

The Capital District Women's Bar Association Legal Project, that its application for continued funding had been denied. The Department of Justice has supported the CDWBA Legal Project's efforts on behalf of battered women for nearly a decade. With this financial assistance, the group has provided critical services for more than 4,000 poor, battered women and their children since 1996. The program has been so successful that the United States Office of Justice Programs identified it in 2003 as a "best practices program" as a model for communities striving to better serve and protect victims of domestic violence and sexual assault. Yet this program and, Director Lisa Frisch told me, other programs like it, are losing their funding and ability to prevent abuse and assist victims.

We critically need to provide this funding—to stop domestic violence, and aid its victims.

Domestic abuse is an ongoing crisis for many American families. It is the common cold of violence for Americans today. But working together, as Federal, State, and local officials, as governmental and nongovernmental organizations, as individuals, we can reduce the severity and the prevalence of domestic violence. We can protect the most vulnerable members of our society women, the elderly, children. I applaud Senators BIDEN, HATCH, and SPECTER who introduced the Violence Against Women Act of 2005 in June, and the nearly 60 Senators who cosponsored the legislation, Members on both sides of the aisle. Their hard work helps to strengthen American families.

#### 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 December 7, 2003, in Largo, FL, Reshae McCauley, a 30-year-old transgender person, visited Z109, a local club. The following evening Reshae's body was discovered near her home where she had died of severe upper body trauma. According to police, the apparent motivation for the attack was her sexual orientation.

I believe that the Government's first duty is to defend its citizens, to defend them against the harms that come 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.

#### NATIONAL LATINO AIDS AWARENESS

Mr. OBAMA. Mr. President, even as our Nation faces new public health challenges, it is crucial that we not lose sight of a devastating disease that has remained a challenge for decades the HIV/AIDS epidemic. Over the past two decades, the Nation has witnessed tremendous strides in the diagnosis and treatment of this disease, and overall, affected individuals are living longer and in better health. Yet approximately 40,000 Americans are still infected every year, half of whom are under the age of 25, and over 1 million Americans are living with this disease. My own State of Illinois ranks sixth in the Nation for HIV/AIDS, and our health officials and experts continue to work diligently to reduce the number of newly infected, as well as provide high quality care to those who are infected.

As with so many diseases, HIV/AIDS has had a disproportionate impact on the Latino community. While representing only 14 percent of the U.S. population, Latinos comprise 20 percent of the population affected by HIV/AIDS. However, unlike every other racial and ethnic group, the number of estimated deaths among Latinos with AIDS is actually increasing—a 17 percent growth between 1999 and 2003.

As the largest and fastest growing ethnic minority group in the U.S., it is imperative that HIV/AIDS prevention and treatment in the Latino community remain a top priority for our Nation.

I am proud to join Representative HILDA SOLIS, Chair of the Congressional Hispanic Caucus' Task Force on Health, and other members of the Congressional Hispanic Caucus and Congressional Black Caucus, in recognizing October 15 as National Latino AIDS Awareness Day. On this day, we renew our commitment to ending the spread of HIV and ensuring quality of life to those with HIV regardless of their country of origin or immigration status. We do this whether we are Latino, African American, Asian, Caucasian or Native American. Although we all belong to separate communities, it is important that we stand as one community in the fight against this disease that is rapidly targeting populations of color.

The numbers are growing and so should our national attention towards the issue. The reauthorization of the Ryan White CARE Act is an example of how our Nation can help. It is also critical to increase funding for the Minority AIDS Initiative, MAI, which addresses the disproportionate impact of HIV/AIDS on people of color by allocating specific funds for programs under the Ryan White CARE Act. Programs like Ryan White provide our most vulnerable populations, such as HIV/AIDS-stricken Latinos, with a chance for quality health care and a brighter future.

On October 15 and every other day of the year, I encourage all of us to join

in the fight against HIV and AIDS. We cannot become complacent. The need is great, and the time to act is overdue.

#### NOMINATION OF WAN J. KIM

Mr. CORZINE. Mr. President, it is with great pleasure and admiration that I support the nomination of Wan J. Kim, of my home State of New Jersey, to be the Assistant Attorney General for Civil Rights at the Department of Justice.

Wan Kim's life is a testament to the American dream. Mr. Kim's father came to New York from South Korea in 1971, with only a few hundred dollars in his pocket and the dream of building a better life for his family. He spoke no English and he took a job washing dishes. His wife joined him several months later, and worked in a garment factory. In 1973, Wan Kim and his sister left South Korea, where they had been staying with their grandmother, to reunite with their parents on U.S. soil. Wan Kim was 5 years old at the time.

The family soon moved to New Jersey, where Mr. Kim's parents purchased a luncheonette in Jersey City, and later a home in Union Township. Mr. Kim's parents worked 7 days a week to provide an education and a life of opportunity for their children. Mr. Kim excelled in school, graduating as valedictorian of his high school class and serving this country in the Army Reserves. He received his bachelor's degree from Johns Hopkins University and his law degree from the University of Chicago Law School.

Following law school, Mr. Kim clerked for Federal Judge James L. Buckley on the DC Circuit Court. He then worked as a trial attorney in the Criminal Division of the Department of Justice, where he participated in the prosecution of the Oklahoma City bombing case. Mr. Kim later served as an assistant U.S. attorney for the District of Columbia, as counsel on the Senate Judiciary committee, and as a lawyer in private practice. Since August 2003, Mr. Kim has served as a deputy assistant attorney general of the Civil Rights Division at the Department of Justice, where he is charged with oversight of the criminal, educational opportunities, and housing and civil enforcement sections.

If confirmed as assistant attorney general, Mr. Kim will be the Nation's top civil rights law enforcement officer. In that capacity, he will be responsible for overseeing more than 300 attorneys nationwide and with ensuring the vigorous enforcement of this nation's civil rights laws—including those relating to voting rights, employment discrimination, human trafficking, and police misconduct. Mr. Kim will enjoy the distinction of being the first Korean-American and the first naturalized citizen to assume that post.

The position to which Mr. Kim is nominated is one of vital importance to our Nation. There are those who

would weaken or narrow the authority of the Civil Rights Division, or remove it from Congressional oversight altogether. I disagree. The Department of Justice, and the Civil Rights Division in particular, must continue to carry out its indispensable role in safeguarding the civil rights of all Americans. The Department must hold firm in ensuring that no person, big or small, strong or weak, Black or White, Latino or Asian, is treated with anything less than fairness, equality, and justice under our laws. To this end, it is essential that the powers of the Civil Rights Division and the oversight authority of this body be vigorous, and that the Division hire only the very best attorneys possible to carry out its mission.

There is no doubt that the Civil Rights Division will face many challenges in the years ahead. The office will require a leader with a firm commitment to civil rights and the resolve to place the considerable resources of the Federal Government behind the protection of those fundamental rights. Mr. Kim has an impressive record of public service and has earned the strong respect of his colleagues and the legal community. I am confident that Mr. Kim will do all he can to preserve and strengthen our civil rights protections, and that in so doing, he will continue to make his family, his home State of New Jersey, and his country proud.

#### BINATIONAL HEALTH WEEK

Mr. LUGAR. Mr. President, I appreciate this opportunity to join my friends from across the United States and Mexico to celebrate the 5th Annual Binational Health Week. Binational Health Week affords us an opportunity to reflect upon the many successful efforts made here in the United States in cooperation with Mexican consulates to promote health and well-being amongst those who might otherwise lack access to important health care services and to discuss what further efforts should be made to address shortcomings that still exist.

Binational Health Week originated as an effort by Mexico's Secretary of Health to direct health care services to underserved migrant populations here in the United States. In October 2001, the Mexican consulates in California partnered with the California Department of Health Services to celebrate the first Binational Health Week in an effort to mobilize local health clinics and community organizations to provide services to people of Latin origin. Since then, Binational Health Week has expanded to cities across the United States, Mexico, and Canada.

I feel strongly that we must do all that we can to encourage people to pursue healthy lifestyles. Between one-half and two-thirds of premature deaths in the United States and much of our health care costs are caused by just three risk factors: poor diet, phys-

ical inactivity, and tobacco. Promoting proper fitness and nutrition is not only good health policy but it is also good fiscal policy as it prevents costly hospitalization and reduces future costs to the taxpayer. We must work together at the Federal, State and local levels to encourage healthy eating and exercise.

I am excited that Binational Health week encourages the people of our great nations to discuss how we can work together to ensure that families across North America have every opportunity to enjoy good health and happiness.

#### TRIBUTE TO AMERICAN BEVERAGE ASSOCIATION

Mr. CHAMBLISS. Mr. President, today I rise to report on a development by the American Beverage Association, ABA, and its members who have adopted a new policy aimed at helping parents and schools to promote healthy lifestyles for our Nation's students.

Recently, the association's board of directors established new school vending policies for its members. The purpose was to help parents, teachers, and children in the school environment make good lifestyle choices by providing appropriate beverage choices for each grade level.

Childhood obesity is a problem facing society, and I believe that responsibility for achieving healthy lifestyles is shared by everyone, including parents, communities, schools, government, and industry.

Under the new ABA policy, the beverage industry will provide the following: One, only bottled water and 100 percent juice to elementary school students; two, nutritious and/or lower calorie beverages to middle school students, such as bottled water, 100 percent juice, sports drinks, no-calorie and low-calorie soft drinks and low-calorie juice drinks—no full-calorie soft drinks or full-calorie juice drinks with 5 percent or less juice will be provided to middle school students until after school hours; and three, a variety of beverage choices to high school students, such as bottled water, 100 percent juice, sports drinks, and juice drinks. No more than 50 percent of the vending selections made available to high school students will be soft drinks.

This new policy complements the work the Committee on Agriculture, Nutrition, and Forestry completed in the 108th Congress with the Child Nutrition and WIC Reauthorization Act of 2004. Under the act, local school districts were directed to develop wellness policies, address physical activity and nutrition education, and implement nutrition standards for all food sold on campus. The ABA's new vending policy is timely and welcomed, and can serve as a key component for the development of local wellness policies by helping set important nutrition standards for our students.

Mr. President, I would like to recognize the American Beverage Association and its members for being part of a solution in achieving healthy lifestyles and in fighting childhood obesity. This commonsense policy does not unfairly single out individual foods or beverages through wholesale bans, but instead provides a reasonable balance in vending choices and complements the industry's school-based physical activity programs.

I commend The Coca-Cola Company in my home State of Georgia, and the entire beverage industry for its leadership on this issue and for its commitment to making a substantial and positive impact on the well-being of our students.

#### HONORING FORMER GOVERNOR STAN HATHAWAY

Mr. THOMAS. Mr. President, I rise today to pay tribute to the life and memory of Stan K. Hathaway. Sadly, Stan passed away on October 4, at the age of 81.

One of six children, Stan was born in Osceola, NE. He grew up in Huntley, WY. Stan attended the University of Wyoming until he heard the call of duty, and in 1943, he left college and joined the Army Air Corps to serve his country in World War II. During the war, he flew bomber missions. For his service, Stan received the French Croix de Guerre, U.S. Presidential Unit Citations and five air medals.

When Stan returned from his tour in Europe, he enrolled at the University of Nebraska to finish his bachelor's degree and continued on to complete his law degree at the same institution. While there, he met and married his lovely wife Bobby. Bobby was the light in his life. Their relationship was strong and full of love. They complimented one another beautifully, and together, they accomplished tremendous things.

Following Stan's graduation from law school, he and Bobby moved to Torrington. Bobby began teaching, and Stan established his law practice. Here, they had their two daughters, Susan and Sandra. In 1954, Stan was elected Goshen County Attorney, and in 1966, he was elected Governor. After his second term as governor, President Ford appointed Stan as secretary of the interior in 1975. He was Wyoming's first cabinet officer. Health issues forced his resignation shortly after his appointment, and he moved to Cheyenne to resume his law practice.

Stan always looked toward the future, and his innumerable contributions still resonate in our great State. During his two terms as Governor, Stan initiated groundbreaking policy for Wyoming. He enacted the State's first severance tax on minerals and created the Permanent Mineral Trust Fund where severance tax money is invested. The fund now totals more than \$2 billion and earns enough to run a major portion of the State's government operations.