

224th Engineer Battalion, Army National Guard, Burlington, IA.

Second Lieutenant Gienu is remembered as a hard-working family man with a history of military service. He joined the U.S. Navy in 1994 and enlisted in the Iowa Army National Guard in 1999. After graduating in 2003 from University of Northern Iowa, he was commissioned in the Reserve Officers' Training Corps as a second lieutenant. He was mobilized last October.

Second Lieutenant Gienu is survived by his mother, Debbie Way, of Dunkerton, IA, and his father, Richard Gienu, of Waterloo, IA. He also leaves behind a young son. My prayers go out today to his family and friends in their time of loss. Let us today remember his life as we honor his sacrifice on behalf of all of us. We are forever in his debt.

VOTE EXPLANATION—S.J. RES. 4

Mr. FEINGOLD. Mr. President, because of a family matter I was unable to take part in Thursday's votes. I regret that I was unable to vote on S.J. Res. 4, a resolution to prevent the Department of Agriculture from going forward with its plan to open the Canadian border to beef and cattle imports. I signed the discharge petition to force a vote on the measure and would have voted to delay the reopening. I am pleased that the Senate approved the resolution.

I also regret that I was unable to vote in favor of several worthy amendments that would have improved a bankruptcy bill that is in dire need of improvement. While my votes would not have affected the outcome of any of those votes, it is unfortunate that the amendments were not adopted.

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.

The assault of two gay men in San Francisco, CA last Wednesday was apparently motivated by the sexual orientation of the victims. Two gay men were approached by a group of men late in the evening. The group of men, which was comprised of men in their early 20s yelling anti-gay slurs, began assaulting the two gay victims. To escape the assault, the two victims ran inside a nearby bar, but were followed by the group of assailants. Both of the men suffered injuries to their face as a result of the beating.

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.

SERVICEMEMBERS RETURNING TO THE WORKFORCE

Mr. AKAKA. Mr. President, I rise to discuss how fortunate we are as a nation to have a highly-skilled veteran population able to lend their talents to the workforce. I am very pleased to report that many employers in the defense industry are actively recruiting this Nation's veterans. A recent Washington Post article entitled "A Few Good Recruits" highlights the benefits of the defense industry hiring veterans. Companies hiring veterans get highly skilled workers with a deep understanding of the service.

But the reward of hiring veterans is not to be limited to the defense industry. Veterans have skills that make them assets in a variety of occupations. Leadership, integrity, and teamwork—all of which the military teaches—are universal qualities for every industry. I encourage the private sector to consider this in the future when hiring. Veterans possess the skills needed in public service and I encourage officials at all levels of government to recruit veterans.

Our veterans bravely defended our freedoms during their service and it is a great strength of this Nation that after military service is over, our veterans enter the workforce with skills to succeed. It is my hope that both public and private sector employers will take full advantage of this.

I ask unanimous consent that the article from Washington Post be printed in the RECORD.

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

[From the Washington Post, Feb. 28, 2005]

A FEW GOOD RECRUITS

(By Ellen McCarthy)

Army Capt. Lonnie Moore lost his right leg and—he thought—his career last April when his convoy was ambushed on the road to Ramadi, in central Iraq. The injury led to some dark days in Walter Reed Army Medical Center as Moore, 29, began his recuperation and contemplated life outside the military.

Within months, however, he had received job offers from a munitions company, an information technology firm, and the Department of Veterans Affairs itself. And that's without sending out a résumé.

"People tend to seek us out," Moore said of the veterans, particularly those who have been injured, returning from Iraq and Afghanistan. "They know we'll be an asset to their companies, and that we're not going to let our injuries stand in the way. . . . Every-

body I've known that's gotten out, they're not having a hard time finding jobs."

Through broad initiatives and individual requests, corporations have been actively recruiting veterans of the Iraq and Afghanistan conflicts, turning military hospitals like Walter Reed into de facto hiring centers.

Job offers aren't being handed out carte blanche, and companies say talent and fit are still the main priorities. But executives seeking out wounded soldiers claim that many of the skills acquired in the military are applicable in the private sector—particularly within companies that serve the government. A soldier who has led a platoon into war is probably capable of leading a unit at a private company, executives say. With government contracting in the midst of a boom, the security clearances and knowledge that soldiers bring home with them are also highly valued.

"They've got to be able to talk the language. And you can't teach a person that language, it's a language you can only learn by being part of that culture," said Paul Evancoe, director of military operations at FNH USA Inc., a McLean weapons manufacturer with about 350 employees in the United States and 16 in the Washington area. The company is among those interested in hiring Moore.

The quest to seek an injured vet was both company-driven and personal, said Evancoe, who received a Purple Heart after being shot in Vietnam. Many FNH employees are veterans, so the company's atmosphere and values largely mirror that of the military, he added.

"If you take a guy and immerse him back into that culture . . . it's going to be very positive. It's going to help the healing," Evancoe said. "It's not like I can hire every single guy, but when I have a job, I'm going to search out a veteran."

The Labor Department does not have statistics on the job placement rates of veterans disabled in Afghanistan or Iraq. However, the unemployment rate for veterans was lower than that for nonveterans in 2003, the most recent statistics available from the Bureau of Labor Statistics. That year, veterans had an unemployment rate of 4.5 percent, compared with 5.9 percent for nonveterans.

The same study found that 9 percent of veterans suffered from a service-related disability; their unemployment rate was comparable to that of their non-injured peers.

Jeannie Lehowicz, a vocational counselor stationed at Walter Reed Army Medical Center, said she has a steady stream of inquiries from executives and recruiters—sometimes dozens a week, and typically more than the 50 to 75 soldiers she is working with at any given time.

Most of the companies are government contractors around the Capital Beltway, she says, but calls have come in from firms throughout the country. One day it might be a giant defense contractor from Bethesda, and the next a small biomedical firm from Montana, she said.

"It's overwhelming. You want to respond and say 'Oh here's this guy I've got for you,' but that's not always the case," Lehowicz said.

More than 11,190 service members have been wounded in Iraq and Afghanistan, according to Pentagon statistics. Some have months of rehabilitation left before they'll be released from the hospital, Lehowicz said, and others are more interested in going back to school than getting a job right away. Many are adamant that they will stay in the military despite their disabilities, she added.

Even if they choose another route, the prospect of having opportunities can be an important buoy for wounded soldiers, Lehowicz and others say.

Potential opportunities were on display at a career fair held at Walter Reed in December. Thrown together in a matter of weeks, the event's organizers expected a dozen or so companies to participate. But more firms requested space at the event, and by the night of the fair, more than 30 companies, including BAE Systems PLC, Science Applications International Corp. and Oracle Corp., had set up booths to pass out brochures and collect names.

"The equipment that we work on and maintain for the military is the same as they would have used," said Eugene C. Renzi, president of defense systems at ManTech International Corp., a Fairfax government contractor that sent recruiters to the career fair. "So when they get out of the military, we can put them right to work and utilize the skills they already have."

Joe Davis, spokesman for the Veterans of Foreign Wars, said outreach efforts among government contractors is partly driven by executives with military backgrounds. There is a de facto alumni network, he said, and a collective memory of the way disabled veterans were treated after previous conflicts, particularly Vietnam.

"Who runs the country now? It's the Vietnam era and they vowed never again, and so you got all the corporations, every non-profit, all the associations and lobby arms doing everything they can," for this generation of soldiers, Davis said.

Contractors like ManTech have another incentive to recruit former soldiers, regardless of disability: Many have security clearances that are in short supply in the workforce, but necessary in order to do an increasing number of government projects.

"If you have a security clearance, you are miles ahead of a person applying to a company without a security clearance," said Edward F. Lawton, head of the Washington area chapter of the American Military Retirees Association. "And even if you're missing a limb, that doesn't mean you're incapable of supporting the military through a company."

But it may mean that jobs are more readily available for soldiers with technical skills and for those willing to work in the Washington area, where many government contractors are based.

That proved to be the case for Brian Garvey, an Army Captain who met his future employer at the Walter Reed career fair.

The platoon leader and father of two young girls was deployed to Iraq last March and for months worked at the Baghdad airport, processing human resources files for soldiers stationed throughout that country.

On Sept. 18, Garvey's unit was assigned a different task—to show a contractor a damaged fence on a highway bridge between the airport and the heavily guarded Green Zone. After assessing the damage, Garvey had just given the signal for his soldiers to return to their vehicles when a suicide bomber drove a car onto the bridge and detonated an explosive—killing two of the crew and wounding 13.

Three days later Garvey was at Walter Reed, recovering from a series of surgeries to repair his hand and remove dozens of pieces of shrapnel from his skin.

"I would say a lot of the time was spent thinking 'What am I going to do? What is the best avenue for my family,'" Garvey recalled of his four-month stay at the hospital. "Up

to this point I had been somewhat selfish. It was what I wanted to do. My wife and kids had been making the sacrifices."

Garvey had already been thinking about looking for a private-sector job when he stopped by the career fair, hoping to pick up a few business cards and some ideas. Like most of the 150 soldiers crammed into the hall, Garvey was without a résumé or firm career goals.

He grabbed brochures from such big contractors as Northrop Grumman Corp. and Raytheon Co., but spent the longest time talking to a representative from Alliant Techsystems Inc. (ATK), a Minnesota company that makes weapon systems and munitions. He filled out a card with his basic information and three days later got an e-mail from ATK, asking for a phone interview.

A day-long interview at the company's Elkton, Md., site followed; just before Christmas, Garvey was offered a job. Soon he'll become a program manager at ATK, acting as a liaison between the company's engineers and its primary client—the U.S. military.

"Mentally it does me a lot of good, knowing that I'm not out there searching frantically for a job," said Garvey, who is now back at Fort Hood, waiting for his unit to rotate back from Iraq in March before he will be discharged. "It gives me a sense of security. I know what my future has to offer."

That sense of the future is what a lot of recently wounded soldiers are looking for, said Lehowicz, the VA vocational counselor. When they first return from the battlefield, many focus solely on getting better to return to their unit, she said, but over time they often start thinking about other options.

Moore, the Army Captain, says thoughts of his future now absorb much of his day at Walter Reed. Some days he thinks he would like to stay in the military, to resume life with his friends and become an example for other amputees. But some of the job offers have topped \$70,000 and he worries this opportunity may not come around again.

"Veterans are getting good jobs right now," said Moore, who will likely remain in the hospital through March. He recently had a second interview with FNH USA, where he is up for a position as deputy director of military operations.

"I'm not sure if I stay in [the Army] for another five years, if the jobs will still be here."

MEDICAID DRUG REBATE PROGRAM

Mr. GRASSLEY. Mr. President, I am taking this opportunity to talk about the mess we have in the Medicaid Program, a mess that does not properly account for billions of taxpayer dollars. First, allow me to remind everyone about a report released last summer by the Government Accountability Office, GAO. That report on Medicaid Program integrity found that Medicaid's size and diversity made it vulnerable to fraud, waste and abuse. Further, the GAO found that the Centers for Medicare & Medicaid Service, CMS, allocated only \$26,000 and only eight employees to work on Medicaid program integrity.

As I said at the time, it does not make sense for CMS to invest so little in Federal oversight when so many

Federal taxpayer dollars are at stake. If one considers that Medicaid has surpassed Medicare as the single largest Government health program in the United States, it makes no sense at all. The Congressional Budget Office projects the Federal share of total Medicaid payments for Fiscal Year 2005 at greater than \$183 billion. Medicaid's vulnerability to fraud, waste and abuse have also ranked it on the GAO's list of high-risk programs for the past 2 years.

The Medicaid Program continues to pay too much for prescription drugs. CMS estimated that Medicaid expenditures for prescription drugs in Calendar Year 2003 totaled more than \$31 billion, triple the \$9.4 billion spent in 1994. Each year drug companies pay approximately \$6 billion in rebates.

Today, the GAO released a damning report on Medicaid drug spending. Congress established the Medicaid drug rebate program in 1990 to help control spending on drugs. Note that the word choice and intent here was control, not out of control. It should come as no surprise that the GAO's report shows that the drug program has been and continues to be badly mismanaged.

The report—requested by Congressman WAXMAN and me—identified fundamental problems in the program. The mismanagement has been bipartisan and has spanned multiple administrations. According to the GAO, it is a program virtually without regulation. CMS has been sitting on draft regulations since 1995 a decade ago.

It is also a program virtually without oversight. The GAO found that the Office of Inspector General has issued only four audit reports on drug-company reported prices since the inception of the program. Of course, the OIG says in its defense that its efforts have been hampered by unclear CMS program guidance and a lack of documentation by drug companies.

According to the GAO, even when the OIG has managed to identify problems related to the drug companies' reported prices and methodologies for price reporting, CMS has not done much of anything to resolve them.

The drug rebate program is governed by a contractual agreement between the States and each drug company that wants to participate in Medicaid. One of the things that boggles the mind is that this contract allows drug companies to rely upon reasonable assumptions"

Each drug company may craft its own "assumptions" as long as they are consistent with the "intent" of the law. Consequently, because drug companies can pick their own methods, they in effect set their own prices and amount of rebates they pay.

According to the GAO, "CMS does not generally review the methods and underlying assumptions that [drug