter taste: native Hawaiians, the descendants of Polynesian voyagers who settled the islands in antiquity and lived there in isolation until the late 1700's. Ever since Captain Cook, the native Hawaiian story has been a litany of loss: loss of land and of a way of life, of population through sickness and disease, and of self-determination when United States marines toppled the monarchy in 1893.

Over decades, the islands emerged as a vibrant multiracial society and the proud 50th State. Hawaiian culture—language and art, religion and music—has undergone a profound rebirth since the 1970's. But underneath this modern history remains a deep

sense of dispossession among native Hawaiians, who make up about 20 percent of the population.

Into the void has stepped Senator Daniel Akaka, the first native Hawaiian in Congress, who is the lead sponsor of a bill to extend federal recognition to native Hawaiians, giving them the rights of self-government as indigenous people that only American Indians and native Alaskans now enjoy. The Akaka bill has the support of Hawaii's Congressional delegation, the State Legislature and even its Republican governor, Linda Lingle. It will go before the Senate for a vote as soon as next week.

The bill would allow native Hawaiians—defined, in part, as anyone with indigenous ancestors living in the islands before the kingdom fell—to elect a governing body that would negotiate with the Federal Government over land and other natural resources and assets. There is a lot of money and property at stake, including nearly two million acres of "ceded lands," once owned by the monarchy; hundreds of thousands of acres set aside long ago for Hawaiian homesteaders; and hundreds of millions of dollars in entitlement programs.

Much of what is now the responsibility of two State agencies, the Office of Hawaiian Affairs and the Department of Hawaiian Home Lands, would become the purview of the new government.

There are many jurisdictional and procedural details to work out, but Mr. Akaka and others insist that the bill precludes radical outcomes.

There would be no cash reparations, no new entitlements, no land grabs and especially no Indian-style casinos, which are a hot topic in Hawaii, one of only two states that outlaw all gambling.

The bill's critics include those who see it as a race-based scheme to balkanize a racial paradise. On the other flank, radical Hawaiian groups say the bill undercuts their real dream: to take the 50th star off the flag and to create a government that does its negotiating with the State Department, not Interior.

Mr. Akaka argues, convincingly, that beyond the bill's practical benefits in streamlining the management of assets and the flow of money, it is a crucial step in a long, slow process of reconciliation. As he sees it, Hawaii's cultural renaissance has exposed the unhealed wound in the native psyche. He has witnessed it in young people, more radical than their elders, as they adopt a tone of uncharacteristic hostility and resentment in sovereignty marches. He has noted a wariness that is at odds with the conciliatory mood struck in 1993, when President Bill Clinton signed a resolution apologizing for the kingdom's overthrow.

Mr. Akaka says his bill offers vital encouragement to a group that makes up a disproportionate share of the islands' poor, sick, homeless and imprisoned, while steering a moderate course between extremes of agitation and apathy.

The spirit of aloha, of gentle welcome, is the direct legacy of native culture and an incalculable gift the Hawaiian people have made to everyone who has ever traveled there—wobbly-legged sailors and missionaries, dogged immigrants and sun-scorched tourists. The Akaka bill, with its first steps at long-deferred Hawaiian self-determination, seems like an obvious thing to give in return, an overdue measure of simple gratitude.

#### MASSACRE AT SREBRENICA

Mr. BOND. Mr. President, I rise today in support of the recently passed

S. Res. 134, a resolution expressing the sense of the Senate regarding the massacre at Srebrenica in July 1995, the largest single mass execution in Europe since World War II.

It has been 10 years since the war in the Balkans has dominated international headlines. The September 11, 2001 attacks in the United States and the resulting war on terror have taken center stage and rightly dominated our foreign policy. But the 40,000 Bosnians living in the St. Louis area saw the ugly face of terrorism in Srebrenica in July 1995, when approximately 8,000 Muslim men and boys were massacred, and hundreds of women and children were tortured and raped in an area that was supposedly under the protection of the United States. Tens of thousands were evicted from their homes and forced to flee their homeland.

As a direct result of the war in Bosnia-Herzegovina, more than 40,000 Bosnian immigrants now live in the St. Louis area. In fact, it is a privilege for the City of St. Louis to be the home of more Bosnians than anywhere in the world outside Bosnia. Our Bosnian immigrants are productive, peaceful citizens who are making vital contributions to the revitalization of the city and adding ethnic diversity that enriches our community. But as they rebuild their lives, they still bear the emotional scars as victims of genocide and the evils of ethnic cleansing.

It is a solemn 10 year anniversary the world will commemorate in July. As we remember the victims of Srebrenica with this resolution, we also reiterate our support for efforts to identify victims of this massacre through DNA matching and allow families a sense of closure that comes with the opportunity to appropriately commemorate and bury their loved ones. The victims of this genocide also deserve our efforts to put international pressure on those responsible for this terrible tragedy, including Serbian political leader, Radovan Karadzic and General Ratko Mladic, and bring them to justice.

As we join with our new Bosnian immigrants to commemorate the Srebrenica massacre, it is my hope that we will commit ourselves once again to oppose the evil of ethnic cleansing and genocide.

#### HEARING HEALTH

Mr. JOHNSON. Mr. President, today I want to address this body in order to help raise awareness about an important health problem in our society. Hearing loss impacts the lives of 28 million men, women, and children in the United States. As baby boomers reach retirement age, that number will rapidly climb and nearly double by 2030.

The combined effects of noise, aging, disease, and heredity have made hearing impairments a reality for many Americans. Children with hearing loss may lack speech and language development skills. Seniors may find it difficult to talk with friends, listen to the