

with and return calls to beneficiaries who initiate contact and permits plans to call beneficiaries that are already enrolled in their plans. The prohibition only applies to solicitation calls. Those companies that violate the law are subjected to criminal penalties for telemarketing fraud related to the program.

I think that this provision is very important, so seniors do not feel their privacy is being violated by constant phone calls from numerous insurance companies calling their homes. It is important that seniors do not feel pressured to choose one plan or another because of persistent telemarketers.

Starting November 15, 2005, all seniors will be able to start selecting which insurance company they would like to administer their drug benefit. It is my hope that between now and then the information sent to beneficiaries is accessible and easily understood. I do have great concern that many seniors are going to feel extremely overwhelmed, confused and frankly very frustrated about the information they receive about the multitude of coverage options. I think that the Medicare Do Not Call Act is one step we can take to simplify the process and help seniors.

While I did not support final passage of the legislation that created this program because of several concerns I have about how it will impact South Dakotans, I still think it is important for seniors to examine this program closely and decide for themselves whether the new Medicare Part D drug benefit will be worthwhile to them. I will continue to work hard to ensure that the people of my State have sufficient information before they are expected to make a decision. I will also continue to support legislation and other initiatives to make improvements to the program and the administration of it.

LIVESTOCK MANDATORY REPORTING ACT OF 1999

Mr. GRASSLEY. Mr. President, today I was forced to place a hold on H.R. 3408 that will reauthorize for 5 years the Livestock Mandatory Reporting Act of 1999, LMPR.

I introduced S. 1617 with Senator HARKIN that will extend the act by one year. S. 1617 passed this body by unanimous consent during the first week of September. Now here we are at the last minute trying to pass the House version before an important GAG report is released.

Last year, Senator HARKIN and I requested a GAO investigation into the accuracy of reported prices by the U.S. Department of Agriculture. We are so close to having this report released that Congress should extend the LMPR by 1 year.

My bill could be easily taken up by the House and prevent LMPR from expiring. This would allow the report to come out and give Congress time to evaluate the recommendations.

There have been several concerns regarding the administration of the program ranging from late filed reports by packers and inadequate oversight at USDA to ensure compliance and enforcement of the law.

I have heard from enough livestock producers to know that there can be improvement to this important law.

I am trying to protect the interests of producers and have stated before that only those entities that fear transparency should be fighting for a 5-year extension with no consideration for GAO's pending conclusions.

DOMESTIC VIOLENCE AND GUNS

Mr. LEVIN. Mr. President, earlier this week the Violence Policy Center released its annual study of homicide data titled "When Men Murder Women." This year's study analyzed homicide data from 2003, the most recent available, that involved one female victim and one male offender.

The VPC found that in 2003, the majority of women who were murdered were killed with a firearm. In the overwhelming majority of these cases, 77 percent in fact, the male offender used a handgun. The VPC report also revealed that more than ten times as many females were murdered by a man they knew than were killed by a stranger. Of these, 62 percent were in an intimate relationship or married to their killer. According to the report, "Most often, females were killed by males in the course of an argument." These statistics illustrate the tragic role firearms play in domestic violence disputes that escalate into murder.

As my colleagues know, since 1968 it has been illegal for convicted felons, illegal aliens, individuals involuntarily committed to a mental health facility, individuals who have renounced their citizenship, drug addicts, those dishonorably discharged from the military, and fugitives to possess or purchase a firearm. In 1996, we extended the law to the prohibition on firearms to individuals who were under a domestic violence restraining order and those who had previously been convicted of a domestic violence misdemeanor.

Unfortunately, these efforts continue to be undermined by Congress' failure to close the "gun show loophole." Under current law, when an individual buys a firearm from a licensed dealer, there are Federal requirements for a background check to insure that the purchaser is not prohibited by law from purchasing or possessing a firearm. However, this is not the case for all gun purchases. For example, when an individual wants to buy a firearm from another private citizen who is not a licensed gun dealer, there is no requirement that the seller ensure the purchaser is not in a prohibited category. This creates a loophole in the law, providing prohibited purchasers, including those who have previously been convicted of domestic violence crimes, with potential easy access to dan-

gerous firearms. Such firearms could later be used to murder a wife or girlfriend in a moment of rage or jealousy.

The VPC demonstrates that the Congress should do more to help protect women from gun violence. I urge my colleagues to join me in support of funding for domestic violence prevention programs as well as legislation to close the gun show loophole.

THE NEED FOR STRONG LEADERSHIP

Mr. AKAKA. Mr. President, I rise today to urge my colleagues to work with me and all those who support the belief that only through strong leadership will government be able to respond to the needs of its citizens. This week, I participated in the Homeland Security and Governmental Affairs hearing on dealing with the aftermath of Hurricanes Katrina and Rita. I want to share a statement made by the Honorable Dan Coody, Mayor of Fayetteville, AR, who said:

I've always believed that any program or process will succeed or fail based on the leadership in that program. And I think that from the very top to the very bottom—speaking at the micro level—there needs to be a system put in place where we hire the most qualified, most knowledgeable people for the job—that want to do the job—and put them in a position where they can lead.

Mayor Coody's remarks underscored my expectations that Federal agencies must be led by experienced and qualified senior leaders in order to ensure that agencies meet their mission. The same evening as our Committee hearing, I was privileged to present the 2005 Service to America Medal Federal Employee of the Year award to Orlando Figueroa, the Deputy Associate Administrator for Programs, Science Mission Directorate, at the National Aeronautics and Space Administration. Mr. Figueroa led the Mars Exploration Rover Project to success under technical challenges and time constraints. He and his team at the Mars Exploration Rover Project created a mobile science lab used to conduct remote exploration on the surface of another planet, which allowed the exploration of regions beyond the original landing site. This fantastic accomplishment has produced a wealth of scientific discoveries revealing Mars as a potential habitat, and I told Mr. Figueroa that to me, these discoveries spark the imagination, fuel the human spirit, and inspire us to pursue even greater things. Mr. Figueroa exemplifies leadership.

The Federal Government is fortunate to have a cadre of career executives selected for their leadership, who are members of the Senior Executive Service, SES. To become a member of the SES, a candidate must possess the following five executive qualifications: leading change; leading people; being results driven; having business acumen; and building coalitions or having communication skills.