

the National Defense Industrial Association, over 5,000 science and engineering positions are unfilled in private industry in defense-related fields.

The Nation confronts a major math and science challenge in elementary and secondary education and in higher education as well. We are tied with Latvia for 28th in the industrialized world today in math performance, and that is far from good enough. We have fallen from 3rd in the world to 15th in producing scientists and engineers. Clearly, we need a new National Defense Education Act of the size and scope passed nearly 50 years ago.

At the very least, however, the legislation before us needs to do more to maintain our military's technological advantage. The pending bill irresponsibly cuts science and technology research by 17 percent. It increases funding for the SMART civilian ROTC science program but to only one-third of the Defense Department's request. Last year, over 100 "highly rated" SMART Scholar applications were turned down because of insufficient funding. Our amendment has sufficient funds to support every one of those talented young people who want to learn and serve.

It also increases the investment in basic research in science and technology. Investments by DOD in science and technology through the 1980s helped the United States win the Cold War. But funding for basic research in the physical sciences, math and engineering has not kept pace with research in other areas. Federal funding for life sciences has risen four-fold since the 1980s. Over the same period, appropriations for the physical sciences, engineering, and mathematics have remained essentially flat. Funding for basic research fell from fiscal year 1993 to fiscal year 2004 by more than 10 percent in real terms.

The Defense Science Board has recommended that funding for Science and Technology reach 3 percent of total defense spending, and the administration and Congress have adopted this goal in the past. The Board also recommended that 20 percent of that amount be dedicated to basic research, but the pending bill would cut funding for such research by 17 percent. We must do better, and this amendment does that.

The amendment's offset reduces the defensewide administrative fund under the Secretary of Defense. It does not affect operations and maintenance funding for the Army, Navy, or Air Force. For example, it would reduce by 2½ percent the \$2 billion that the bill gives the Secretary for his "business and financial management" transformation proposal—an area that the Government Accountability Office has deemed at "high-risk" for waste.

We can't afford not to pass this amendment, and I urge my colleagues to support it.

#### ASSOCIATION HEALTH PLANS

Mr. KENNEDY. An important new study issued last week finds that exempting association health plans from State oversight will lead to increased health insurance fraud against small businesses and their workers.

The author of the study, Assistant Professor Mila Kofman at Georgetown University, is one of the Nation's leading experts on private health insurance fraud, and the report provides evidence of the potential harm that the pending association health plan legislation will have on patients and working families.

It finds that exempting association health plans from State oversight will "create a regulatory vacuum" and have the "unintended consequence of widespread fraud threatening the coverage and financial security of millions of Americans."

The report notes the 30-year history of health insurance scams involving associations and multiemployer arrangements after the Congress exempted such arrangements from State oversight in 1974. Widespread fraud resulted from the exemption, and Congress acted to restore State authority and oversight in 1982. In the years when the Federal Government was responsible for oversight of the plans, widespread fraud took place and large numbers of businesses and workers victimized.

Insurance fraud involving such plans continues, but without State oversight and enforcement, the numbers would have been much worse. States have shut down many illegal arrangements, and saved millions of dollars for consumers in recent years. We can't afford to take away State authority now, and give plans broad exemptions from oversight.

According to a study by the Government Accountability Office, the most common way for insurance scams to proliferate is by selling coverage through associations—many of which are the same bona-fide professional and business associations that would be shielded from oversight under this legislation.

The pending bill would create large loopholes and shield plans from oversight. It relies largely on self-reporting and self-regulation, and makes it far more difficult for regulators to shut down fraudulent plans.

The bill's convoluted regulatory structure would also create widespread confusion about who actually regulates association plans—the Federal Government or States, and this confusion will invite scams to proliferate.

We need to make affordable health insurance for working families a top priority, but this study shows the serious consequences of exempting association health plans from State and oversight and enforcement. The result is predictable: mounting medical bills, greater bankruptcy, medical care denied or delayed, and coverage lost. It is wrong for Congress to turn back the clock to the days of widespread fraud against small businesses and their em-

ployees by exempting association plans from appropriate oversight and enforcement, and I urge my colleagues not to take this damaging step.

#### MEDICAL DEVICE USER FEE STABILIZATION ACT OF 2005

Mr. KENNEDY. Mr. President, I strongly support the Medical Device User Fee Stabilization Act of 2005.

The bill makes needed corrections in the Device User Fee Act we passed in 2002. Most important, it extends this worthwhile program beyond September 30. It ensures stable growth for individual user fees by limiting increases to 8.5 percent a year in 2006 and 2007, and it raises the threshold for businesses to be eligible for the reduced small business fees from \$30 million to \$100 million.

The user fee program has provided much needed support for the Food and Drug Administration over the past 3 years to expedite its review of medical devices. The FDA has improved its ability to review devices more quickly, and laid the groundwork for further progress as well. Unfortunately, however, fees on individual applications have climbed rapidly in the past 3 years—much faster than anticipated.

Our bill maintains this valuable program and limits the rate of growth in fees. It strikes a fair balance between the competing interests of FDA and the various industries. The agency is not guaranteed the growth in fees that it received under the original legislation to meet the need to expedite its reviews. It makes sense to limit fee increases in response to the concern that the fees have climbed too quickly and are discouraging innovation in these valuable devices. That is why we call the bill the User Fee Stabilization Act.

The bill also clarifies the provision in current law on the identification of the makers of single-use medical devices. Adverse event reports should not be inaccurately attributed to the wrong company, and doctors should not be misled about the source of the device.

Since many so-called single-use devices are often reprocessed and used again, the legislation requires reproducers of single-use devices to identify their role in preparing the device. When the manufacturer of the original device is identified on the device, the reprocessor must do so as well. When the manufacturer of the original device has not done so, the bill permits the use of detachable labels on the package of the reprocessed device, so that the label can be placed in the patient's medical chart.

These provisions will become effective 12 months after the date of enactment, and they are a reasonable compromise of the interests of the FDA, the original manufacturers, and the reproducers.

I commend Chairman ENZI for his leadership in producing this much-needed legislation, and I welcome the strong, bipartisan support for the bill

in our Health Committee. I urge all my colleagues to support this important legislation, so that this valuable medical device program can continue effectively beyond September 30.

#### CHANGING LIVES: THE IMPACT OF SPECIAL OLYMPICS

Ms. LANDRIEU. Mr. President, I rise today to say a few words on the impact of Special Olympics. As many of you know, individuals with intellectual disability face an array of challenges in their efforts to secure opportunities to lead quality lives. These challenges affect every aspect of their lives, including their ability to participate in a meaningful way in their communities and society at large.

The Special Olympics were created to address the use of sports as a vehicle for demonstrating the dignity and capability individuals with intellectual disability can achieve. Over the 37 years of Special Olympics history, there is extensive documentation of competition waged, medals won, and barriers overcome around the world. Athletes, families, coaches, volunteers, and spectators have witnessed many small and large miracles through Special Olympics.

One such miracle is Rose Marie Garrett of Baton Rouge, a three-time participant in Special Olympics World games who in 2001 was named Louisiana's Special Olympian of the Year. At age 49, Rose Marie was diagnosed with Dandy-Walker syndrome, a congenital brain malformation that impairs motor development due to a blockage of spinal fluid to the brain. Despite her lifetime of struggle with the physical problems caused by Dandy-Walker syndrome, Rose Marie was able to rise above this barrier and take charge of her life. Not only did she successfully participate in the Special Olympics, but did so while holding a job at the YMCA. However, Rose Marie did not stop her lifetime of hard work with her achievements in the Special Olympics. She has become a strong advocate for this valuable program, and teaches bowling to children, disabled and non-disabled alike. Her message to those working to overcome difficult hurdles is "Work hard and go for your goal. If at first you don't succeed, try, try again. Never give up. I didn't."

Rose Marie is just one of the many success stories in the Special Olympics. In 2004, they commissioned a study of the impact of Special Olympics programs on the lives of its athletes in the United States. This study included survey research of current and former athletes, coaches, and family members from a representative sample of U.S. athletes and coaches. It is the most comprehensive assessment to date of the impact of the Special Olympics experience on the lives of people with intellectual disabilities. In the Special Olympics Impact Study and the Special Olympics Athlete Participation Survey, we see that Special

Olympics has enabled athletes to not only train for sporting events, but also train for life. Through their voices, U.S. Special Olympics athletes have provided Special Olympics with a very positive report card on the impact that Special Olympics has on their lives.

It is my hope that every person faced with intellectual disabilities will have the opportunity some time in their life to participate in the Special Olympics. As exemplified by Rose Marie's experience, overcoming athletic challenges can lead to a successful life. Special Olympics is a program that supports an inclusive and productive society and I look forward to watching what all these individuals will accomplish in the future.

#### RETIREMENT OF J.J. HAMILTON

Mr. LEAHY. Mr. President, I would like to take this opportunity to publicly congratulate J.J. Hamilton on his retirement as Director of Aviation at the Burlington International Airport.

J.J. and I have been friends since our days together at St. Michael's College, and it has been a great pleasure working with him over the years on aviation, expansion, and economic development issues at the airport in Burlington.

J.J. has been with the airport for 21 years, serving for the past 15 as its top manager. Under his direction, the Burlington airport has been transformed from a sleepy, one-gate operation into an award-winning, 10-gate facility that is a wonderful gateway to our great State of Vermont. The airport has grown to become an important engine in our State's economy.

Perhaps the best words to describe J.J.'s leadership in Burlington are "measured and responsible." As head of Vermont's largest airport, and one that is municipally owned, he has had to delicately balance the urge for large-scale expansion with his financial responsibility to the citizens of Burlington. When opportunities have arisen to attract new air service, J.J. has been careful to make sure that it is sustainable and that the airport grows appropriately to meet the new demand. And when the airport has sought to expand its business offerings, he has worked cooperatively with the neighbors, the National Guard, and the businesses that are based at the airport or that rely on the airport to outline the significance of the development.

I am proud to have worked with J.J. and others to bring the innovative, low-cost air service to Burlington that has fueled record passenger growth at the airport. From JetBlue and Independence Air to the parking expansions to the new gates, J.J. has diligently moved forward not just to compete with the Albanys and Manchesters of the world for passengers, but to make Burlington a destination unto itself.

I ask unanimous consent that a May 11, 2005, Burlington Free Press editorial on J.J.'s accomplishments in Bur-

lington be included at this point in the RECORD.

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

[The Burlington Free Press, May 11, 2005]

#### BUILDING AN AIRPORT

J.J. Hamilton has a solid 21-year record at the Burlington International Airport, 16 of them as director, transforming a one-gate operation into today's 10-gate facility that generates \$12 million in revenues.

The growth at the airport has occurred gradually over the years, at a pace that has met Vermont's needs and changing lifestyles. Along the way, Hamilton has been there to make a public pitch for significant improvements such as expanding the parking garage.

Hamilton has presided over one of the most welcoming and attractive small airports U.S. travelers will ever find. Where else do you find comfortable rocking chairs set up in front of picture windows that look out onto runways and spectacular mountain views? Long lines are rare, and visitors are treated to a taste of Vermont with displays of local art, scenic murals and a well-stocked souvenir shop.

In 1997, the airport's garage was built and main terminal expanded for \$19.9 million; a \$25 million expansion was launched five years later. The improvements have encouraged additional airlines to use the facility, securing Burlington International's 2002 distinction as the second-fastest-growing airport in the nation.

Decisions by airlines such as People Express in the 1980s and JetBlue and Independence Air in recent years have added to Burlington International Airport's luster.

For many years, Vermonters drove to Manchester, N.H., Albany, N.Y., or Boston for cheaper flights out of New England. Today, with several low-cost carriers operating out of Burlington, the expanded 1,651-space garage is often crowded with travelers choosing their home airport.

This is especially important for a relatively small state like Vermont, where a healthy business climate requires easy, affordable air service—not to mention the revenues linked directly and indirectly to air travel.

Hamilton's decision to step down as director leaves a void at the airport that might be tough to fill for several reasons.

First, his careful stewardship has established a high bar. The airport set a record for the most significant growth period in the airport's history during Hamilton's tenure, with nearly 635,000 people boarding flights last year.

Second, Hamilton's annual salary of \$85,885 isn't highly competitive with many similar positions elsewhere in the United States, making it that much harder to recruit the best and brightest to fill his shoes. The director of the Albany International Airport in New York, for example, earns \$106,000 annually.

That is not an unusual problem in Vermont, where salaries tend to lag behind those of more urban areas. More often than not, people accept the lower salary in exchange for a higher quality of life. In some cases, out-of-state applicants argue—successfully—for more money.

The city ought to be somewhat flexible with the incoming director's salary, but cautiously so. A high wage doesn't guarantee competence.

Hamilton, 64, has agreed to stay on until his job is filled, and possibly longer. But Vermonters wish him well as he moves on.

Mr. LEAHY. Again, Mr. President, I want to thank J.J. for his many years