

**ACCOMPLISHMENTS OF SENATOR KENNEDY**  
**1962-2009**

Senator Kennedy has authored more than 2,500 bills throughout his career in the United States Senate. Of those bills, several hundred have become Public Law. Below is a sample of some of those laws, which have made a significant difference in the quality of life for the American people.

\*Note: For bills introduced prior to 1973, Senate records do not list cosponsors. From 1973 to 2009, 552 items cosponsored by Senator Kennedy became Public Law.

**Fighting for Quality, Affordable Health Care**

Throughout his Senate career, Senator Kennedy has championed the cause of quality health care for all Americans. Among the many landmark laws enacted under his leadership and sponsorship are the Protection and Advocacy for Mentally Ill Individuals Act of 1986, the Nutrition Labeling and Education Act of 1990, the Americans with Disabilities Act of 1990, the Ryan White Comprehensive AIDS Resources Emergency Act of 1990, the National Institutes of Health Revitalization Act of 1993, the Freedom of Access to Clinic Entrances Act of 1994, the Health Insurance Portability and Accountability Act of 1996, the Food and Drug Administration Modernization Act of 1997, the creation of the Children's Health Insurance Program (CHIP) in 1997 ("HIPAA"), the Children's Health Act of 2000, the Project BioShield Act of 2003, the Pandemic and All-Hazards Preparedness Act of 2005, the FDA Amendments Act of 2007, and the Genetic Information Nondiscrimination Act of 2008.

***Pursuing Comprehensive Health Coverage***

Throughout his career, Senator Kennedy has fought to ensure that all Americans have access to high quality, affordable health care. This was the cause of his life.

It began in 1966 when Senator Kennedy visited the Columbia Point Health Center in Boston - a successful clinic bringing health care to low-income residents of the community. Kennedy came away impressed with the clinic's ability to provide treatment to low-income populations. He was aware of a similar clinic in Mound Bayou, Mississippi. He saw in Columbia Point and Mound Bayou a model for the nation and introduced an amendment to the Economic Opportunity Act that set aside **\$51 million** to get another **30 centers** started around the country. Today, as a direct result of Sen. Kennedy's vision as a 34-year-old, first-term senator, **20 million low-income Americans** receive access to quality primary care at **1,200 community health centers** across **all 50 states and U.S. territories**.

Senator Kennedy's success replicating the Columbia Point and Mound Bayou Health Center model across the country was the very beginning of his long journey to make health a care right for all Americans, not a privilege of the few.

It was 1969 when Senator Kennedy, recognizing the success of Medicare for senior citizens, first called for universal health care for all Americans. "We must begin to move now to establish a comprehensive national health insurance program, capable of bringing the same amount and high

quality of health care to every man, woman, and child in the United States,” Kennedy said at Boston University Medical Center on December 16, 1969. (Click [here](#) to read the entire speech.)

Senator Kennedy has spent his public life fighting for comprehensive health care for all Americans and, over the decades, tens of millions have benefitted from his sustained efforts.

In 1985, he led the successful fight to enact the provisions in the Consolidated Omnibus Budget Reconciliation Act (COBRA), which today gives American workers the right to temporarily continue their employer health coverage when they lose their jobs and their insurance would otherwise end.

In 1996, Senator Kennedy and Senator Nancy Kassebaum sponsored the Health Insurance Portability and Accountability Act (HIPAA) which ensures access to health care coverage for an estimated **25 million Americans** who move from one job to another, are self-employed or have pre-existing medical conditions.

As part of the Balanced Budget Act of 1997, and through the persistent leadership of Senator Kennedy and his colleague, Senator Orrin Hatch, Congress established the bipartisan Children’s Health Insurance Program (CHIP) to support state efforts to provide health insurance to uninsured children in low-income families. In combination with their own funds, states could use the federal funds to expand Medicaid coverage or establish a separate state child health insurance program.

After he shepherded the landmark measure through Congress, Senator Kennedy called it, “the most far-reaching step that Congress has ever taken to help the nation’s children and the most far-reaching advance in health care since the enactment of Medicare and Medicaid a generation ago.”

A decade after enactment, over **seven million children** were enrolled in Kennedy’s program, which was reauthorized and expanded **in 2009 to cover four million additional children**, including legal immigrants who—for the first time—will not face a waiting period for access to health care coverage. More than **11 million children** are expected to be enrolled annually in the coming years.

In early 2005, Senator Kennedy and seventeen other Senators introduced the Affordable Health Care Act which would make prescription drugs more affordable by allowing importation; allow small business employers a refundable tax credit for a share their employee health insurance costs; expand insurance coverage under Medicaid and the Children’s Health Insurance programs to children, pregnant women, and legal immigrants; and utilize health information technology to improve the quality and efficiency of health care delivery for all Americans.

In 2006, Senator Kennedy and Senator Chuck Grassley passed the Family Opportunity Act, which provides states with the opportunity to expand Medicaid coverage to children with special needs, giving low- and middle-income families with disabled children the opportunity to purchase health coverage under Medicaid. The bipartisan law enables parents to work and earn above-poverty wages without fear of losing Medicaid coverage for their children. For many children with disabilities, Medicaid is the only health insurance program offering sufficient benefits to cover the required care, such as physical therapy and medical equipment. **More than 250,000 children** are expected to benefit from the Kennedy-Grassley provision.

From 1997 to 2008, Senator Kennedy was the central and driving force behind a sustained, bipartisan effort with historic results – the expansion of quality and affordable healthcare to more than **750,000 previously uninsured Massachusetts residents**.

This historic achievement was the result of four “Section 1115” Medicaid waivers given to the Commonwealth from the Federal government: 1997, 2002, 2005 and 2008. The 1115 waiver allows states to vary from the otherwise strict rules governing state administration of Medicaid. Massachusetts used the waiver to greatly expand coverage to previously uninsured persons, especially through the 1997 and 2005 waivers. The 2002 and 2008 waivers were largely continuation waivers of the prior formulations.

Though Massachusetts had four governors during this eleven year period (Weld, Swift, Romney and Patrick) and all but one of those (Patrick) being a Republican, Senator Kennedy worked diligently, across party lines and with state and national leaders to secure the waivers.

Moreover, Senator Kennedy’s efforts regarding the 2005 waiver were particularly critical to the Commonwealth’s passage of health reform in 2006. Under the 1997 and 2002 waivers, Massachusetts received substantial and extraordinary “supplemental payments” for Boston Medical Center and the Cambridge Health Alliance amounting to about \$400 million a year by 2005. In 2004, looking ahead to the 2005 renewal, the Bush Administration indicated their clear intent to end the supplemental payments. Senator Kennedy teamed with Republican Governor Romney to convince the Bush Administration to continue the payments as long as they were used to subsidize insurance coverage for individuals and not used for subsidies to institutions. This became the essential, core formula embedded in the 2006 Massachusetts health reform law.

The Commonwealth’s health reform law has been extraordinarily successful in meeting its intent. The **percent of uninsured** in the state has dropped **from about ten percent** in 2006 **to about 2.6 percent** in 2008. An estimated 420,000 persons have obtained quality, affordable coverage because of the 2006 law. The 1996-97 waiver led to an expansion in coverage for about 350,000 lower income individuals in the state, especially children. Senator Kennedy used the 1996-97 Massachusetts formulation as his initial model in devising what became the federal CHIP program in July 1997.

#### *The Affordable Health Choices Act*

Despite his cancer diagnosis in May 2008, Senator Kennedy provided extraordinary leadership that laid the groundwork for national health reform in 2009. Under his direction, in the summer of 2008 his staff held countless meetings with representatives from constituency groups and major stakeholders.

Balancing his work on health reform with his treatment, Kennedy stayed in constant communication with his staff and colleagues via phone and videoconferences.

And shortly after the Presidential election, Kennedy divided his Committee into three working groups: Prevention and Wellness, led by Senator Tom Harkin; Delivery System Reform, led by Senator Barbara Mikulski; and Coverage led by Senator Jeff Bingaman. Together, Kennedy and the working group leaders held over dozen hearings. Senator Christopher Dodd, the number

two Democrat on the Committee and a close personal friend of Kennedy's, served as Chief Deputy for Reform.

In July of 2009, the Health, Education, Labor and Pensions (HELP) Committee passed *The Affordable Health Choices Act*, landmark legislation that will reduce health costs, protect individuals' choice in doctors and plans, and assure quality and affordable health care for all Americans – the first committee in Congress to heed President Obama's call for comprehensive health reform.

The legislation builds on the existing employer-based system and strengthens it. If people like the health insurance they have, they get to keep it. The bill provides better choices for those with no coverage now, and those for whom coverage is unaffordable. It also gives small businesses better options for high value health coverage.

Under the insurance reforms in the bill, no American can be refused health coverage because of a preexisting medical condition, or have that coverage denied when they need it most. No American will ever again be subject to annual or lifetime limits on their coverage, or see it terminated arbitrarily to avoid paying claims.

The bill reduces health care costs through stronger prevention, better quality of care, and use of information technology. It also roots out fraud and abuse, reduces unnecessary procedures, and creates a system that enables everyone to obtain insurance, thereby gaining access to doctors, medication and procedures essential for prevention and disease management. By sharing in this responsibility, our nearly 50 million uninsured fellow citizens will avoid eleventh-hour treatment in emergency rooms that drive up costs for everyone else.

Shared responsibility requires that everyone - government, insurance companies, medical providers, individuals and employers - has a part in solving America's health care crisis. The bill requires businesses which do not provide coverage for their workers to contribute to the cost of providing publicly sponsored coverage for those workers. It includes an exception for small businesses.

It also includes a strong public option that responds to the wishes of the American people to have a clear alternative to for-profit insurance companies. Like private insurance plans, the Community Health Insurance Option will be available through the American Health Benefit Gateway, a new mechanism to enable individuals and small employers in every state to find and purchase quality and affordable health insurance.

### ***Securing Funding to Support HIV/AIDS Treatment and Care***

Senator Kennedy sponsored legislation in 1986 to establish a network of education and outpatient services for individuals infected with the AIDS virus. Two years later, he successfully secured funding for the first substantial federal initiative related to AIDS treatment. Included in a catch-all health spending measure, Kennedy's provisions expanded home and community care of victims, made for easier access to experimental drugs, and created a new national commission to establish AIDS policy.

In 1990, Senator Kennedy and Senator Orrin Hatch introduced the groundbreaking Ryan White Comprehensive AIDS Resources Emergency Act, which created the single largest federal

program for people with HIV/AIDS in the U.S. The law provided emergency relief to thirteen cities hardest hit by the AIDS epidemic as well as substantial assistance to all states to develop effective and cost-efficient AIDS care programs, aimed particularly at early diagnosis and home care. Other services included in the bill were drug treatment, dental care, substance abuse treatment, and outpatient mental health care. The program has been authorized by Congress three times since it was first created.

In 1991, Kennedy sponsored legislation to reorganize the Alcohol, Drug Abuse, and Mental Health Administration. Specifically, it separated the previously combined treatment and research branches of the department, which improved the capacity to effectively address both the prevention and treatment of substance abuse and mental health.

The Ryan White CARE Act reauthorization of 2000 reaffirmed Senator Kennedy's commitment to providing access for persons with HIV disease to life-sustaining medications, medical care and other essential services. The Act authorized nearly \$9 billion in HIV/AIDS services over the next five years. According to the Centers for Disease Control and Prevention, at that time, AIDS had claimed over 425,000 lives so far in the United States and the epidemic was infecting an additional 40,000 people each year. There is good reason to be encouraged by the medical advances over the past ten years –but HIV/AIDS is hitting hardest in areas where knowledge about the disease is limited and poverty is high. The disease continues to claim the most vulnerable Americans, especially women, youth and minorities.

In 2006, Senator Kennedy and Senator Enzi led the last reauthorization of Ryan White with a clear focus on bringing this legislation into the 21<sup>st</sup> century. The law now ensures that money follows the infection no matter where you live; that families are given the help they need to support a family member living with HIV; and that medical care, including drug therapy, as well as support services are a priority.

An estimated 800,000 to 900,000 Americans were living with HIV/AIDS in 2009. The federal government estimates that at least 500,000 persons rely in part or solely on CARE Act services in managing their HIV disease. The passage of this landmark legislation means hundreds of thousands of persons who would be unable to afford care otherwise will continue to have hope for quality care.

The law increases targeted resources to states, heavily affected metropolitan areas, community-based primary care centers, and programs that serve women, infants, youth, and families with HIV.

### **Creating a Federal Funding Stream to Feed the Elderly, Support Women and Children**

In 1971, Kennedy introduced legislation to create a federal initiative patterned on volunteer programs in several states to feed the elderly, either with meals delivered to their homes or in group settings. Kennedy's bill established permanent federal subsidies for these programs (the first was **\$250 million over two years**), and he fought the Nixon Administration's attempts to completely eliminate funding. In 2007, **141 million meals** were delivered to **916,000 individuals** and **95 million meals** were provided to **1.6 million seniors in community locations**. It is estimated that **over 6 billion meals** have been served since Kennedy's bill was signed into law.

Said Kennedy on March 7, 1972: “A decade ago, elderly Americans comprised 15 percent of the nation’s poor. Yet today, our senior citizens represent 20 percent of the nation’s citizens who must exist on income below the poverty line. The restrictions placed on elderly Americans by their meager incomes makes it easy to understand why they have difficulty providing themselves with adequate diets.

“But more than adequate income plagues the nation’s aged. The elderly, particularly the single elderly, lack the physical mobility to make weekly trips to the market. Many of them live in rented rooms with inadequate kitchen facilities. And most have little nutritional education which would permit them to prepare a balanced diet, even if there were no other obstacles,” Kennedy said.

“Essentially, this measure, which I introduced early in the first session of this Congress with some twenty other Senators as cosponsors, will provide a permanent nationwide nutrition program for the elderly, a program that will offer nutritious meals in a setting where the elderly can come together in social activities and in a setting where they will have access to other social services.” Click [here](#) to read the entire statement.

In 1972 Kennedy was also a prominent figure in establishing the Women, Infants, and Children Nutrition Program (WIC). The program offers food, nutrition counseling, and access to health services for low-income women, infants, and children. The first year WIC was authorized, **88,000 women and children** participated. In 2008 alone, that number had grown to **8.7 million**.

### ***Enhancing Bioterrorism Preparedness***

As the threat for bioterrorism increased during the last ten years of Kennedy’s Senate service, he worked aggressively to establish the governmental infrastructure necessary to protect the American public. In 2000, Senator Kennedy was the chief sponsor of bipartisan legislation, the Public Health Threats and Emergencies Act, which – by strengthening the nation’s public health infrastructure and required planning for public health emergencies - laid the groundwork for essential improvements to our public health preparedness against bioterrorism. His planning proved invaluable when the nation faced anthrax attacks the following year.

And following the September 11<sup>th</sup>, 2001 terrorist attacks and the subsequent mailings of anthrax to Capitol Hill offices, Senator Kennedy and Senator Bill Frist, steered the Bioterrorism Preparedness Act into law in June of 2002. The bipartisan legislation made needed investments in the nation’s stockpiles of antibiotics, helped upgrade federal capacities to prevent and detect bioterrorism, improved the state and local response efforts, and developed new treatments and diagnostics. The bill has been essential to improving America's response to infectious disease threats such as SARS and the new H1N1 flu strain.

Additionally it provided the Food and Drug Administration (FDA) increased authority to ensure the safety of the nation’s food supply.

Not soon thereafter, Kennedy sponsored and helped pass the Project BioShield Act, which created a federal funding stream to guide America’s medical and biotechnology researchers in creating stronger defenses to bioterrorism. Universities and research institutions in the Boston, and across the country, have capitalized on the initiative, and are leading the way in developing several

new biodefense countermeasures, including vaccines and immunizations. Additionally, the program accelerated research at the National Institutes for Health (NIH) on biological and chemical weapons, and authorized the Food and Drug Administration (FDA) to allow the safe emergency use of unapproved medicines if needed to respond to an attack.

In 2006, Senator Kennedy worked to pass the Pandemic and All-Hazards Preparedness Act, which complements the activities of Project BioShield by streamlining the countermeasure procurement process and making funding decisions more transparent and predictable.

### ***Providing Resources for Medical Research***

As a longtime champion of biomedical research, Senator Kennedy was the sponsor of the National Institutes of Health (NIH) Revitalization Act of 1993 and its reauthorization in 2003, which included more than 20 titles directing the NIH to undertake research and conduct studies on various diseases and conditions including AIDS, breast and ovarian cancer, osteoporosis and bone disorders, contraception and infertility, and prostate cancer. The law also provided legislative authority for various activities, such as the National Center for Human Genome Research, the Office of Minority Health, and the Office of Research on Women's Health. The bill permanently lifted the ban on federally funded fetal tissue transplantation research and authorized the NIH to conduct such research, created an Office of AIDS Research whose director would disburse all AIDS-related funding to the institutes, and required the NIH to convene an Interagency Coordinating Committee on the Use of Animals in Research.

He has consistently and aggressively fought for increased research funding through the NIH budget and his efforts paid off between FY 1998 – FY 2003, when NIH's budget doubled from \$13.6 billion to \$27 billion.

Said Kennedy in 1993, "From a beginning as a one-room Laboratory of Hygiene in 1887, the National Institutes of Health have grown into one of the foremost biomedical and behavioral science research centers in the world. The research supported or conducted by NIH continues to offer the promise of improving the health, welfare and quality of life of all Americans well into the next century. With each year, the NIH discovers new scientific knowledge to improve the prevention and treatment of disease."

Cancer: Two decades earlier, Kennedy was responsible for legislation passed in 1971 that quadrupled the amount of funding for cancer research and prevention, financed with an independently-budgeted program within NIH. The day before passage, Kennedy said, "The conquest of cancer is a special problem of such enormous concern to all Americans. We can quote statistics, but I think every one of us in this body, and most families across the country, have been touched by this disease one way or another."

In 1992, amid serious concerns regarding the quality of mammography, Kennedy cosponsored and Congress passed the Mammography Quality Standards Act to ensure the safety and accuracy of mammograms, and to promote the use of the procedure. Kennedy helped introduce the reauthorization of the bill in the 108<sup>th</sup> Congress. The reauthorization established appropriations for breast cancer screening surveillance grants, which are used to evaluate screening programs.

Senator Kennedy was a strong supporter of legislation to increase research and education on blood cancers, including leukemia, lymphoma, and multiple myeloma. While over eleven percent of all cancer deaths are attributed to these forms of cancer, less than five percent of federal funds for cancer research are dedicated prevention and treatment. The Hematological Cancer Investment and Education Act authorized the National Institutes of Health (NIH) to expand and coordinate blood cancer research, and directed the Department of Health and Human Services (HHS) to provide information to patients and the general public to raise awareness of the disease.

On March 26, 2009, Senators Edward M. Kennedy and Kay Bailey Hutchison introduced the 21st Century Cancer Access to Life-Saving Early detection, Research and Treatment (ALERT) Act, a bill to comprehensively address cancer. The bill provides funding for promising research in early detection, and supply grants for screening and referrals for treatment. These measures will also ensure patient access to prevention and early detection, which is supplemented by increased access to clinical trials and information. The bill places an emphasis on strengthening cancer research and the urgent need for resources to both prevent and detect cancers at an early stage. The bill strives to give scientists the tools they need to fight cancer and to understand more thoroughly how the disease works.

Senator Kennedy also fought to improve screening rates for diseases such as colorectal cancer. As he worked to ensure provisions granting colorectal cancer screening to Medicare beneficiaries, Senator Kennedy in the 108<sup>th</sup> Congress, introduced the “Eliminate Colorectal Cancer Act”, which would have made colorectal cancer screenings available to many Americans.

Senator Kennedy has been a strong advocate of health services research, including research on what is effective in health care. He supported provisions in the American Recovery and Reinvestment Act of 2009, which will add \$1.1 billion in research funds for comparative effectiveness research.

### ***Working to Reduce Medical Errors and Preventable Death***

After learning that preventable medical errors were the eighth leading cause of death in the United States, Senator Kennedy pursued legislation to improve patient safety.

In 2004, he sponsored a bill to provide legal protections to those willing to report medical errors. By calling for a patient safety research environment centered on reporting and analyzing as opposed to punitive action, the bill encouraged health care providers to report information on errors. The Senate and the House of Representatives both passed versions of Senator Kennedy’s bill, but the legislation stalled in conference committee.

In 2005 and again in 2007, Senator Kennedy introduced bipartisan legislation to reduce medical costs and improve the delivery of health care by encouraging the use of health information technology. In 2009 Senator Kennedy championed provisions of the American Recovery and Reinvestment Act which included \$19 billion of incentives for the adoption of health information technology and strong protections for patient medical information.

The Department of Health and Human Services predicts that health IT can save Americans \$140 billion in health care costs each year. Nationally accessible computerized medical records can

warn doctors when a prescription may be potentially harmful to a patient, regardless of where the patient is located in the country. In addition, health IT can issue reminders for screening tests that can prevent certain disorders, and enables doctors to look at a patient's entire medical record, and obtain the most complete representation of a patient's needs. Senator Kennedy's legislation will accelerate the development of standards for health IT, improve the effectiveness of this promising technology, and provide grants to hospitals to convert to the system.

### ***Protecting Children and Consumers from the Deadly Effects of Tobacco Products***

For over a decade Senator Kennedy led the battle to give the Food & Drug Administration (FDA) power to regulate tobacco products, the most lethal of all consumer products. The legislative journey was long and arduous but, in the end, Kennedy's bill marked more than a victory for him and others who long championed the cause. It was a life saving act for the millions of children who will be spared a lifetime of addiction and premature death.

At the time of bill's enactment, smoking was the number one preventable cause of death in America. Smoking and smoking-related illness killed more people than automobile accidents, alcohol abuse, illegal drugs, AIDS, murder, and suicide combined. Yet prior to Kennedy's landmark legislation, the FDA - the federal agency most responsible for protecting the public health - was powerless to deal with the enormous risks of tobacco use.

His legislation was supported by the American Cancer Society, the American Heart Association, the American Lung Association, the American Medical Association, the Campaign for Tobacco-Free Kids and over eighty other national public health organizations.

Kennedy's bipartisan victory gives the FDA the authority to, among other provisions, make tobacco products less toxic and less addictive for those who continue to use them, provides for more explicit warning labels on the negative effects of cigarettes, prevents the tobacco industry from misleading the public about the dangers of smoking and prohibits tobacco advertising specifically targeted to children. The entire cost for FDA's regulation is paid by the tobacco companies, apportioned amongst the companies based on their market share.

When his bill was finally signed into law Kennedy said, "Today is a day for special celebration as President Obama signs into law this long-overdue authority for FDA to regulate tobacco products. Decade after decade, Big Tobacco has seduced millions of teenagers into lifetimes of addiction and premature death. Enactment of this legislation will finally put a stop to that. It is truly a life-saving act, and a welcome demonstration that this Congress is capable of enacting major health reform."

### ***Protecting Consumers through Enhanced Drug and Device Safety***

While Senator Kennedy is well known for his efforts to seek bipartisan consensus to bring about legislative success, he was never afraid to sail against the wind if the cause was right and the end just.

In an effort to increase consumer protection, he was the author and sole Senate sponsor of the Medical Device Amendments of 1976, which provided comprehensive regulation of medical devices for the first time ever.

“The purpose of this legislation is to protect the health and safety of the American people. It involves the regulation of life-saving medical equipment such as heart valves, heart pacemakers, hear-lung machines, respirators, IUDs and comparable equipment,” Kennedy said the year before his amendments were passed by Congress and signed into law. “It is understandable that in 1933, when the Food and Drug Act was first passed that no regulatory authority was given for medical devices because at that time the device industry was small and did not play a central role in American medicine. In 1975 the absence of device legislation is not understandable and it is not defensible.”

In 1990, Kennedy worked closely with Senator Dodd to pass legislation giving the Food and Drug Administration (FDA) greater authority over medical devices. The bill gave the FDA power over devices comparable to what it already had over drugs, requiring not only premarket testing, but also follow-ups and reports of problems later.

Kennedy has been the major Senate advocate for medical device user fees to improve funding for the premarket review of medical devices. He first proposed a medical device user fee in 1994, and user fees were first authorized in 2002, and then reauthorized in 2007.

### ***Enhancing Food Safety***

Protecting consumers has long been a priority of Senator Kennedy and in 2003, Congress passed his bill to require clear labeling of the major food allergens on packaged foods and better labeling of foods that are gluten free. Under Senator Kennedy’s Food Allergen Labeling and Consumer Protection Act, seven million Americans with food allergies can now readily identify a product’s ingredients more easily and avoid foods that may harm them.

His legislation also required the Centers for Disease Control and Prevention to monitor deaths related to food allergies and directs the National Institutes of Health to develop a plan for research on food allergies.

### ***Strengthening the Food and Drug Administration***

Senator Kennedy has long been an advocate for strengthening FDA review and oversight of drugs and biologics. In 1978 and 1979 he proposed significant reforms to FDA’s oversight of drugs, though the bill that passed the Senate never was taken up by the House. In 1992, he was a principal advocate for prescription drug user fees, which have dramatically increased the agency’s capacity to review drug applications. In 1996 and 1997, Kennedy led the battle against changes in the FDA that would have stripped the agency of authority to oversee drugs and medical devices.

In 2007, with the fourth reauthorization of the prescription drug user fee program, Congress passed landmark legislation initially proposed by Senator Kennedy to strengthen FDA’s regulatory authority over drugs after they are approved. Experts proclaimed this Act to be the most significant reform of the nation’s drug safety laws in a century. Because of Kennedy’s efforts, FDA now has clear authority to require post-approval labeling changes as well as studies and clinical trials of safety issues, and FDA has been authorized to build a network of health information databases to provide for active surveillance of safety issues related to the use of prescription drugs. The legislation also requires registration of most clinical trials of drugs and devices, and the posting of summaries of the results of most such trials.

In 2008, in response to concerns about contaminated heparin, Senator Kennedy introduced legislation to improve the safety of pharmaceutical ingredients and strengthen FDA's response to unsafe drugs. The legislation also improves FDA's ability to monitor the safety of imported drugs and devices.

### ***Providing Quicker Access to Generic Drugs and Follow-on Biologics***

In 2003, as part of the Medicare prescription drug legislation, Congress included revisions to the Hatch-Waxman generic drug provisions. These revisions, for which Senator Kennedy was the chief Senate advocate in the conference on the prescription drug coverage bill, closed loopholes used by brand drug companies to delay entry of generic competitors for their brand drugs.

In 2007, Senator Kennedy led negotiations that forged a Senate compromise on a regulatory pathway for the approval of follow-on biologics, which if enacted would provide for safe and effective versions of biological products that are less expensive than the brand versions of these drugs.

### ***Enhancing Mental Health Care***

For decades, Senator Kennedy was a national leader in the cause of mental health care. He understands the unique challenges faced by the 54 million Americans with mental disorders.

Also in 1996, Senator Kennedy joined Senators Domenici and Wellstone to enact Mental Health Parity legislation to help eliminate unjust annual and lifetime limits on mental health coverage which differ from those imposed on other covered illnesses.

In 2000, Kennedy and his same Senate colleagues, Senators Domenici and Wellstone, introduced the comprehensive Mental Health Early Intervention, Treatment and Prevention Act of 2000. The bipartisan legislation addressed a wide range of mental health issues, including an anti-stigma campaign, training for teachers and emergency services personnel to identify and respond to individuals with mental illness, continuing education on mental health care for primary care physicians, suicide prevention, centers for post-traumatic stress disorders, funding to develop integrated treatment of serious mental illness and co-occurring addiction, funding for community-based services for adults and children at high risk of adverse outcomes, and jail diversion initiatives.

In 2001, Senators Domenici, Wellstone and Kennedy introduced the Mental Health Equitable Treatment Act to strengthen and make permanent the mental health insurance parity protections passed five years earlier. Congress enacted a one-year extension of the existing law, but Senator Kennedy continued to fight for lasting legislation with the Paul Wellstone Mental Health Equitable Treatment Act Amendment of 2006, which would eliminate the discriminatory treatment of mental illness by requiring insurers provide parity between mental health benefits and medical and surgical benefits.

In 2008, after more than 10 years of effort, Senator Kennedy championed historic legislation to reform the inequities in the way mental health and substance use disorders are treated by the insurance industry. This legislation co-sponsored by Senator Domenici, assured individuals living with mental health and substance abuse issues that their mental health benefit would be treated

equally with the medical-surgical benefit regarding treatment limitations and financial requirements. This means that co-pays, out of pocket expenses, and deductibles cannot be treated differently than they way medical and surgical coverage is provided. This legislation assured equity for 113 million Americans.

Better treatments and potential cures for mental illnesses are also of great interest to Senator Kennedy, who has championed increased mental health research funding. This funding increased from 2004 – 2009, from \$35 million dollars to over \$70 million.

*Response to Mental Health Needs Following 9/11:* Senator Kennedy's commitment to the citizens of Massachusetts affected by September 11th, particularly the families of victims of the terrorist attacks, has been critical to the success of the Commonwealth's mental health response to the tragedy.

Soon after September 11th, the Senator called together disaster relief and mental health organizations to plan a coordinated response to September 11th for the families of victims of the tragedy. His leadership provided immediate avenues for collaboration between disaster response agencies and ensured a timely and comprehensive response.

Senator Kennedy made his Massachusetts staff completely available to assist with the Department Of Mental Health's (DMH) FEMA funded crisis counseling program. His staff were in almost daily contact with DMH, as well as the Massachusetts Office for Victim Assistance (MOVA), in order to facilitate referrals of families to counselors, assist with entitlement and relief fund issues and help to coordinate with other state and federal agencies. His office prepared services and referral guides for families of victims, developed a comprehensive Web site, and assisted DMH and MOVA in providing training to counselors.

In 2005, Senator Kennedy sought to extend the period for COBRA coverage for spouses and children of victims of the terrorist attacks for an additional four months.

### ***Supporting Massachusetts Hospitals and Health Providers***

Senator Kennedy worked closely and diligently with Massachusetts hospitals and health providers to sustain their unparalleled achievements in quality health care. No state has a greater commitment and as impressive a record of success in training quality health care professionals as Massachusetts.

Senator Kennedy fought hard for the Balanced Budget Refinement Act of 1999, which restored many of the excessive cuts made by the Balanced Budget Act of 1997. As a result of the 1999 law and Senator Kennedy's efforts, Massachusetts hospitals received over \$250 million over five years in payment increases under Medicare. Home health agencies in the Commonwealth received approximately \$15 million over five years.

Senator Kennedy also pushed for passage of the Benefits Improvement Protection Act of 2000, under which \$212 million over five years was intended for Massachusetts hospitals, \$33 million for Massachusetts home health agencies and \$54 million for nursing homes in the Commonwealth.

### ***Addressing Disparities in Minority Health***

Senator Kennedy has led countless efforts to address the unnecessary, yet growing disparities in health outcomes in the United States. He and Senator Bill Frist introduced The Minority Health and Health Disparities Research and Education Act in response to continued evidence showing that minority populations had significantly higher rates of death from cancer and heart disease as well as higher rates of HIV/AIDS, diabetes, and other severe health problems.

The Act was signed into law and provided over \$150 million to increase research and education efforts aimed at improving overall health care for minority and underserved communities.

It specifically authorized \$100 million for FY 2001 to create a new center at the National Institutes of Health to address health disparities and establish a grant program to further biomedical and behavioral research, education and training. The bill would also support minority health research at medical institutions and establish a loan repayment program to encourage more members of minority or other health disparity populations to become biomedical research professionals.

To further support research efforts, the bill also authorized \$50 million in FY 2001 for the Agency for Healthcare Research and Quality to identify populations with significant health disparities, examine why barriers exist, develop strategies to reduce disparities and improve access to care, and assess ways to ensure the quality and effectiveness of our health care services. It established new training and demonstration projects through the Health Resources and Services Administration for the training and education of health professionals in reducing health disparities and providing culturally competent care. Specifically, it would authorize \$3.5 million for FY 2001 and \$21 million total through FY 2004.

In 2006 Senator Kennedy introduced the Minority Health Improvement and Health Disparity Elimination Act which reaffirmed his commitment to the fundamental principle that equal opportunity for all must apply to health care and a healthy life. The bill addressed health disparities through education and training, healthcare quality and access, research, data collection, and leadership and collaboration.

### ***Supporting Pediatricians and Children's Hospitals***

Until Senator Kennedy changed the law, the Federal government paid hospital physician costs out of Medicare, the popular health program for America's elderly. As a result, children's hospitals –which train a third of the nation's pediatricians and pediatric specialists – were neglected. In 1999, Congress enacted the Healthcare Research and Quality Act, which established the Children's Hospitals Graduate Medical Education (CHGME) Program. The program provides federal funding to support graduate medical education at children's teaching hospitals, comparable to the funding that adult teaching hospitals receive through Medicare.

Since the program's inception, children's teaching hospitals have reversed the decline in the number of pediatric residents trained. CHGME enables these hospitals to provide programs that increase diversity and promote practice in underserved areas. For example, Children's Hospital Boston has a Minority Physician Training Project that supports the development of residents from underrepresented racial and ethnic minority groups. In general, CHGME provides vital support to children's teaching hospitals, which serve as a critical health care safety net: almost 50 percent of the

patient care that these hospitals provide is for low-income children, including those covered by Medicaid and those who are uninsured.

In fiscal year 2009, Congress appropriated \$310 million for CHGME. Since the program was established, it has provided more than \$1.1 billion to children's teaching hospitals. It supports about 60 freestanding children's teaching hospitals that train about 30 percent of all pediatricians and about half of all pediatric subspecialists.

### ***Fighting for Increased Funding for Vaccinations***

Vaccines are among the most effective public health interventions, preventing deaths and injuries from diseases such as diphtheria, tetanus and hepatitis. For decades, Senator Kennedy has fought to increase funding and resources to increase childhood immunization rates in the United States. He has enacted laws strengthening the National Immunization Program and has championed Federal funding of the Vaccines for Children Program, which purchases pediatric vaccines for all Medicaid-eligible, uninsured, under-insured and Native American children. The National Immunization Program and the Vaccines for Children program provide over \$1.3 billion in vaccines to children in Massachusetts and across the country each year.

Despite these advances, approximately 19 percent of preschool-age children in Massachusetts have not received the childhood vaccines recommended by the Government and the American Academy of Pediatrics. Moreover, an average of 40,000 Americans die every year from flu-related illnesses, making pneumonia and influenza together the fifth leading cause of death among older Americans. Yet influenza vaccine can prevent up to 50 percent to 60 percent of hospitalizations and 80 percent of deaths from influenza-related complications among the elderly.

In response, Senator Kennedy and Representative Henry Waxman introduced legislation to improve adult immunization rates, promote more efficient distribution of influenza vaccine to the elderly and other populations at greatest risk.

### **Championing Civil Rights & Promoting Fairness and Equal Opportunities for All**

Senator Kennedy believed that civil rights remain America's great unfinished business, and he had a major role in every civil rights battle in Congress for the past half century.

### ***Advocating for Civil Rights and Voting Rights***

On April, 9, 1964, barely four months after the passing of President John F. Kennedy, Senator Kennedy took to the Senate floor and gave his maiden speech. He chose as his topic the paramount domestic issue of the day, civil rights, and urged support of the landmark Civil Rights Act of 1964, which outlawed discrimination in employment, education and public accommodations.

"My brother was the first President of the United States to state publicly that segregation was morally wrong. His heart and his soul are in this bill. If his life and death had a meaning, it was that we should not hate but love one another; we should use our powers not to create conditions of oppression that lead to violence, but conditions of freedom that lead to peace." To read the full speech, click [here](#).

African Americans in the South were demanding equal opportunity and treatment, and their movement, anchored in non-violence, captured the attention of a nation. As America and the world watched the sit-ins and marches - the participants being attacked by police dogs and water hoses; their churches bombed – Ted Kennedy, then a young, freshman senator, was moved to action. Barely two years into his first term, 33 year-old Kennedy, went to work on the one major legislative initiative leading civil rights organizations wanted but the Johnson Administration did not embrace – eliminating the poll tax.

“Kennedy brought to the poll tax fight, that fierce startling intensity of purpose and energy that the Kennedys evince in combat,” New York Times reporter William Shannon wrote in an article entitled, “The Emergence of Senator Kennedy. “By the time the Senate debate opened [on the Voting Rights Act of 1965], Kennedy was intellectually the master of his issue [for eliminating the poll tax]. He had also been busy on the political side. Senators ordinarily leave the work on canvassing their colleagues to the lobbyists for organizations backing their views, but Kennedy had personally talked with every Senator who he had any reason to believe might support his amendment. He succeeded in obtaining 38 co-sponsors....By the time the Administration and Senate Majority Leader Mike Mansfield were aware of how hard he had worked, they were on the brink of debate.”

“When the showdown finally came, the Administration had to make strong appeal to certain Democratic Senators to avoid defeat. The Kennedy amendment lost, 49-45. But in everything except the final vote, the loser emerged the winner.

“He gained political credit with Negro organizations. He reaped favorable publicity by jousting with the Attorney General, the Senate minority leader and, indirectly, with the President. He earned his stripes with older liberals in the Senate who no longer dismissed him as just a ‘nice fellow.’”

And his was right. On March 24, 1966, the Supreme Court vindicated Kennedy by declaring the poll tax unconstitutional.

Another important voting rights victory occurred in 1970 when, at the height of the Vietnam War, Kennedy became the key sponsor of the statute that lowered the voting age from 21 to 18. He felt strongly that those who old enough to fight for their country are old enough to vote.

Previously, it had long been thought that the voting age change had to be accomplished by amending the Constitution. But Senator Kennedy, convinced that the recent Supreme Court decisions on voting rights cleared any confusion that Congress could enact the allow by statute, persuaded his colleagues that, as a result of recent Supreme Court decisions on voting rights, Congress was allowed to enact the change by statute under the Equal Protection Clause of the Constitution.

In 1982, Kennedy, then a twenty-year member of the Judiciary Committee, was the chief sponsor of the *Voting Rights Act Amendments of 1982*, which led to significant increases in minority representation in Congress and state legislatures, nationwide. A decade later, he was also a chief sponsor of the *Voting Rights Language Assistance Act*, which provided language assistance during the voting process for limited-English proficient Latino, Asian American, and Native American citizens.

In the 1980s, Kennedy worked with a bipartisan group of Senators and Coretta Scott King to establish a federal holiday in honor of Martin Luther King, Jr.

Following the Voting Rights Act debate of 1982, Senator Kennedy led the effort to overturn the Supreme Court's Grove City case, which found that Title IX of the 1972 Higher Education Act only applied to a private college's financial aid department, not the school as a whole. Senator Kennedy led the fight to reverse the decision and enact key laws prohibiting discrimination based on race, ethnicity, gender, disability or age in any federally funded program. He was the central figure moving the legislation, entitled the Civil Rights Restoration Act of 1988, and guided its passage by an overwhelming margin, despite a Presidential veto by President Reagan.

After successfully steering the bill through the Judiciary Committee, Ralph Neas, former Executive Director of the Leadership Conference on Civil Rights (LCCR), said about Kennedy, "Now you see what happens when you have a civil rights champion in charge of the committee." Click [here](#) for additional information regarding Senator Kennedy's effort on voting rights.

In 1988, Senator Kennedy passed amendments to extend the Fair Housing Act of 1968 to include people with disabilities and families with children. By expanding the law, the amendments prohibited discrimination towards people with disabilities in the sale or rental of housing and in the terms, facilities and services provided. It also sets certain guidelines for remodeling and necessary modifications to a residence for both the landlord and the tenant.

Senator Kennedy was one of the chief sponsors of the Americans with Disabilities Act of 1990, which ensures that millions of disabled Americans are able to live productive lives free from discrimination in public accommodations and employment. The ADA requires that public facilities accommodate the needs of disabled Americans, and that employers make reasonable accommodations for disabled workers.

Said Harkin, "I was thrilled when I arrived in the Senate to learn that Senator Kennedy 'one of the top leaders in the Senate' shared the same passion. With his help, we were able to pass the Americans with Disabilities Act and began to see real change. The law literally opened doors for people with disabilities, allowing them access to new employment opportunities, access to new places and access to fuller lives. But more importantly, the law began to change how those with disabilities were seen by others. Senator Kennedy has always dedicated his life to helping those who are too often ignored and this is no exception."

Click [here](#) for more on Kennedy's efforts to that enhance the lives of disabled Americans.

Senator Kennedy was the chief sponsor of the Civil Rights Act of 1991, which strengthened existing protections and remedies available under federal civil rights laws, including remedies for intentional discrimination and harassment in the workplace. The Civil Rights Act of 1991 provided punitive and compensatory damages in cases of intentional job discrimination. Those damages were limited, however, to a combined maximum of \$300,000, depending on the size of the workers' employer. Senator Kennedy is the chief sponsor of the Equal Remedies Act, which would remove those caps.

From 1994 - 2009, Senator Kennedy was the chief Senate sponsor of the Employment Non

Discrimination Act which prohibits employers from discriminating on the basis of sexual orientation. Moreover, he has long been a leader in seeking to broaden federal hate crimes law.

In 2007, he helped led the Matthew Shepard Local Law Enforcement Hate Crimes Prevention Act to passage in the Senate. The bill would broaden existing law to prohibit hate crimes against women, gays, lesbians, and transgender persons, and gives prosecutors enhanced ability to charge and penalize those who commit hate crimes. In 2009, the Senate again adopted the measure as part of the Defense Authorization Bill.

In 2008, Senator Kennedy was the key Senate sponsor of the Civil Rights Act of 2008, which would restore core civil rights protections that have been undermined by recent Supreme Court decisions --- including the right to challenge the uses of federal funds in ways that have an unjustified discriminatory impact based on race, national origin, age, gender, or disability. The bill also makes state employers fully accountable for discriminating against men and women in uniform, and prohibits employers from requiring workers to give up the right to enforce employment laws in court in order to get a job or keep a job.

Wrote Kennedy biographer Adam Clymer in 1999, “[Kennedy] speaks often of civil rights as the great unfinished business of the nation, but since the 1982 Voting Rights Act extension, no one has done more to finish it. In some years he resisted retreat, in others he advanced the concept of equality to include the disabled and the dignity of women in the work play.”

### ***Fighting for Fair Elections***

In 1973, in response to the Watergate scandal, Kennedy and Republican Senate Leader Hugh Scott, introduced and passed the first ever bipartisan campaign finance bill to help clean up the electoral system. The legislation imposed new contribution limits and established strong public financing provisions for presidential elections. It also created an independent agency, the Federal Election Commission, to enforce the law and administer the public funding program.

Despite being a relatively junior Member of the Senate, who served on no Committee with jurisdiction of the issue, Kennedy emerged as the central figure in the reform fight. During this same time, the two-termed senator was also dealing with the sudden news that his son Teddy, then age 12, had cancer in his right leg, which would have to be amputated.

Kennedy biographer Adam Clymer wrote, “For Kennedy to play any role at all, let alone the leading role, in the campaign finance debate of November 1973 was heroic.”

### ***Promoting Competition and Deregulating the Airline Industry***

In 1974, Senator Kennedy launched a successful four-year battle that revolutionized the airline industry, ending years of oppressive federal regulation that stifled competition in fares and routes and excluded new airlines from the market. The law, signed by President Carter in 1978, led to a new era of lower fares and better service to the nation’s cities for millions of Americans. In the years before passage of the deregulation bill, Kennedy held a series of hearings to highlight the

benefits of deregulation and its ability to reduce costs for travelers. For more information on how Sen. Kennedy's efforts have benefitted and protected consumers click [here](#).

### ***Reforming the Immigration System***

Senator Kennedy's first major legislative initiative was the Immigration Act of 1965. The Act was a turning point in American immigration policy because it reformed the way immigrants were selected for admission to the U.S. It ended the selection of immigrants on the basis of their national origin that began in 1924 – a system that discriminated on the basis of race or ancestry. The Act gradually phased out the national origin quotas system and replaced it with a preference system that gave priority to immigrants based on their skills and family relationships. The circumstances which led to the repeal of the quota system were a combination of changing public perceptions, politics, and legislative compromise. Public support for the repeal reflected changing public attitudes towards race and national origin. The Act was a product of the mid-sixties, and a heavily Democratic 89<sup>th</sup> Congress which produced major civil rights legislation. In a floor statement reflecting on why Congress acted in 1965, Senator Kennedy stated that a consensus had developed which “neutralized opposition” in and out of Congress and “generated an atmosphere receptive to reform which was consonant with changing attitudes among our citizens on questions of race and national origin.” When asked about the Act's anticipated impact, he stated that “favoritism based on neutrality will disappear. Favoritism based on individual worth and qualifications will take its place.”

Senator Kennedy demonstrated consistent concern for refugees throughout his career in the Senate, addressing the needs of such diverse migration challenges as the starving refugees in Ethiopia and the Sudan, the plight of Southeast Asian boat people, those facing oppression under the former Soviet Union and other repressive regimes, those fleeing the civil wars in Central America or the coups in Haiti, as well as those uprooted by more recent conflicts throughout Africa. He has authored numerous bills, including the Refugee Act of 1980 which established a comprehensive U.S. policy to provide humanitarian assistance, admission and resettlement to refugees around the world. Until the bill's enactment, U.S. policy and programs for refugees had been ad hoc, inadequate and at times discriminatory. During debate on final passage of the bill, Senator Kennedy stated that the Act would “ensure greater equity in our treatment of all refugees and give “statutory meaning to our national commitment to human rights and humanitarian concerns.”

Senator Kennedy had long been convinced that legal immigration is good for our country. As such, he has been at the forefront of efforts to improve U.S. immigration policy by sponsoring beneficial legislation and opposing initiatives that are harmful to immigrants and refugees.

In 1986, Senator Kennedy worked to obtain legal status for undocumented workers and address the potential for increased employment discrimination against immigrant workers as a result of the employer sanction provisions. He was the lead sponsor of the Immigration Act of 1990, which increased the quotas for family immigration, established a diversity visa program, and created a temporary safe haven program for persons fleeing oppressive governments. He was also an original sponsor of the 1994 Violence Against Women Act and its re-authorization in 2000, which allows battered immigrant women and children to apply for permanent residence without the cooperation of their abusive spouses or parents.

He strongly opposed the harsh 1996 immigration laws, which divided families, returned refugees to the hands of their persecutors, and denied immigrants their day in court, as well as the 1996 welfare law that turned immigrants into second class citizens, and he continues to work to eliminate the harshest provisions of these laws. His goal was to preserve families, assure fairness and due process, and maintain the integrity of our immigration laws. Senator Kennedy believed that immigrants deserve the same due process protections available to U.S. citizens, and that it is contrary to basic principles of fairness and justice to take immigrants from their U.S. citizen families, without even an opportunity to have their day in court.

He also helped lead the way in efforts to restore fairness and justice to immigrants and refugees. Senator Kennedy's support was instrumental in restoring public benefits, such as Food Stamps, Supplemental Security Income and Medicaid, to countless elderly, disabled, and legal immigrants. He continues to push for the further restoration of benefits to all legal immigrants.

He was the lead Democratic sponsor of the Enhanced Border Security and Visa Reform Act of 2002, which balanced strong enforcement with strong protection of civil liberties and immigrants' rights. The bill strengthened the security of our borders, improved our ability to screen foreign nationals, and enhanced our ability to deter potential terrorists, while also reaffirming our tradition as a nation of immigrants.

Senator Kennedy also introduced a bipartisan comprehensive immigration reform bill to fix the nation's broken immigration system. The McCain-Kennedy bill contains strict border security and enforcement provisions to strengthen security at the nation's borders, and also includes an earned legalization program for immigrants who have been working in the United States. In addition, it offers a solution to reduce the enormous backlog of petitions to unify immigrant families, and proposes a revised temporary worker program.

### ***Promoting Citizenship***

Senator Kennedy was a strong proponent of a functioning and effective naturalization program that gave immigrants and refugees the opportunity to fully embrace their adopted homeland by becoming U.S. citizens. He urged U.S. Immigration and Citizenship Services and the Federal Bureau of Investigation to work together to eliminate backlogs that developed in the naturalization system in 2007 and to ensure that individuals eligible for citizenship would have the opportunity to vote in the 2008 elections.

### ***Reforming the Federal Criminal Code***

Kennedy has long championed "truth in sentencing": the idea that prisoners should serve their sentences in full. In 1975, Senator Kennedy began what became a successful bipartisan eight-year effort to reform the federal criminal code. The key reform in the comprehensive final legislation, signed by President Reagan in 1984, was a complete overhaul of the system of sentencing to require all federal judges to follow specific guidelines in sentencing offenders convicted of particular crimes.

Prior to this reform, different judges handed out widely varying sentences for similar offenses. With no predictability or consistency in punishment, criminals saw sentencing as a game of chance, not their just desserts. Since this monumental reform, Kennedy has vigorously fought

efforts to impose mandatory minimum sentences. By overlooking differing degrees of culpability, the “one size fits all” approach of mandatory minimum sentences produces the very disparities that the sentencing guidelines were designed to eliminate.

Kennedy was active in promoting federal support for state and local crime control activities since the original Safe Street and Crime Control Act of 1968. He was a leader in passage of the 1994 Crime Act, which provided funding for 100,000 new police officers, imposed strict new penalties for crimes involving gangs and firearms, and authorized the Police Corps, a program that gives talented young people college scholarships in return for their commitment to serve as police officers in their communities. As a result of this law, Massachusetts received funds to hire almost 3,000 new police officers over the to help combat crime across the state. Since the passage of this bill, the Massachusetts crime rate has dropped by nearly one-third, due in part to the additional officers and resources provided in the 1994 Crime Bill.

### ***Preserving Affirmative Action***

Since the 1960s, Senator Kennedy was a leader in Congressional efforts to preserve federal affirmative action programs. In 1998, he helped defeat a proposal to end federal affirmative action. In 2003, he joined Senate colleagues in filing a brief urging the Supreme Court to uphold affirmative action at the University of Michigan. In 2005, he strongly supported reauthorization of programs administered by the Department of Transportation and the Department of Defense to ensure equal contracting opportunities for minority and women contractors.

### ***Promoting Gender Equity***

Senator Kennedy has been a champion of the Equal Rights Amendment for over 30 years, which would enshrine in the Constitution the principle of equality for men and women. He was in the forefront of Senate leadership that won its passage in Congress in 1972 and has reintroduced the legislation again in the 110th Congress.

He was a key supporter of Title IX of the Education Amendments of 1972 and the Civil Rights Restoration Act of 1987, which protect women from discrimination in educational institutions and have increased athletic opportunities for young women attending colleges and universities around the country.

He led the effort to pass the Pregnancy Discrimination Act in 1978. Although Title VII of the Civil Rights Act covered gender discrimination, employers -- including states and localities -- were crafting health plans that excluded disabilities arising from pregnancy. The Supreme Court later upheld the constitutionality of excluding pregnancy coverage from health plans provided by states and private employers.

### ***Protecting Religious Freedom***

Together with Senator Hatch, Senator Kennedy led the way in passing the Religious Freedom Restoration Act in 1993. The legislation restored strict scrutiny for certain religious free exercise claims. The legislation was in response to the Supreme Court decision -- Oregon v. Smith in 1989, which invalidated the use of strict scrutiny in cases involving acts by governments which had the unintentional effect of violating an individual's right to free exercise of his or her religion. After

the legislation passed overwhelmingly in the House and the Senate, the Supreme Court determined that portions of Act were unconstitutional. In response to the Supreme Court decision, in 2000, Senators Kennedy and Hatch won passage of a new law to protect religious freedom, the Religious Land Use and Institutionalized Persons Act (RLUIPA), which has been unanimously upheld by the Supreme Court.

### ***Ensuring Safer Communities***

As a former prosecutor and member of the Senate Judiciary Committee from 1963 - 2008, Senator Kennedy's efforts to fight crime have been instrumental in ensuring safer communities.

He fought to protect Americans from crime and to keep guns out of the hands of criminals and children. He supported every major gun-safety initiative since the Gun Control Act of 1968, including the ban on assault weapons, the Brady Law, and ongoing efforts to close the gun-show loophole. Kennedy also stood up to Attorney General John Ashcroft for touting the line of the NRA and refusing to allow the FBI to examine background-check records to determine whether any of the 1,200 people detained following the September 11th attacks bought guns.

### ***Pursuing Fairness in Courts and the Administration of Justice***

As a member of the Judiciary Committee for over four decades, Senator Kennedy was a leader in pursuing the quality and fairness of the courts, the administrative agencies, and the Department of Justice. He had a major role in the defeat of three Supreme Court nominees who the Senate believed were not sufficiently committed to protecting rights and liberties. He monitored the quality and fairness of administrative justice and promoted freedom of information laws requiring transparency in federal government activities. He has been a leader in the aggressive oversight of the agencies that should protect civil rights, civil liberties, and consumer interests. He conducted the first Congressional investigation of Watergate in the 1970's and his other investigations of governmental overreaching and unfairness have resulted in reforms throughout government.

Kennedy strongly opposed the death penalty. His opposition is a matter of principle, based on his understanding of the stark racial disparities involved, the lack of competent legal representation in many cases, and the unacceptable danger that an innocent person may be executed. Senator Kennedy has held to his convictions on capital punishment even when it cost him politically and even in the most personal of circumstances. In 1969, he and his sisters wrote the district attorney of Los Angeles, asking that the killer of their brother Robert not be sentenced to death.

In 1976, Senator Kennedy introduced the Foreign Intelligence Surveillance Act (FISA), which became law in 1978 and regulates the use of electronic surveillance for national security purposes. It is widely regarded as a landmark statute in national security law. The legislation was designed to allow flexibility in pursuing our enemies, while safeguarding Americans' right to be free from unwarranted government spying. It is because FISA enhances both security and liberty that it has won such broad support over the years from presidents, members of Congress, and the public alike. Since it came to light in late 2005 that the Bush Administration had been systematically violating FISA in its warrantless domestic surveillance program, Senator Kennedy fought to expose this abuse and demand accountability.

He was also an outspoken voice against the use of torture, indefinite extralegal detention, and other legal and humanitarian abuses committed by the Bush Administration in its “global war on terror.” In 2005, Senator Kennedy worked with colleagues to pass a ban on cruel, inhuman, or degrading treatment of detainees. In 2007, he introduced a bill to require all U.S. interrogations to comply with Army Field Manual standards, and he continues to fight to rein in the CIA’s renegade “enhanced interrogation” and “extraordinary rendition” programs. Senator Kennedy also introduced and moved through the Judiciary Committee bipartisan legislation to rein in the Administration’s use of the state secrets privilege, by making judicial review of the privilege more regular and more rigorous. Senator Kennedy consistently pushed back against the Bush Administration’s unprecedented attempts to expand unilateral Executive power; he believes that fidelity to the rule of law and to governmental checks and balances makes America stronger, not weaker, and is essential to winning the battle against terrorism.

### ***Protecting Voting Rights***

Barely two years into his first term, the 33 year-old Kennedy went to work on the one major legislative initiative leading civil rights organizations wanted but the Johnson Administration did not embrace – eliminating the poll tax.

“Kennedy brought to the poll tax fight, that fierce startling intensity of purpose and energy that the Kennedys evince in combat,” New York Times reporter William Shannon wrote in 1965. “By the time the Senate debate opened [on the Voting Rights Act of 1965], Kennedy was intellectually the master of his issue [for eliminating the poll tax]. He had also been busy on the political side. Senators ordinarily leave the work on canvassing their colleagues to the lobbyists for organizations backing their views, but Kennedy had personally talked with every Senator who he had any reason to believe might support his amendment. He succeeded in obtaining 38 co-sponsors....By the time the Administration and Senate Majority Leader Mike Mansfield were aware of how hard he had worked, they were on the brink of debate.”

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And his was right. On March 24, 1966, the Supreme Court vindicated Kennedy by declaring the poll tax unconstitutional.

Another important voting rights victory occurred in 1970 when, at the height of the Vietnam War, Kennedy became the key sponsor of the statute that lowered the voting age from 21 to 18. He felt strongly that those who old enough to fight for their country are old enough to vote.

Previously, it had long been thought that the voting age change had to be accomplished by amending the Constitution. But Senator Kennedy, convinced that the recent Supreme Court decisions on voting rights cleared any confusion that Congress could enact the allow by statute,

persuaded his colleagues that, as a result of recent Supreme Court decisions on voting rights, Congress was allowed to enact the change by statute under the Equal Protection Clause of the Constitution.

Senator Kennedy was the lead Senate sponsor of a Constitutional amendment in 1978 to grant full voting representation in the Senate and the House of Representatives for citizens of the District of Columbia. The amendment passed both chambers of Congress, but fell short of ratification by two-thirds of the states.

In 1982, Kennedy, then a twenty-year member of the Judiciary Committee, was the chief sponsor of the *Voting Rights Act Amendments of 1982*, which led to significant increases in minority representation in Congress and state legislatures, nationwide. A decade later, he was also a chief sponsor of the *Voting Rights Language Assistance Act*, which provided language assistance during the voting process for limited-English proficient Latino, Asian American, and Native American citizens.

Following the Voting Rights Act debate of 1982, Senator Kennedy led the effort to overturn the Supreme Court's Grove City case, which found that Title IX of the 1972 Higher Education Act only applied to a private college's financial aid department, not the school as a whole. Senator Kennedy led the fight to reverse the decision and enact key laws prohibiting discrimination based on race, ethnicity, gender, disability or age in any federally funded program. He was the central figure moving the legislation, entitled the Civil Rights Restoration Act of 1988, and guided its passage by an overwhelming margin, despite a Presidential veto by President Reagan.

In 2006, Senator Kennedy helped negotiate reauthorization of the provisions of the Voting Rights Act set to expire in 2007, and chaired hearings in the Senate Judiciary Committee on the need for the reauthorization to keep the Act in force.

### **Ensuring High Quality Education for All**

Education has always been a top priority for Senator Kennedy. His commitment to ensuring that more high quality learning opportunities are available to people of all ages – especially the neediest and most disadvantaged – has been a major legislative priority throughout his career in the United States Senate. Working with senators from across the aisle and Administration officials throughout the years, Chairman Kennedy has been largely responsible for shaping the education policy of the United States. From pre-kindergarten children to graduate level scholars, Senator Kennedy's policy initiatives have impact on students of all ages.

“Every major education law passed since the 1960s has borne Kennedy's imprint, from Head Start to the Elementary and Secondary Education Act. He has proven himself, time and again, to be a fighter for children and educators,” said Reg Weaver, the immediate past President of the National Education Association President.

### ***Early Childhood Education***

Beginning with his support of the Economic Opportunity Act of 1964, which was the centerpiece of the War on Poverty and created Head Start, Senator Kennedy has been the voice for early childhood education. Head Start provides comprehensive childhood development and social services to low-income three- and four-year-old children to prepare them for school. Twenty-five

million children and families have participated in Head Start programs over the past 45 years, including Congresswomen Loretta Sanchez, Maxine Waters, Congressman Heath Schuler and athletes Shaquille O' Neal and Deion Sanders. Head Start now serves nearly a million children nationally and more than 13,000 children in Massachusetts annually.

It has gained widespread support from the American people, and there is clear evidence that it helps children develop their social skills and improve their writing and vocabulary and help children begin kindergarten ready to learn.

Early Head Start, created by Senator Kennedy in 1994, serves infants and toddlers in poverty. It has been recognized as one of the most effective programs of the U.S. Department of Health and Human Services. Early Head Start expands the benefits of early childhood development to low-income families with children under age 3 and to pregnant women. Services are extended to eligible women during and after pregnancy and include parent training skills in child development, home based services, and screening and referral services for children with documented behavioral problems. Early Head Start has served nearly 700,000 families.

“Every education bill, every labor bill that has been taken up by the US Senate—Ted Kennedy has spent hours on the floor of the US Senate passionately and articulately promoting the right cause of action whether or not his position was popular at the time or shared by the majority of his colleagues. There has been no more faithful champion of the poor, of working families, of all those who depend on essential government services and the positive roll that the government can and should play, than Senator Edward Kennedy.” Ed McElroy, American Federation of Teachers Convention, Boston July 21, 2006

## **Elementary and Secondary Education**

“My friend Senator Ted Kennedy is a lionhearted champion for our nation's schoolchildren. His decades of public service have inspired generations of Americans, including me. And his strong, outspoken leadership has helped to improve the quality of life for all of us,” said U.S. Secretary of Education Margaret Spellings, a Republican.

The landmark enactment of the Elementary and Secondary Education Act of 1965 established the federal government's commitment to public schools. Senator Kennedy has been a leader ever since then in reauthorizing the Act and developing legislation that benefits schools and students across the country.

Understanding the importance of focusing on math and science decades ago, Senator Kennedy sponsored the bipartisan Star Schools Program Assistance Act in 1987, which was included in the reauthorization of the Elementary and Secondary Education Act, to develop statewide and multi-state telecommunications partnerships. The legislation was signed into law by President Reagan on April 28, 1988. These partnerships helped to increase access to courses in math, science and foreign languages, and to create teacher networks that encourage the sharing of effective teaching strategies. Senator Kennedy understood long ago the role the United States must play in the global economy and that math and science are key to success.

The Goals 2000 Education America Act, signed into law by President Clinton on March 31, 1994, promoted voluntary content standards and occupational standards to help students and workers become highly skilled and trained. The Act also reauthorized the Eisenhower Professional Development Program, which expanded and improved training and professional opportunities for teachers.

In 2001, working closely with President George Bush, Senator Kennedy led the reauthorization by Congress of the Elementary and Secondary Education Act, which included a major bipartisan rewrite of virtually all federal elementary and secondary education laws to raise academic standards, hold schools accountable for results, and enable all children to have a better opportunity to succeed in school.

Senator Kennedy's leadership on the bipartisan reauthorization, signed into law as the No Child Left Behind Act (NCLB) in January 2002, demonstrates that he has been one of the Senate's strongest advocates for a high quality education for all students.

While its reforms have been controversial, No Child Left Behind has helped to help close the achievement gap in public schools and to improve the quality of education for all of the nation's students. Since enactment, the percentages of students with proficient scores on state reading and math tests have gone up in most states. With regard to teacher quality, school districts reported that 96% of the 3.2 million teachers teaching in core academic content areas were highly qualified at the end of the 2008 school year. And of the data available, there is more evidence of achievement gaps narrowing rather than widening, although the gaps remain substantial.

NCLB emphasizes parental involvement as one of the key factors for student success. It empowers parents who have never spoken up before to share their stories and ideas to improve their children's schools. Loretta Borilla, parent, Washington Unified School District in California says, "I was chair of the site council this year. I refused to sign the site plan...I knew (that) NCLB...was the only tool I could use to hold the school and district to make changes. After fighting all I could to get changes made for parent involvement in the budget, I had to use that tool."

During the 110<sup>th</sup> Congress, Senator Kennedy worked to shape a blueprint for re-designing the law to maintain better focus on accountability and closing the achievement gap, and to provide better solutions to help schools educate all students to their full potential. In the 111<sup>th</sup> Congress, Senator Kennedy continued to work to ensure that the Act provides effective solutions and support for schools and students overhaul the law's one-size-fits-all accountability structures, strengthens teacher quality, and makes academic standards across the nation globally competitive.

He has also focused on bringing more innovative and effective reforms to the neediest schools, such as expanding learning time to allow for longer school days and encouraging schools to involve parents more effectively in their children's education. Senator Kennedy has worked to advance legislation to reform and strengthen middle and high schools to turn around or shut down the dropout factories that produce more than half of the nation's dropouts.

"I always knew our Senator, Senator Edward Kennedy, was a force to be reckoned with, a fighter for students, a fighter for fairness," however, it was in high school, when I first attended a Kennedy event, that I realized the magic of this friend of students. He spoke to young people's issues! He treated us as true constituents! He truly cared about creating quality public education.

From Pre-K to Post-Doc, Senator Kennedy has fought for forty years to increase access to education!"

United States Student Association National Vice President Rebecca Wasserman  
March 11, 2003

### ***Higher Education and Job Training***

Senator Kennedy was a driving force throughout his years in the Senate to see that every student who desires to enroll in college can afford to do so. Since the original Higher Education Act of 1965, Senator Kennedy worked to open the doors of opportunity for all Americans.

In the first reauthorization of the Higher Education Act in 1968, Senator Kennedy supported the creation of the Student Support Services program. This program, along with Upward Bound and Talent Search, which were created in the Economic Opportunity Act of 1964 and the Higher Education Act of 1965, respectively, provided tutoring, mentoring and other assistance, to low-income, first generation college students to increase their retention and graduation rates. These three programs are currently known as the TRIO programs. Notable TRIO participants include TV personality Oprah Winfrey, actress Angela Bassett and Franklin Chang-Diaz, the first Hispanic astronaut.

The Vocational Education Amendments of 1968 modified the existing vocational education programs and established a National Advisory Council on Vocational Education. In 1984, the Vocational Education Act was renamed the Carl D. Perkins Vocational Education Act and established programs emphasizing the acquisition of job skills through both vocational and technical education. Amendments in 1990 established the tech-prep program to coordinate secondary and postsecondary vocational education activities. The bill was reauthorized in 1998.

Working with Senator Claiborne Pell during the 1972 reauthorization, Senator Kennedy supported the creation of the Basic Educational Opportunity Grant. This program, which later became known as the Pell Grant in 1980, drastically increased the availability of grant aid to disadvantaged students. Senator Kennedy was also a key supporter of Title IX of the Education Amendments of 1972, which protected women from discrimination in educational institutions and increased athletic opportunities for women in colleges and universities. President Richard Nixon signed this bill into law on June 23, 1972.

Senator Kennedy was also a key player in the Congressional effort to establish the Direct Lending program, which was enacted as part of the Budget Reconciliation Act of 1993. To date more than **12 million students** have benefited from low cost direct federal loans to pay for college. The reauthorization of the Higher Education Act created the Income Contingent Repayment program that more than **1.3 million borrowers** have used to make their student loans more manageable.

The following year, Senator Kennedy played a central role in passing the School-to-Work Opportunities Act, which sought to create partnerships of employers, educators and others to build a high quality School-to-Work system that prepares students for careers in high-skill, high-wage jobs. Millions of students have participated in these partnerships, which have proved essential to

providing a variety of work and school opportunities, up-to-date resources, and hands-on experiences for students to enter the workforce.

The Academic Research Facilities Modernization Act of 1998, passed as an amendment to the National Science Foundation Authorization Act of 1988, established programs to modernize academic research facilities and improve undergraduate science and engineering education.

The Workforce Investment Act of 1998 created new training provisions that now guide most federal training investments. Senator Kennedy continued to work to modernize it to improve job training opportunities and employment services for the nation's workforce. In 2008, the Act helped over **3.4 million workers** obtain the skills to find new or better jobs. Over 80 percent of the participants who received training under the Act found employment.

As Chairman of the Health, Education, Labor and Pensions Committee, Senator Kennedy in 2007 passed the College Cost Reduction Act. The bill authorized a **\$23 billion increase** in student aid, the *largest* since the GI Bill. It increased the Pell grant by \$490 for the 2007-2008 school year and by \$1,090 in 2012 will cut interest rates on undergraduate subsidized student loans in half by 2011. It makes debt more manageable for student borrowers by capping monthly loan payments at 15 percent of discretionary income and providing loan forgiveness for students who enter public service.

Building upon that Act, Senator Kennedy worked with Senator Mike Enzi of Wyoming to pass the Higher Education Opportunity Act in 2008, which reauthorized the Higher Education Act for the first time in a decade. The Act took significant steps to make college more accessible and affordable for more students by: simplifying the application process for financial aid; preventing unethical practices in the student loan marketplace to give students better terms on their loans; providing students and families with better information on college costs; and expanding aid for the neediest students, members of the military, and students with disabilities.

In May 2008, Senator Kennedy also passed a bipartisan bill to continue access to federal student loans regardless of turbulence in the private credit market. The Ensuring Continued Access to Student Loans Act reduces students' and parents' reliance on higher-cost non-federal student loans by increasing the amount of low-cost federal loans available to students and providing parents with improved access to low-cost federal loans (PLUS loans). It also increases need-based grant aid for the neediest students. In addition, the legislation stabilizes the private student loan program (Federal Family Education Loan program) by allowing the Department of Education to serve as the secondary market of last resort for loans originating in the program. It also gives students greater access to low-cost federal loans by shoring up the "lender of last resort" program.

Additionally, Senator Kennedy fought private lenders to end waste and fraud in the student loan industry. By investigating and bringing to light the fraud and abuse, Senator Kennedy helped to crack down on wasteful spending and to ensure that student borrowers were not paying staggering premiums on top of their financial aid.

In September 2008, with the financial markets continuing to struggle, Senator Kennedy acted to protect students' and families' ability to obtain student loans for the 2009-2010 school year. He passed legislation extending for an additional year the Department of Education's authority to

stabilize the FFEL program by acting as a secondary market of last resort, so that students and families will be able to obtain the loans they need for college, despite the credit crisis.

The Vocational Education Amendments of 1968 modified the existing vocational education programs and established a National Advisory Council on Vocational Education. In 1984, the Vocational Education Act was renamed the Carl D. Perkins Vocational Education Act and established programs emphasizing the acquisition of job skills through both vocational and technical education. Amendments in 1990 established the tech-prep program to coordinate secondary and postsecondary vocational education activities. The bill was reauthorized in 1998.

“No United States senator has committed more of his time and his wisdom to the advancement of American higher education. Thanks to him, students across the spectrum have the opportunity to pursue their ambitions,” said Drew Faust, President of Harvard on December 1, 2008.

### ***Advocating National and Community Service***

Senator Kennedy believed that national and community service is one of the best investments America can make in future generations – both in terms of those who participate in service and those who are served. Senator Kennedy is proud that Massachusetts has led the nation in developing quality service programs such as City Year and YouthBuild. The state has also worked, through Campus Compact, to make service-learning and outreach a priority.

“Senator Kennedy is the godfather of the modern national and community service movement. An extraordinary champion and hero for us all, he has indelibly changed the fabric of America by inspiring and enabling millions of citizens of all ages and backgrounds to serve. Through his visionary and bipartisan leadership in authoring the National and Community Service Trust Act of 1990, the legislation that created AmeriCorps in 1993, and most recently with his good friend Senator Orrin Hatch, the Serve America Act of 2009, Senator Kennedy has built the infrastructure that empowers the people of Massachusetts and of our country to put their energy and idealism to work tackling pressing problems in education, the environment, public health, fighting poverty and more. His very personal and tireless commitment reminds us all that there is no higher calling than service to one's community, country, and world,” said Alan Khazei, CEO of Be the Change, Inc. and Co-Founder of City Year.

As part of the War on Poverty, President Lyndon Johnson created VISTA (Volunteers in Service to America), a National Teacher Corps (sponsored by Senator Kennedy), the Job Corps, and University Year of Action. In 1965, the Older Americans Act led to interest in creating service programs for older adults, such as the Foster Grandparent Program.

Senator Kennedy sponsored the National and Community Service Act of 1990, which established the Commission on National and Community Service and provided federal seed money for service programs. The Act established a service learning program that was the precursor to Learn and Serve America. The program provides funds for students across America to engage in service-learning projects and teach them the value of serving others to start them on a path of lifetime civic engagement. Since 1992, over 17 million students have participated in Learn and Serve America.

Senator Kennedy sponsored the National and Community Service Trust Act, which was signed into law by President Clinton in 1993, creating AmeriCorps and the Corporation for National and Community Service to expand opportunities for citizens to serve their communities. VISTA and the National Civilian Community Corps became part of AmeriCorps, and the Foster Grandparent Program, the Retired and Senior Volunteer Program, and the Senior Companion Program were combined to create the Senior Corps program.

The bill also created education grants for students who volunteer for service after college. The grants offer an opportunity for students to repay student loans, and encourage more individuals to participate in service to their community.

As Senator Kennedy stated, “The lesson of service to others learned in youth will last a lifetime, and produce a better, fairer, and stronger America in the years ahead. In his inaugural address thirty-two years ago, President Kennedy emphasized this quality, and touched a deeply responsive chord when he called upon Americans of all ages to ask what they could do for their country. The best of the old frontier became the defining quality of the New Frontier. Citizens responded by the millions, and the spirit of America soared again, as it had so often in the past. We need to rekindle that attitude again for our own day and generation... We do not have to compel citizens to serve their country. All we have to do is ask – and provide the opportunity.”

In 2008, Senator Kennedy and Senator Hatch introduced the Serve America Act, which was signed into law by President Obama in the spring of 2009, to expand and improve national service opportunities for Americans at all stages of life. The Serve America Act uses service to meet specific national challenges – from tackling the dropout crisis and strengthening our schools, improving energy efficiency and safeguarding the environment, to improving health care in low-income communities and expanding economic opportunities for low-income individuals. The legislation involves Americans of all ages in meeting these challenges by asking 250,000 Americans to give a year of service, giving young people more opportunities to serve early in life, and expanding stipends and fellowships for retirees who volunteer. The bill also encourages innovation in the nonprofit sector by supporting social entrepreneurs as they develop their organizations.

“The passage of the Serve America Act is a significant milestone for our country. By increasing opportunities nationwide for Americans to serve and, thus, enabling private citizens to do more for their communities, personal and community responsibility will take the place of direct government aid,” said Senator Hatch. “Volunteer service is a keystone to our country’s traditions, and it is becoming increasingly important in these troubled economic times that we help our neighbors. I am honored to be a part of the bipartisan group of Senators who joined together to support this important legislation.”

Senator Kennedy, along with his niece Caroline Kennedy, helped support “Service Nation,” a nationwide network to promote public service in communities across the country. Wrote Dorothy Samuels of the New York Times, “This is a chance to constructively harness the idealism of thousands of Americans eager to contribute time and energy to solving the nation's problems -- a chance not to be missed.”

### ***Hiring and Training New Teachers***

In 1965, Senator Kennedy and Senator Gaylord Nelson of Wisconsin won passage of a bill establishing the National Teacher Corps, which award education scholarships to students willing to supplement their normal course of study with education courses. Participants agreed that, after graduating, they would teach for at least two years in economically distressed rural and urban areas.

Throughout his decades on the HELP Committee, Senator Kennedy fought repeatedly to get high-quality, professional, experienced teachers in the classroom—and to keep them there by providing much needed support. In a December 1997 speech to the National Press Club, Senator Kennedy called on Congress to “bring one hundred thousand new, well-trained teachers into our public schools each year for the next ten years.” Soon after, Kennedy was able to obtain \$1.2 billion for hiring teachers to reduce class size in the early grades, and target the funds to needy school districts.

As part of the 1998 reauthorization of the Higher Education Act, Senator Kennedy worked to include a new program to support high-quality training for teachers in colleges of education. As part of the 2001 reauthorization of the Elementary and Secondary Education Act, Senator Kennedy also worked to provide greater support for high-quality professional development for teachers in schools, so that more teachers will be able to participate in high-quality professional development training programs.

In 2004, Senator Kennedy blew the whistle on the 9.5% student loan scandal, which needlessly guaranteed big profits at taxpayer expense to banks providing student loans. Working with Senator Judd Gregg from New Hampshire, Senator Kennedy supported the Taxpayer-Teacher Protection Act of 2004, which put \$250 million of the savings from reducing these subsidies into increased loan forgiveness for college students and new teachers. The legislation provided \$17,500 in loan forgiveness to eligible highly qualified math, science and special education teachers. This dramatic increase of \$12,500 above the previous loan limits helped ease the shortage of teachers in key subject areas.

### ***Supporting Safe and Productive After School Programs***

Before the 2002 reauthorization of the Elementary and Secondary Education Act, federal support for after-school programs was narrowly limited. Working with his colleague and friend Senator Dodd, Senator Kennedy expanded the program to provide these opportunities in every state in America. The 2002 Act supported awarding many more school districts grants for students to have safe and productive out-of-school time experiences through the 21st Century Community Learning Centers program. Today, there are approximately 6,800 schools in nearly 1,600 communities across the country participating in after-school, summer and weekend programs for students and their communities through these federal grants.

### ***Improving Education for Immigrant Students and Children of Migrant Workers***

Senator Kennedy consistently supported aid for immigrant and limited-English-proficient students in elementary and secondary education.

In 1966, the Migrant Education Program was created to address the challenges associated with disrupted and interrupted education of the children of migratory farm-workers. Senator

Kennedy has supported the program to improve education of migrant students, including instruction, health services, counseling and screening, career education, preschool services, and transportation.

Senator Kennedy supported the 1968 Bilingual Education Act to provide limited-English-proficient students with an equal opportunity to succeed in school and reach high academic standards. Senator Kennedy also sponsored the Emergency Immigration Education Act of 1984, to provide assistance to immigrant students in the nation's schools.

### ***Giving Native Americans a Greater Voice in Their Education***

In 1971, as Chairman of the Special Subcommittee on Indian Education, Senator Kennedy introduced legislation to provide support for Native Americans by requiring school districts seeking federal funds under the bill must work with Native Americans to design new programs. The bill authorized \$390 million over three years. Senator Kennedy said that with the passage of the bill, the Senate can be proud of this step to give Native Americans a greater voice in the education of their children. In 1969, Senator Kennedy held a field hearing in Fairbanks, Alaska to hear firsthand how this issue would affect the Native American population.

### ***Retaining America's Leadership in the Global Economy***

Senator Kennedy was always committed to ensuring that America remains first in the world in innovation and technology by educating the next generation of global math and science leaders. In 2006, he introduced the New National Defense Education Act. In 2007, Senator Kennedy and Senator Enzi joined with the Chairmen and Ranking Members of three other Senate Committees to pass the America COMPETES Act. This bipartisan legislation met the challenge laid out in major reports by national business and science leaders to help the nation remain competitive in the 21st century global economy response. The legislation focuses on increasing research investment; strengthening educational opportunities in science, technology, engineering, and mathematics from elementary through graduate school; and developing an innovation infrastructure designed by the President's Council on Innovation and Competitiveness.

As Senator Kennedy had done twenty years earlier, America COMPETES works to ensure America's place in the global economy.

### **Fighting for Workers' Rights and a Fair Minimum Wage**

Senator Kennedy spent his career standing up for the rights of workers, the backbone of America's economy, battling for workplace safety, mine safety, fair wages, the right to organize and more.

### ***Raising the Minimum Wage***

Senator Kennedy was the leading Congressional proponent of a fair minimum wage, which was increased 16 times during his nearly half century of Senate service. While serving as Chairman of the Health, Education, Labor and Pensions Committee, Senator Kennedy's most recent efforts culminated in 2007 with the first increase in the federal minimum wage in a decade. Thirteen

million American workers, including the parents of more than six million children, benefitted from the raise, which increased the minimum wage from \$5.15 to \$7.25 an hour in three phases.

### ***Strengthening Unemployment Insurance***

Senator Kennedy led the charge to ensure that laid-off workers receive extended unemployment benefits while they search for new jobs. As a result of his efforts, Congress approved legislation last year to provide 20 additional weeks of compensation to out-of-work Americans, plus 13 more weeks for workers in high unemployment states. Senator Kennedy recently joined fellow Democrats in increasing unemployment benefits by \$25 per week and extending the program of emergency benefits through the end of 2009, as part of the American Recovery and Reinvestment Act.

Kennedy has long fought to ensure that all unemployed people in Massachusetts and nationwide have the tools they need to get back on their feet. His legislation to overhaul and modernize the unemployment insurance system was also included in the economic recovery legislation – it provides strong incentives to states to cover more laid-off part-time and low-wage workers. This will help ensure many more unemployed workers can feed their families and keep a roof over their heads.

### ***Protecting Workers' Pensions:***

Senator Kennedy was a constant champion for workers whose pensions are at risk. He was keenly aware of the way workers suffer when companies dump their pensions in bankruptcy and executives walk away with millions in bonuses, as seen with the tragic case of Polaroid in Massachusetts. He has championed legislation to reform our bankruptcy laws to protect workers and retirees and ensure that corporate executive cannot line their pockets while workers have their retirement dreams destroyed.

Through the years, Senator Kennedy worked to build bipartisan consensus to strengthen our pension system. He was a lead sponsor of the Pension Protection Act of 2006, the largest reform of the nation's pension system since 1974. Designed to enhance Americans' retirement security, this consensus legislation recognized the need to require companies to keep their pension promises to workers by strengthening the financial condition of pension plans. It also empowered workers by giving them more information about the true financial state of their pensions and prohibited companies from forcing workers to invest their pensions in company stock, as happened in the Enron case. Additionally, it built further retirement security by increasing workers' retirement savings through encouraging automatic enrollment in 401(k) pension plans and providing investment advice to workers with retirement accounts. Finally, the new law has enhanced women's retirement security by helping divorced and widowed spouses.

During the recession of 2008 – 2009, Senator Kennedy helped lead the charge to pass temporary, targeted pension relief to help workers and businesses weather the economic storm. This legislation would give single and multiemployer pension plans more time to recover from unprecedented investment losses and help businesses avoid bankruptcy.

### ***Helping Americans Meet the Needs of Work and Family***

Millions of working Americans find there simply aren't enough hours in the day to manage the competing demands of their jobs and their families. Senator Kennedy tirelessly pursued policies helping working men and women manage these competing responsibilities. He has called consistently fought for legislation that not only help workers earn a decent living, but also assure them time to meet obligations to their families and communities.

In the early 1990s, Senator Kennedy fought to pass the Family and Medical Leave Act (FMLA), which allows workers to take unpaid leave to care for a new baby, their own serious illness, or the serious illness of a child, parent or spouse. Since the law's passage, more than 60 million workers have been able to take time off from work to care for a loved one or get medical treatment without fearing that they would lose their jobs. Senator Kennedy joined his colleague Senator Dodd, in the fight to defend these essential protections.

Building on the success of the FMLA, Senator Kennedy was the leading proponent of legislation to provide workers with paid sick days to address short-term health care and family caregiving needs. Most Americans assume that paid sick days are a right, but they're not: Half of private sector workers don't have even a single paid sick day that they can use to care for themselves or a family member who is ill. These employees must choose between the jobs they need and the family they love. Senator Kennedy believed that hard-working Americans deserve better, which is why he introduced the Healthy Families Act. The legislation would guarantee workers up to seven days of paid sick leave each year to care for their own medical needs and those of their family members.

Caring for family also means taking time to care for a child or sick relative in need. These needs often require flexible work schedules—but many workers are afraid to ask for flexible arrangements for fear of jeopardizing their jobs. Senator Kennedy introduced the Working Families Flexibility Act to ensure workers have the right to request flexible work arrangements so they can both meet family obligations and do their jobs.

### ***Fighting for Equal Pay for Equal Work***

Senator Kennedy consistently fought for the rights of women, including the right to equal pay for doing the same jobs as their male counterparts. In 2009, women earned only 78 cents for every dollar earned by men. Women of color fared worse – African-American women received 67 cents and Latinas 56 cents. As Senator Kennedy has said, “Working women must have a paycheck that works for them. Economic security cannot be achieved without paycheck security, and paychecks should reflect the fair value of the job performed. For women, this means equal pay for equal work. Without it, they are less able to provide an economic safety net for themselves and their families, less able to purchase a home, less able to go to college, or send their children to college.”

In 2007, the Supreme Court's decision in *Ledbetter v. Goodyear Tire Company* made it more difficult for workers to challenge all forms of pay discrimination, including discrimination based on race, sex, religion, national origin, age, or disability. Senator Kennedy was a leader in passing the Lilly Ledbetter Fair Pay Act to restore a fair rule for filing pay discrimination cases. The Act became the first major legislation signed by President Obama.

### ***Enhancing Worker Safety***

Senator Kennedy was a long-standing champion of worker safety. America has made major progress toward guaranteeing every American worker a safe working environment, but too many employees are still being injured or killed on the job. In 2007, 80 workers in Massachusetts alone lost their lives on the job.

Senator Kennedy wrote and introduced legislation to honor the memory of workers who died in the workplace by requiring companies that fatally endanger their workers to pay significant penalties. In 2008, he issued a strong report documenting the failure of current law to make employers take worker safety seriously. The bill expands current safety laws to cover employees who are not currently protected, increases penalties for employers who put their employees at risk, and protects the public's right to know about unsafe workplace violations.

Senator Kennedy also took a prominent role in improving safety for the nation's miners. After the tragedies at the Sago and Alma Mines in 2006, Senator Kennedy successfully championed bipartisan mine safety reform legislation, the MINER Act, which became law later that year. The Act was the most sweeping reform of the nation's mine safety law in a generation. It guarantees miners updated mine technology, stricter safety standards, and tougher enforcement.

But after that legislative victory, Senator Kennedy continued to lead the fight to protect miners. He pressed for additional mine safety reforms and serious investigations of mine safety disasters. His investigation of the 2007 Crandall Canyon mining disaster was the first to reveal the serious lapses by both the mine operator and the federal Mine Safety and Health Administration that led to the deaths of nine miners and rescue workers.

### ***Protecting the Right to Organize and Associate Freely***

Senator Kennedy believed strongly that protecting workers' voices on the job is essential to the survival of the middle class. Unfortunately, too many unscrupulous employers do not respect their workers' basic right to form a union and bargain for fair wages, decent benefits, and safe working conditions. In 2007, almost 30,000 U.S. workers lost pay or benefits because their employer broke the law and violated these rights.

Senator Kennedy led the battle to restore fairness to the workplace by introducing the Employee Free Choice Act, which will protect the right of workers to organize and join a union, and stop the epidemic of employer anti-union violations. Support for this important legislation continues to grow—in 2007, the bill passed the House, and a majority of the Senate voted to begin debating this vital legislation, but the bill was halted by a Republican filibuster. Kennedy reintroduced the bill in 2009.

In addition, Senator Kennedy was a cosponsor of bills to restore collective bargaining rights to groups of workers who were stripped of their rights by the National Labor Relations Board, including millions of nurses, construction workers, and graduate student teaching assistants.

Kennedy also strongly supported the collective bargaining rights of public safety officers, such as police officers and firefighters. He was a leading proponent of the Public Safety Employer-Employee Cooperation Act, bipartisan legislation that public safety workers the right to form and join a union and bargain with their employers over wages, hours, and working conditions under state law. Enabling these workers to bargain collectively increases their safety, reduces costs, for state and local communities, and improves life-saving services for communities across the nation.

### ***Compensating Energy Employees***

Senator Kennedy was a key sponsor of the Energy Employees Occupational Illness Compensation Act of 2000, which compensates men and women who, in helping to build our nation's defenses, were often unknowingly exposed to radiation and other toxic substances. He helped to push through key reforms to the program in 2004 to ensure that nuclear workers and their surviving family members receive the compensation they are owed. By 2009, the federal government had paid out more than \$5 billion in benefits to more than 73,000 workers and survivors nationwide, including over \$13 million in compensation and medical benefits to workers who were employed at facilities in Massachusetts.

### ***Protecting the Rights of Federal Employees***

Senator Kennedy was always a champion of the rights of federal employees, and was a leading opponent of the Bush Administration's efforts to privatize the jobs of federal workers without fair competition or demonstrated cost savings. In January 2008, under Senator Kennedy's leadership, Congress passed legislation to substantially restrict the privatization of federal jobs, including prohibiting the outsourcing of federal work to private contractors that do not provide adequate health benefits to their employees.

Senator Kennedy was also a longstanding advocate for federal employee collective bargaining rights. He fought hard against proposals by the Bush administration to change federal personnel rules and effectively eliminate the ability of federal employees at the Department of Defense and the Department of Homeland Security to engage in collective bargaining. This dangerous proposal would have undermined the rights of more than 6,400 defense employees in Massachusetts alone. Two federal courts have now ruled that this proposal violates the law, and in January 2008 Congress took substantial steps advocated by Senator Kennedy to restore collective bargaining rights to national security personnel.

### ***Preventing Genetic Discrimination***

For the first time, humans possess the ability to decode the very building blocks of human life. This window into our genetic blueprint holds great promise for mankind in the treatment and prevention of myriad illnesses and diseases. However, these treatments and innovations will never be realized until people feel confident that they are safe from potential misuse of their genetic information.

Senator Kennedy was a pioneering and ardent supporter in the fight for federal laws to prevent genetic discrimination. He led the 13-year fight to pass legislation protecting the privacy of genetic information and banning discrimination in health insurance and employment based on genetic information. Last year these efforts resulted in the first major civil rights law of the new century, the Genetic Information Nondiscrimination Act. This pioneering legislation will open the door to modern medical progress for millions and millions of Americans, ensuring that people can take advantage of genetic tests and seek treatment without fear of losing their health insurance, their jobs, or their privacy.

### ***Helping Massachusetts Fishermen***

In 2006, Senator Kennedy successfully included \$5 million in the budget to assist fishermen in New England who were prevented from catching shellfish by a massive red tide outbreak. And in 2008, he successfully advocated for additional assistance---\$2 million for Massachusetts shellfishermen---in response to another red tide outbreak that summer.

In 2008, Senator Kennedy secured \$13.4 million to provide essential relief to Massachusetts fishermen struggling under strict reductions to the number of days-at-sea they may catch cod and other groundfish.

### **Protecting the Environment and Promoting Energy Efficiency**

#### ***Holding Oil Companies Accountable***

During consideration of a 1975 tax cut proposal, Kennedy introduced a provision targeting the oil depletion allowance, which since 1926 had enabled oil producers to exclude 22 percent of their revenues from any taxes. Kennedy's initiative passed overwhelmingly, trimming the allowance for independent producers and ending it for the major oil companies.

#### ***Raising Fuel Economy Standards:***

Senator Kennedy has a long and distinguished record supporting clean renewable sources of energy and reducing the nation's reliance on fossil fuels. More than 30 years ago he cosponsored the first law to establish fuel economy standards. And in 2007, he supported a law which increased fuel economy standards, which is essential to cutting greenhouse gas emissions.

#### ***Promoting Energy Research and Development:***

In 2007, Senator Kennedy's "America COMPETES Act" was passed by both chambers of Congress and sent to the White House to become law. That bill established an Advanced Research Projects Authority at the Department of Energy to be the focal point of federal efforts to support breakthrough research on new clean energy technologies.

In 2009, Senator Kennedy urged that funds from the American Recovery and Reinvestment Act be used to build a wind blade technology testing facility in Massachusetts, and in May 2009, Energy Secretary Steven Chu announced that \$25 million of such funds will be available for the project at the Autoport in Charlestown.

#### ***Improving Energy Efficiency***

Senator Kennedy was a strong proponent of increasing energy efficiency, which is an essential part of reducing greenhouse gas emissions. He was a long time supporter of programs like

the weatherization assistance program and the Low-Income Home Energy Assistance Program that helps those most in need reduce their energy bills by improving home energy efficiency.

### ***Preserving Massachusetts Heritage***

In 2009, Senator Kennedy obtained passage of several bills important to the preservation of historic sites throughout Massachusetts. His work resulted in the enactment of legislation to expand the boundary of the Minute Man National Historic Park to include the historic Colonel James Barrett's Farm, the colonial munitions depot that was the target of the British march on Concord and Lexington in 1775.

Other bills he sought were enacted to protect the Taunton River by adding it to the National Park Service's Wild and Scenic River program and to extend the term of the Cape Cod National Seashore Advisory Commission.

He also worked with Senator Kerry to enact bills to add the New England Scenic Trail to the National Trails System, establish the Freedom's Way National Heritage Corridor, and authorize cooperative agreements between the Boston Harbor Islands National Recreation Area and non-profit entities. He joined with Senator Dodd of Connecticut to pass legislation extending the authorization for the Quinebaug-Shetucket National Heritage Corridor.

In 2008, Senator Kennedy had legislation enacted to provide the Essex National Heritage Area a \$5 million budget increase to continue a successful public-private partnership to preserve the region's historic and cultural resources.

Also in 2008, he had legislation enacted to expand the boundary of Lowell National Historical Park to allow for the expansion of the city's historic canal walkways. Lowell Park celebrates the nation's industrial heritage and its canal-ways were used to power the factories along the Merrimack River.

He enacted legislation in 2008 which directs the National Park Service to study whether to establish a unit in: the city of Taunton, home to Taunton Green, where the Sons of Liberty flew an early version of the U.S. flag in 1774 in protest of British control of the colonies; the First Parish Church, which was built in 1647, where negotiations took place in 1671 between Plymouth Colony and Metacomet of the Wampanoag Tribe before war broke out ("King Phillip's War") between the English colonists and the Tribe in 1675; and the Bristol County Courthouse complex designed in 1894 by Frederick Law Olmsted, who also designed Central Park, Brooklyn's Prospect Park, Boston's Emerald Necklace, and the U.S. Capitol grounds.

Also in 2006, Senator Kennedy worked to enact legislation authorizing \$10 million for the John H. Chafee Blackstone River Valley National Heritage Corridor, which provides visitors a rare glimpse into 19<sup>th</sup> century living in mill communities. He also supported passage of a law in 2006 establishing the Upper Housatonic National Heritage Area, which includes 139 properties and historic districts listed on the National Register of Historic Places, including Edith Wharton's home in Lenox, Herman Melville's home in Pittsfield, and W.E.B. DuBois' boyhood home in Great Barrington.

### ***Cleaning up the New Bedford Harbor Superfund Site***

Senator Kennedy worked for years to clean-up the 18,000-acre New Bedford Superfund site, which is located in a tidal estuary. The area's sediments are highly contaminated with PCBs. Despite its listing as a Superfund site more than a quarter of a century ago, inadequate resources have been budgeted to complete this important project.

Senator Kennedy urged that funds from the American Recovery and Reinvestment Act be used for the clean-up, and in April 2009, EPA Administrator Lisa Jackson announced that up to \$35 million of such funds will be available for the project.

### **Providing a Leading Voice for Human Rights and Democracy around the Globe**

For nearly half a century, Senator Kennedy was a leading voice for human rights, social justice and democracy throughout the world. In numerous ways, Kennedy has demonstrated an ability to substantially shape U.S. foreign policy over the course of his career.

#### ***Northern Ireland***

Inspired by the U.S. civil rights movement, civil rights demonstrations began in Northern Ireland in 1969, and the large Irish American community was galvanized. Concern grew as British policy became more repressive. Senator Kennedy expressed his strong support for the goals of the Northern Ireland Civil Rights Association.

In 1970, Senator Kennedy delivered the bicentennial address at Trinity College in Dublin, condemning oppression in Northern Ireland. As the violence escalated, Senator Kennedy condemned the British policy of internment without trial in Northern Ireland. He called Northern Ireland "Britain's Vietnam."

Senator Kennedy, Senator Abraham Ribicoff of Connecticut, and Representative Hugh Carey of New York introduced Senate and House resolutions calling for the immediate withdrawal of British troops from Northern Ireland. The January 1972 Bloody Sunday massacre of Catholic protesters by British troops in Derry, Northern Ireland generated strong reaction by Irish Americans against British policy in Northern Ireland.

Senator Kennedy called John Hume to find out what was going on. He told him he would like to talk to him about Northern Ireland and said he would be in Bonn in November for the NATO Assembly meeting. Hume flew to Bonn to meet him. They met for dinner on November 21st at the Irish Ambassador's residence in Bonn.

In 1977, influenced by John Hume's view that Americans should not send money for IRA guns, Senator Kennedy, Senator Daniel Patrick Moynihan, Speaker Tip O'Neill, and Hugh Carey, who had become Governor of New York, joined in a strong St Patrick's Day message urging Irish Americans to support moderation, dialogue and an end to the violence. The four were dubbed the Four Horsemen. (A photo montage of the four was created in 1981, using the legendary backfield of the 1924 Notre Dame football team.) The St. Patrick's Day statement became a way for Irish American leaders in Congress to annually urge action on Irish issues.

In August, acting on the initiative of Senator Kennedy and Speaker Tip O'Neill, President Carter issued a strong statement on Northern Ireland. Kennedy called it the "most important and constructive initiative ever taken by an American President on the Irish issue." The U.S. statement appealed to all sides, including Irish Americans, not to support violence. It also promised additional U.S. investment in Northern Ireland when a political solution is found.

In 1981, Kennedy, Moynihan and Speaker O'Neill founded the "Friends of Ireland" in Congress to support initiatives for peace and reconciliation in Northern Ireland.

Responding to the Anglo Irish Agreement of 1985, the Reagan Administration and Congress (led by Senator Kennedy and the Friends of Ireland) created the International Fund for Ireland, in fulfillment of President Carter's 1977 pledge. The Fund continues to be used for job-creation and encouraging peace and reconciliation.

Working closely with Senator Alan Simpson, Senator Kennedy secured passage of the Immigration Act of 1990, a comprehensive overhaul of the law relating to legal immigrants. This Act, among other things, created the diversity visa program, which leveled the playing field by permitting the admission of immigrants from countries, such as Ireland, that had been short-changed by existing laws

In 1993, Senator Kennedy was contacted by Irish Americans led by Niall O'Dowd, the publisher of the Irish Voice newspaper. Mr. O'Dowd believed an end could be brought to IRA violence with the direct involvement of the United States.

Senator Kennedy visited his sister Jean Kennedy Smith, American Ambassador, in Dublin over New Year's Eve 1993/94. During that trip, he met with many individuals critical to a potential peace process, including Taoiseach Albert Reynolds, who told him of his support for a visa for Gerry Adams, the leader of Sinn Fein, to visit the US.

When he returned to the States, Senator Kennedy saw John Hume at the funeral of Speaker Tip O'Neill in January. They arranged to meet for dinner that evening. Over dinner, Hume told Kennedy of his belief that Adams was committed to non-violence, and persuasively expressed his support for a visa for Mr. Adams.

Senator Kennedy decided that a visa for Adams could help bring about an IRA cease-fire and jump-start the peace process. Shortly after he returned to the United States, he urged President Clinton to approve the visa. The U.S. State Department, Justice Department, and the British government all opposed a visa for Mr. Adams.

On January 15 1994, Senator Kennedy initiated a bipartisan letter to President Clinton — signed by 42 members of Congress — urging the granting of a visa for Gerry Adams, calling it a "rare opportunity for our country to contribute to peace in Northern Ireland." Before the visa was granted about two weeks later, more than 50 Members had signed on to express their support for the letter.

Senator Kennedy continued to work with the White House and the President's National Security Council on the issue. President Clinton granted Mr. Adams the visa and, in August 1994, the IRA called an historic cease-fire, an event that Mr. Adams has said would not have transpired

had he not been granted the visa. Six weeks later, Protestant paramilitaries announced their own cease-fire.

When the IRA cease-fire was broken early in 1996, Senator Kennedy worked to re-instate it. He made efforts to reach out to the leaders of both the Unionist and Nationalist communities and maintain the hope for peace.

Decisive changes of leadership occurred in May 1997, when Tony Blair led his Labour Party to victory in the United Kingdom, and in June 1997, when Bertie Ahern returned Fianna Fail to power in Ireland. Both leaders were committed to moving the peace process forward, and peace talks resumed in June. In July, the IRA restored its cease-fire, and Sinn Fein was invited to the talks in August.

Senator Kennedy visited Northern Ireland for the first time in January 1998, meeting with both Unionists and Nationalists in Belfast and Derry. The inclusive peace talks, chaired by former Senator George Mitchell, led to the Good Friday Peace Agreement in April, the most promising opportunity for lasting peace in the three-decade old conflict in Northern Ireland.

Senator Kennedy has encouraged the decommissioning of all paramilitary weapons, demilitarization in Northern Ireland, and advances in the equality agenda guaranteed by the Good Friday Agreement. When the Northern Ireland Assembly was suspended, Senator Kennedy worked with the leaders in Northern Ireland for it to be reinstated.

In response to legislation passed by the House of Commons on the implementation of the Patten Commission recommendations, Senator Kennedy introduced a resolution in the Senate on police reform, calling for the full and speedy implementation of the recommendations of the Patten Commission. In an October 2000 editorial for the Washington Post, Senator Kennedy expressed his concerns that the most significant reforms recommended by Patten were not adequately included in the implementing legislation.

Senator Kennedy continues to meet with the leaders of the Northern Ireland Peace Process during to discuss ways in which all of the parties can continue to move the Peace Process forward.

Senator Kennedy has been a steady voice calling for all paramilitaries in Northern Ireland to get rid of their weapons and to abandon crime.

On St. Patrick's Day 2005, Senator Kennedy met with the sisters of Robert McCartney, who was murdered in Belfast by members of the IRA. Kennedy has urged cooperation with the Police Service of Northern Ireland, and has continued to call for justice for Roberts McCartney's murder.

As the only significant elected party with a paramilitary wing in Northern Ireland, Kennedy consistently argued that Sinn Fein had a unique responsibility to take the gun and criminality out of politics once and for all. His consistently tough message, coupled with a decision not to see Gerry Adams on St. Patrick's Day in 2005, contributed to the decision of the IRA to disarm in September of 2005.

In 2007, Senator Kennedy heralded the dawn of the new government. In May 2007, he traveled to Northern Ireland as a part of a White House delegation to witness the historic start of

the new government.

In December 2007, Senator Kennedy hosted the historic meeting in the Senate for First Minister Paisley and Deputy First Minister McGuinness, on the occasion of their first joint trip to the United States.

Senator Kennedy annually leads support in the Senate for an appropriation for the George J. Mitchell Scholarship program, which annually sends future American leaders to study in Ireland and Northern Ireland for a year of post-graduate study.

Said Irish Voice publisher, Niall O'Dowd in 1997, "[Kennedy] has led the cause of Ireland on Capitol Hill for over a generation now and has often received little recognition in return. I am convinced that when the history of this era is written, however, that he will loom largest of all. He deserves the gratitude and respect of every Irish American for what he has done."

### ***South Africa***

Violence in South Africa had escalated in 1984 and 1985. Senator Kennedy visited in January 1985 as a guest of Bishop Desmond Tutu and the Rev. Allan Boesak to observe the situation.

He met with Winnie Mandela, the South African cabinet, and debated constructive engagement with U.S. Ambassador Herman Nickel.

In July, 1985, South African President P.W. Botha declared a state of national emergency to deal with the mounting crisis. In the U.S. the fight against apartheid had gained a new sense of urgency. Local governments were enacting sanctions, and prominent individuals and ordinary citizens were being arrested daily in protests in front of the South African Embassy in Washington.

In response to this mounting crisis, Senator Kennedy introduced the Anti-Apartheid Act of 1985 in March. Cong. Bill Gray simultaneously introduced it in the House. In response, Sen. Lugar introduced a milder version of sanctions, which was combined with Gray's House version of Kennedy's bill, and attracted broad, even veto-proof, support.

To head off the legislation, President Reagan imposed sanctions on South Africa on September 9, 1985. Reagan's Executive Order included most of the elements of the bill under consideration:

- A ban on most loans;
- Halt to import of Kruggerrands
- Ban on computer exports to security forces;
- Ban on exports of nuclear technologies.

At the time, Reagan's action was viewed as a major change of direction for him, although the sanctions would have only limited effect. (Most banks had already ceased lending to South Africa; gold could still be sold in bullion form; computers could be had from European vendors; and nuclear exports were already banned by President Carter).

Because of the Executive Order, Senator Lugar withdrew his bill from consideration, much to the dismay of Senator Kennedy and others, and no further action was taken in 1985.

The drumbeat for action only intensified in 1986 and legislation was again introduced in both Houses. The Senate Foreign Relations Committee, under chairman Lugar, sought to pass a law that would emphasize carrots — in the form of support for positive programs like the Sullivan Principles — and minimize the stick of economic sanctions.

The pressure for sanctions, however, was broad-based. The mood in the nation was strong for sanctions, and players were acting individually in a common cause.

Lugar's committee eventually had to include the sticks of sanctions to address the concerns of committee Democrats and, particularly Senator Kennedy, who insisted that the U.S. take a moral stand. The final bill in 1986, therefore, became a mixture of punishments and incentives. To obtain passage, Lugar promised Democrats in the Senate and House that he would personally seek Reagan's signature, and failing that, lead the veto override effort.

The battle in the Senate involved many players. Lowell Weicker, a principal leader of the sanctions movement, noted that he had been in the Senate for 16 years and "for 16 years nothing was done, as much by this Senator as anyone else." Now, he said, Congress was speaking out against the "greatest moral wrong of our time." Meanwhile, Senator Helms, hoping to perhaps derail the bill, introduced an amendment calling on both the South African government and the ANC to renounce violence. To avoid delay, the Senate approved Helms amendment, and he and other conservatives agreed to offer no others. Senator Dole and Senator Lugar supported the Helms amendment, Kennedy and Weicker led the opposition to it. The version finally adopted was the product of a Weicker-Helms compromise.

The Senate first rejected, and then accepted an amendment by Kennedy adding sanctions imposed by the British Commonwealth, involving steel and bank loans. Lugar attacked the Kennedy amendment, but Paul Simon supported it. Cranston's amendment banning textile imports was adopted. Weicker and Kennedy won approval of another amendment ending a double taxation treaty, U.S. government purchases of South African services, and tourism and trade promotion by South Africa. Sarbanes's amendment banning U.S. airline service was also adopted by voice vote.

In the end, Reagan did veto the bill and Congress overrode the veto, 313-83 in the House and 78-21 in the Senate.

### ***Latin America***

Since the early 1970s, Senator Kennedy has been an advocate for democracy and human rights in Latin America. He opposed military dictatorships in Chile and Argentina in the 1970s, and he remains a strong voice for human rights today.

In the early 1970's, in reaction to President Nixon's rebuff and isolation of the democratically elected government of Allende, Senator Kennedy said that the decision of Chileans in electing Allende should be accepted. Kennedy condemned the coup and urged the Senate Foreign

Relations Committee to request that Henry Kissinger testify in a public session on the suspected U.S. role in the coup.

In October, 1973 Senator Kennedy began his effort to condition U.S. assistance on the restoration of democracy and respect for human rights. During consideration of HJ Res 1131, the Senate, in a record vote of 47-41, adopted Senator Kennedy's amendment to stop military aid to Chile. The provision ultimately became law as part of the foreign aid bill of 1974 and marked the first time that Congress directed an end to military aid to another nation, without waivers, without conditions, and without delays. In subsequent years, Kennedy authored additional laws to ensure that the Administration would not have a wide-open flow of funding to the military regime.

On September 21, 1976, Orlando Letelier, the former Chilean ambassador to the U.S., and Ronni Moffitt, his American assistant, were assassinated on their way to the Senate for meetings. Senator Kennedy immediately pressed for resolution and justice. Letelier had served as Chile's Foreign Minister and ambassador to the U.S. under the Allende administration, and he had challenged the Pinochet regime. At the time of his death, he was working with Kennedy and others in Congress to promote democracy and respect for human rights in Chile.

Evidence from the crime in Washington clearly linked Chile's secret police with the assassination. In November 1993, Contreras and Espinoza were sentenced to prison for ordering the Letelier-Moffitt murders. Contreras received seven years and Espinoza six years.

In 1978, in addition to his efforts to halt assistance to the military regime, Senator Kennedy convened a major legislative conference on the future of U.S.-Chile relations. More than 30 national, labor, religious, peace, human rights, and professional organizations participated in a conference that brought together the broadest range of individuals and organizations ever in the hope of improving the conditions of human rights and democracy in Latin America.

In January of 1986, Kennedy traveled to Chile, announcing upon his arrival that the purpose of his visit was "to learn whether there has been any progress in the effort to achieve peaceful transition to democracy. I also came to state my support for nonviolence and for negotiations between the government and those committed to peaceful change." This visit, and Kennedy's meetings with members of the democratic opposition, was strongly opposed by the Chilean government.

In 1988, Kennedy and Senator Lugar announced the formation of the U.S. Committee to Support Free Elections in Chile in anticipation of the plebiscite in Chile. When the results of the plebiscite were announced Kennedy said, "The people of Chile have spoken eloquently, convincingly, and courageously. After fifteen years of military rule, Chile has said "No" to dictatorship and "Yes" to democracy. It is still a long road back. Every friend of Chile hopes that the long-awaited transition will take place peacefully, and that the military dictatorship will abide by its commitment to accept the return to democracy, now that the people have spoken."

Kennedy traveled to Chile for the inauguration of President Aylwin. After President Aylwin was elected, Kennedy introduced legislation, S. 2303, authorizing \$50 million in assistance to Chile, and he advocated the restoration of trade and investment benefits and called for technical assistance to help Chile combat its environmental problems. Kennedy supported the U.S. decision to lift sanctions against Chile.

When the Clinton Administration announced its intention to review for release documents, previously classified, that shed light on human rights abuses, terrorism, and other acts of political violence during and prior to the Pinochet era in Chile, Senator Kennedy argued strongly for the fullest possible release. It was, he argued, long past time for the actual documents to be made public so that the American people can know what role their government played in Chile's internal affairs from the 1960's through the mid-1970s.

Senator Kennedy's efforts on behalf of human rights in Latin America continue today. Concerned about human rights abuses in Colombia, Senator Kennedy authored a law to ensure that America's counter-narcotics assistance does not contribute to human rights violations. The law requires the Administration to certify that human rights cases against the military are prosecuted in civilian courts and that the Armed Forces are severing links with paramilitary groups.

### ***Soviet Union***

Senator Kennedy was a frequent and strong advocate of free emigration from the Soviet Union. In April of 1974, he traveled to Moscow to discuss arms control with Brezhnev. In addition, the Senator carried a list of mostly Jewish dissidents he wanted to help obtain exit visas so they could leave the Soviet Union. The list included the great cellist Mstislav Rostropovich. Another, Polina Epelman, who wanted the Senator's help in joining her husband in Israel, was prevented from meeting Kennedy in Leningrad. In Moscow, Senator Kennedy, over objections from the Kremlin, met with dissidents at the apartment of mathematician, Alexander Lerner.

On a trip to Israel in November of the same year, a woman in Beersheba approached Kennedy and explained that she was Polina Epelman. Pressure from the Senator and Marc Ginsberg of the U.S. embassy in Moscow had induced the Soviets to grant her an exit visa and she and her family wanted to thank him personally. Then, in February of 1975, Rostropovich, whose exit visa was granted while Kennedy was still in Moscow, performed at the Kennedy Center to rave reviews.

Senator Kennedy returned to the Soviet Union in 1978 and again in February of 1986. One of the conditions he set for the latter visit was the release of Anatoly Sharansky or Andrei Sakharov. Sharansky, who had been imprisoned for his Jewish activism since 1977, was released on February 11, 1986 along with 25 other "refuseniks."

The major political breakthrough of the 1986 trip was the decision by Soviet Leader Mikhail Gorbachev that the Soviet Union was willing to negotiate a separate treaty on nuclear weapons in Europe (Intermediate Range Ballistic missiles). Senator Kennedy passed this information on to the Reagan Administration, and a landmark treaty was signed in 1987.

Senator Kennedy visited the Soviet Union again in 1990. His visit was geared largely toward preventing Soviet repression of the Lithuanian nationalist movement. It also dealt with arms control issues, particularly the remaining obstacles to the completion of the START agreement. His main contribution was to underscore to Gorbachev the U.S. opposition to the Soviet use of force in Lithuania.

### ***Libya***

Senator Kennedy was a leader of the national effort to seek justice for the 270 innocent victims of Pan Am Flight 103 murdered by a terrorist bombing over Lockerbie, Scotland in 1988. Of the 189 Americans killed in the attack, 13 had families in Massachusetts. Senator Kennedy was an early proponent of bilateral and multilateral sanctions against Libya.

In 1991, the United States and United Kingdom indicted two Libyan intelligence agents for the atrocity, and the United Nations imposed sanctions on the Libyan Government. Before sanctions could be permanently lifted, the United Nations required the Libyans to transfer the two indicted suspects for prosecution, accept complete responsibility for the actions of its intelligence officer, tell the international community all that it knows about the bombing, provide appropriate compensation, and fully renounce terrorism. Senator Kennedy has consistently argued for full compliance with the U.N. conditions before lifting sanctions.

In November 1993, the Senator introduced, and the Senate unanimously passed, a resolution (S.Res. 165) asking the President to take all appropriate steps to see that the Government of Libya complies with UN resolutions requiring it to turn over the suspects indicted in the bombing. That same year, Senator Kennedy introduced a resolution in the Senate, which authorized placement of a memorial cairn in Arlington National Cemetery to honor the victims of the bombing of Pan Am Flight 103. It passed and the President signed it into law. The memorial stands as a lasting reminder of the terrorist attack against America.

Senator Kennedy consistently called for an oil embargo against Libya, pressing the Administration as well as the UN; in order to force the Libyan Government to transfer the two indicted Libyans indicted to the U.S. or U.K. for trial. He successfully appealed personally to members of the UN Security Council to support sanctions against Libya.

In 1996, the Senator authored the Iran and Libya Sanctions Act (ILSA), which imposed sanctions on any companies that invest more than \$40 million in Libyan and Iranian oil. The objective of the law is to create a disincentive for foreign companies to invest in Libya and help ensure that those American firms are not disadvantaged by the U.S. sanctions.

As a result of UN sanctions, U.S. sanctions and diplomatic pressure, the Libyan Government finally agreed in 1999 to a trial by a Scottish court sitting in the Netherlands of the two Libyans indicted for the bombing. In January, 2001, Abdel Basset al-Megrahi, was convicted of murder for the atrocity. His case has been appealed.

Senator Kennedy worked successfully in 2001 to extend ILSA for an additional five years, or until the Libyan government satisfies all of the conditions required by UN Security Council Resolutions. When the law was extended in 2001, Senator Kennedy lowered the threshold for a violation to \$20 million. He also closed a loophole that allowed oil companies to expand upon contracts that were signed before the current law was enacted.

Senator Kennedy has been the leader in Congress in opposing the war with Iraq. Time and again, he was the first to challenge the administration's course for Iraq, and events have proved him right all too often.

In September 2002 the Bush Administration was preparing to go to war without the support of the international community. Senator Kennedy was the first to argue that Iraq did not pose the type of threat that justified immediate, pre-emptive war. There was no clear and convincing pattern of Iraqi relations with either Al Qaeda or the Taliban, and war would be a distraction from the immediate threat Al Qaeda posed. In a speech at Johns Hopkins University, Senator Kennedy argued that America should not rush to war and that we should get UN inspectors back into Iraq without conditions.

In October 2002, President Bush sought approval of a Congressional resolution authorizing force against Iraq. Senator Kennedy was a leader in the congressional debate against the resolution. He was the first to question whether the war was justified under international law. He also highlighted the risks of war: that an occupation would be difficult, that our troops weren't ready, and that it would pose a strain on our reservists. Senator Kennedy and 22 other senators voted against the resolution to authorize the use of military force against Iraq.

After pressure from Senator Kennedy and others, the Bush Administration finally acquiesced in allowing UN weapons inspectors to search for Iraqi weapons of mass destruction. Yet, throughout the fall and winter, the Administration was criticized for failing to share information about suspected weapons sites and continued to beat the drum for war, unwilling to give inspectors a reasonable chance to do their job.

In a January 2003 Senate speech, Senator Kennedy again was the first to speak out, asking the critical questions that needed to be answered before the war on the cost, duration, and plans for the occupation. He introduced a resolution calling on the President to obtain additional approval from Congress before committing troops to Iraq. He questioned the administration's case for war, and its lack of evidence on Iraq's weapons of mass destruction. He argued that a rush to war would turn America into a symbol of brute force and aggression.

The Bush administration tried to answer Senator Kennedy's questions about the adequacy of their evidence, and in February 2003, Secretary Powell went to the United Nations with claims that the Iraqis were seeking enriched uranium, centrifuge tubes, and had mobile biological labs—evidence that would prove politicized, exaggerated, and false.

For this administration, however, war was a foregone conclusion. With promises that U.S. troops would be greeted as "liberators," and that the war would be a "cakewalk," the U.S. went to war with Iraq on March 19, 2003. On May 2, 2003, President Bush flew out to the USS Lincoln, and declared "mission accomplished." This turned out to be one of the many embarrassing blunders that the Bush Administration committed on Iraq.

Senator Kennedy continued to keep the pressure on the Bush Administration and highlighted the many problems with our occupation in Iraq. In July 2003, in a speech at Johns Hopkins University, Senator Kennedy criticized the administration, saying the post-war plan was based on "a quicksand of false assumptions." He was the first to propose that the US needed to diversify the face of the security force by bringing in regional forces, and seeking an international mission sanctioned by the United Nations and organized by NATO. In conjunction with these proposals, Kennedy sponsored an amendment to the defense appropriations act that required a

report on the United States strategy for reconstruction in Iraq. After this speech, the Administration finally approached the UN to craft an interim political government.

In September 2003, the Administration sought an additional \$87 billion to pay for the war in Iraq, despite promises that the war would be paid for by Iraqi funds. As Senator Kennedy had predicted, the costs of the war far exceeded the Administration's estimates. Senator Kennedy argued that the \$87 billion should not be a blank check and sought to require the administration to produce a plan for managing the post-war conflict. That October, when the legislation did not include effective conditions for genuine international participation or a policy change, Senator Kennedy voted against the funding.

In January 2004, in a speech to the Center for American Progress, Senator Kennedy accused the administration of pursuing a "single-minded ideology" in its foreign policy, and made the FIRST argument that the case for war had been politicized the previous August as Karl Rove made it "a product they were methodically rolling out." He also showed how the Administration's case for war was systematically false, breaking "the basic bond of trust between the government and the people."

The Administration desperately tried to find Iraqi weapons of mass destruction. Yet over and over again, the Iraq Survey Group, the unit assigned to the task, came up empty. In a March 2004 speech to the Council on Foreign Relations, Senator Kennedy showed, using their own words, how the Administration had twisted the intelligence and their rhetoric to make a false case for war. He challenged CIA Director George Tenet to say plainly whether the administration had misused the intelligence.

Senator Kennedy questioned Administration witnesses on the worsening situation in Iraq, and took a lead role in confronting the Administration over its failures at Abu Ghraib. In September 2004, in a blistering floor speech, Senator Kennedy tied the failures at Abu Ghraib to the administration's own leadership failures.

Later that month, in a speech at George Washington University, Senator Kennedy painted a picture of the deteriorating situation in Iraq, and highlighted the numerous reasons why the war in Iraq had damaged our national security, including distracting us from the real war on terror; alienating long-time friends and leaders in other nations; breaking the back of our military forces; distracting us from rising nuclear threats like Iran and North Korea; and neglecting our homeland security.

Senator Kennedy continued to frame the debate about the war in Iraq. In January 2005, in a speech at John's Hopkins University, he outlined realistic goals and benchmarks to end U.S. involvement in Iraq and bring our troops home and argued that a timetable for withdrawal would incentivize the Iraqis to take responsibility for their future. Kennedy stated a revision of Colin Powell's Pottery Barn rule. He said: "America cannot forever be the potter that sculpts Iraq's future. President Bush broke Iraq, but if we want Iraq to be fixed, the Iraqis must feel that they own it." In line with this vision for Iraq's future, he outlined a plan for success in Iraq. His policy called for political and military disengagement from the Iraqis, while simultaneously helping them to build up their own security forces so that they can defend themselves.

Kennedy coauthored the law requiring the Department of Defense to provide periodic reports to the Congress and American people on progress being made on security, political milestones and training Iraqi security forces so they can take responsibility for Iraq's security. He also authored the law, in August of 2006, along with Senators Reid, Biden and Levin to require a new NIE on the prospects for security and stability in Iraq. It would be the first time an NIE is produced since mid 2004. In the report, the 16 agencies of the intelligence community said – for the first time – that Iraq was in a civil war.

In January 2007, at a speech before the National Press Club, Senator Kennedy spoke out against President Bush's plan for a surge of forces in Iraq. He argued that Authorization for the use of military force no longer applied to Iraq and that the war should not be escalated. Kennedy explained the legislation that he would introduce later that day, requiring that Congress vote to grant authorization for U.S. forces to be in Iraq beyond the level that existed there on January 9, 2007. He argued against an escalation of our forces stating it will not advance our national security interests or move Iraq toward self-government.

Senator Kennedy held the first Congressional hearing on Iraqi refugees in January 2007 and led the charge for the U.S. to help solve this grave humanitarian crisis. He was the lead sponsor on Iraqi immigration and refugee legislation that have increased the number of special immigrant visas for Iraqi and Afghan translators and interpreters. Senator Kennedy believes that America has a strong obligation to keep faith with the Iraqis and Afghans who have worked so bravely with the U.S. government and military – and have often paid a terrible price for it. These interpreters and translators have been the eyes and ears of the military, and they have saved American lives.

Senator Kennedy was also the lead sponsor of Iraqi refugee legislation that required the Administration to increase its efforts to resettle Iraqi refugees and to improve its response to the overall Iraqi refugee crisis. The new law, which went into effect in January 2008, requires the State Department to create a mechanism inside Iraq for Iraqis who worked with our government to apply for refugee and immigrant status inside that country. Without such a mechanism, Iraqis were fleeing to neighboring Jordan or Syria, applying to the United Nations, and being referred back to the United States Government. The new system opens a direct mechanism for some Iraqis inside Iraq. It also created a senior coordinator for refugees to facilitate the process and ensure that our resettlement and assistance programs operate efficiently.

### ***Establishing Cultural Bridges***

In the aftermath of September 11, Senator Kennedy felt strongly that it was important to establish positive ties with the people of the Muslim world. To support that goal, in October of 2002, he and Senator Richard Lugar established a program to provide scholarships for secondary school students from countries with significant Muslim populations to spend up to one academic year in the United States. These students live with American host families, attend high school, engage in activities to learn about American society and values, acquire leadership skills, and help educate Americans about their countries and cultures. When they return home, the students apply their leadership skills in various ways that enable them to share their American experiences and observations, including community service projects. Since the program began, approximately 2,700 students from more than 30 countries have participated in it. Students from Iraq, Afghanistan,

Pakistan, Syria, Lebanon, Yemen, Jordan, Bangladesh, Ethiopia, Kuwait, Qatar and other countries have been hosted by American families throughout the United States.

## **Supporting the Troops and Defending the Nation**

### ***Working to Reduce Nuclear Weapons***

In 1982, Senator Kennedy and Senator Hatfield introduced the Kennedy-Hatfield amendment that later came to be known as the Nuclear Freeze Amendment. The amendment called for a verifiable and mutual nuclear weapons freeze between the United States and the Soviet Union. While the amendment did not win passage in the Senate, it did lay the ground work for the Reagan Administration negotiations on the START treaty with the Soviet Union.

In 1998, Senator Kennedy led the fight for ratification of the Comprehensive Test Ban Treaty. The CTBT carried on the legacy Senator Kennedy's older brother, President John F. Kennedy, started with the Limited Test Ban Treaty and Nuclear Test Ban Treaty of 1963. Sen. Kennedy worked tirelessly to end nuclear testing worldwide and achieve a safer global community. While the fight to ratify the treaty was ultimately unsuccessful, the US has voluntarily maintained a moratorium on nuclear testing.

### ***Helping Military Families***

Senator Kennedy was always a champion of military families and children. In 1985, Kennedy introduced legislation to improve the lives of military families. The bill included provisions that would make it easier for military wives to get government jobs, required the military to pay attention to the children who moved with their parents, and reduced the costs that servicemen had to pay when they were transferred from one base to another. In addition, Kennedy was a successful voice for bumping up the date of a three-percent military pay raise, arguing that military pay lagged more than 10 percent behind civilian pay for comparable jobs.

In 1989, Kennedy won passage of the National Military Child Care Act. This important legislation established the DOD child-care system that is still viewed as one of the best in the country today. Military families make difficult decisions and numerous sacrifices to defend our freedom, and the Military Child Care Act is just one way we can begin to compensate them for this.

Since the start of the wars in Iraq and Afghanistan, he has fought tirelessly to ensure that families who have loved ones deployed overseas get access to the best care and services possible. In April of 2008, Kennedy introduced the National Month of the Military Child, which honors and recognizes the achievements of children of service members. Senator Kennedy deeply understands and cares about the effects that the invasion of Iraq and Afghanistan have on military children.

### ***Protecting our Troops and Modernizing our Armed Forces***

Since the beginning of the war in Iraq, Kennedy worked to guarantee effective vehicle armor and body armor for our troops to protect them from improvised explosive devices in Iraq. Again and again, Pentagon procurement has fallen short, and troops have suffered needless casualties and deaths.

In 2003, Senator Kennedy met Brian and Alma Hart at the burial of their son John at Arlington National Cemetery. On October, 18, 2003, the Bedford, Massachusetts resident was killed in Taza, Iraq when enemy forces attacked his patrol using small arms fire and rocket propelled grenades. Before his death, John asked his parents to do something to improve the availability of armored humvees to American troops in combat. After hearing this story and John's plea, Senator Kennedy invited the Harts to testify before Congress and later secured over \$1 billion in funding for armored vehicles for our troops.

Said Mr. Hart in 2008, "Senator Kennedy taught me that government can function for the common man."

In 2005, the Senate Armed Services Committee continued to provide additional protective gear to our troops. The committee, with Senator Kennedy's support added nearly \$835 million for Army and Marine Corps armored vehicles.

In 2007, Senator Kennedy offered an amendment to the Defense Authorization Act, calling for additional funding to the Joint IED Defeat Organization's (JIEDDO) budget to explore ways to mitigate the effects of Explosively Formed Projectiles (EFPs).

Again and again, Pentagon procurement has fallen short, and troops have suffered needless casualties and deaths. He has been a consistent champion of the Mine Resistant Ambush Protected Vehicle or MRAP. The services were slow to recognize that these heavily armored vehicles could protect our troops better than up-armored humvees. Senator Kennedy has pressed for a full and fair investigation into why the Marine Corps disregarded a universal, urgent needs statement calling for MRAPs in 2002 because he feels that quicker and more complete fielding of MRAPs could have saved soldier's lives. He continues to press for streamlining for the urgent needs process to insure that our soldiers receive the best equipment possible as rapidly as possible.

Senator Kennedy led the fight to preserve the Air Force's newest, most capable airlift platform, the C-17, a unique aircraft that facilitates the delivery of necessary materials to our troops all over the world. Senator Kennedy was a strong proponent of a reasonable and affordable mix of strategic airlift. He authored language requiring the testing of C-5A and C-5B aircraft undergoing the Avionics Modernization Program (AMP) and Reliability Enhancement and Re-Engining Program (RERP) before any aircraft can be retired. Only after understanding the outcome of these two programs to modernize our C-5 fleet can the Congress and the Air Force make responsible decisions on the proper mix of the two platforms.

### ***Protecting Equal Opportunity for Women in Combat***

In 1991, Kennedy strongly supported legislation to repeal the ban on women serving as combat aviators. The bill made it possible for women to play a full and complete role in our national defense by discontinuing an archaic law preventing women from combat aviation. By repealing these outdated statutes, Sen. Kennedy helped to achieve equal opportunity for women in the military.

### ***Caring for our Wounded Warriors***

In 2008, Senator Kennedy was a champion of Wounded Warrior legislation contained in the FY08 Defense Authorization bill. In response to alarming statistics of increased suicides in the Army and the lack of adequate mental health care, he introduced National Guard and Reserve Mental Health Access Act of 2008 to improve access to mental health care for our returning Guard and Reserve men and women by requiring the prompt implementation of the Yellow Ribbon Reintegration program, a pilot program for tele-mental health, create mental health Directors in each state and territory, and provide for an anti-stigma campaign.

### ***Banning Torture***

Senator Kennedy introduced legislation in 2007 to prohibit all agencies and instrumentalities of the United States government from using any interrogation technique not authorized by the Army Field Manual. The Field Manual recognizes that torture is not an effective method of obtaining information and instead only authorizes interrogation techniques that comply with domestic and international law as well as the most basic human rights values.

Senator Kennedy's interrogation language, included in the Intelligence Authorization bill, drew a veto from President Bush in January 2008. His language was included in the FY08 Emergency Supplemental bill passed by the House of Representatives.

### **Ensuring Disabled Americans Can Live Productive Lives**

In 1978, Senator Kennedy cosponsored the Civil Rights Commission Act Amendments of 1978, which expanded the jurisdiction of the Civil Rights Commission to protect people from discrimination on the basis of disability. Two years later, Kennedy cosponsored the Civil Rights for Institutionalized Persons Act, which enforced the rights of people in government institutions such as the elderly, the disabled, the mental ill, and the incarcerated under the Constitution. This law grew out of increased awareness of the unhealthy and inhumane living conditions and treatment of many people within government institutions, such as the case of the Willowbrook State School for the Mentally Retarded, which came to the forefront in 1972. Beyond assuring humane living conditions and basic rights to such individuals, the law details its protection of the religious practice of the institutionalized.

Senator Kennedy cosponsored legislation in 1984 requiring polling stations to provide physical accessibility for disabled and elderly people on federal election days. If this is not possible, polling places are required to provide alternative voting methods so that individuals in such a situation are able to cast a ballot. The law also holds that polling places must make registration and voting aids available for the elderly and people with disabilities. In 1986, Kennedy was an original cosponsor of the Air Carrier Access Act. This law required that facilities and services be provided to people with disabilities traveling by air. Accessibility requirements applied not only to the aircrafts but also to airports and terminals.

In 1988, Kennedy introduced the Fair Housing Act Amendments to extend the Fair Housing Act of 1968 to include people with disabilities and families with children. By expanding the law, the FHAA prohibited discrimination towards people with disabilities in the sale or rental of housing and in the terms, facilities and services provided. It also sets certain guidelines for remodeling and necessary modifications to a residence for both the landlord and the tenant.

On July 26, 1990, the Americans with Disabilities Act was enacted into law. Introduced by Senator Kennedy and Senator Harkin, the ADA prohibited discrimination by a covered entity (employer, employment agency, labor organization, etc) against any qualified individual with a disability in job application procedures, hiring or discharge, compensation, advancement, training, etc. The law declared that no qualified individual with a disability shall be excluded from the participation in, denied the benefits of, or subjected to discrimination by a public entity, and also required accessible rail transportation and telephone services for persons with speech or hearing impairments.

Said Harkin, “I was thrilled when I arrived in the Senate to learn that Senator Kennedy ‘one of the top leaders in the Senate’ shared the same passion. With his help, we were able to pass the Americans with Disabilities Act and began to see real change. The law literally opened doors for people with disabilities, allowing them access to new employment opportunities, access to new places and access to fuller lives. But more importantly, the law began to change how those with disabilities were seen by others. Senator Kennedy has always dedicated his life to helping those who are too often ignored and this is no exception.”

In response the alarming level and increase in the victimization and violence against people with disabilities, Congress passed the Crime Victims and Disabilities Awareness Act of 1998. Kennedy cosponsored the bill, which directed the Attorney General to conduct a study on the issue and to include specific details regarding the crimes against people with disabilities and to include them in the National Crime Victimization Survey, an annual publication. In 2004, Kennedy was an original cosponsor of the Assistive Technology Act, which supported states in an effort to sustain and strengthen the capacity to meet the assistive technology needs of individuals. In addition, it would focus funding on investments in technology that could benefit those living with disabilities. Millions of Americans experience severe disabilities that affect their ability to see, hear, communicate, walk, or perform other basic life functions. This should not preclude any individual from enjoying full integration in the economic, political, social, and educational activities embedded in American life.

### ***Vocational Rehabilitation and Employment***

Senator Kennedy was a strong supporter of the Rehabilitation, Comprehensive Services and Developmental Disabilities Amendments of 1978. These amendments included a number of very important steps in disabilities legislation. It established a functional definition of developmental disability, created the National Council on the Handicapped and the National Institute of Handicapped Research, set a funding minimum for protection and advocacy services and authorized a grant for independent living services and opportunities for people with disabilities.

In 1982, Kennedy was one of the main cosponsors of the Job Training Partnership Act, which was designed to break down some of the barriers facing “economically disadvantaged” individuals and among them people with disabilities. Kennedy made sure to include provisions stating that people could not be excluded from the training program and the advantages it provides based on a disability or other classification. Four years later, Kennedy and Senator Quayle introduced amendments to the Act that afforded people with disabilities special consideration in the awarding of discretionary grants within this training program through the provisions of these amendments.

In 1986, Kennedy cosponsored the Employment Opportunities for Disabled Americans Act, which made work incentives for disabled individuals a permanent fixture of the Social Security Act. People working despite severe disabilities became eligible for special status to receive SSI benefits and Medicaid coverage. This special status was valid unless the impairment went away or their earnings exceeded an amount that zeroed out their cash benefits.

In 1999, Kennedy was the primary sponsor with Senator Jeffords of the Ticket to Work and Work Incentives Improvement Act. The law and its “ticket to work and self-sufficiency” program expanded employment opportunities for people with disabilities through providing disabled Social Security beneficiaries greater support and more options. It also allowed for working people with disabilities to receive benefits from Medicaid and/or Medicare.

### ***Assistive Technology***

Senator Kennedy was an original cosponsor of legislation that provided funding to all 50 states in order to raise awareness about the potential of assistive technology to significantly improve the lives of people of all ages with disabilities. It also aimed to facilitate a coordinated effort amongst state agencies to provide and encourage the use of assistive technology for individuals with disabilities. Senator Kennedy cosponsored reauthorizations of the Act in 1994, 1998, and 2004.

### ***Education***

Senator Kennedy was an original cosponsor of the Education for All Handicapped Children Act of 1975, which later became the Individuals with Disabilities Education Act (IDEA). The law served to amend the Education of the Handicapped Act and to guarantee a free and appropriate public education to children with disabilities, regardless of their severity, in all states.

Kennedy was an original cosponsor of the Handicapped Children’s Protection Act of 1986, which overturned a Supreme Court decision and allowed courts to award sensible attorneys fees to parents of children with disabilities winning in due process proceedings and other court actions under part B of the Education Act. That same year, Kennedy cosponsored amendments to the Education of the Handicapped Act, establishing a new grant program aimed at developing an early intervention system benefiting infants and toddlers with disabilities and their families. It also sought to provide and promote preschool programs for children ages 3 to 5 with disabilities.

In 1990, Kennedy was an original cosponsor of a bill that changed the name of the Education of the Handicapped Act to IDEA, changed the term from handicapped to disability, and added two categories to the amendment: autism and traumatic brain injury. It also reauthorized the programs under the previous act to provide improved support to students with disabilities particularly in the terms of computer access and assistive technology. In 1997, Kennedy was an original cosponsor of amendments that consolidated the original 9 subchapters of IDEA into 4 subchapters. Among the other changes were the inclusion of special education in state and district-wide assessments, the promotion of mediation as an option to disputes between teachers and parents of children with disabilities, a provision that special education students be disciplined in the same way as other students, the continuation of services to adult inmates with disabilities who were eligible for IDEA prior to their incarceration, and the requirement of charter schools to meet the needs of children with disabilities and to receive IDEA funds from district schools.

In 2004, Kennedy was the sponsor and lead negotiator of the reauthorization of the IDEA, with a new focus on promoting better alignment of special education with general education and having school districts be accountable for the educational outcome of all students, including students with all ranges of disabilities.

### ***Health Care***

In 1982, Kennedy was an original cosponsor of legislation that allowed for states to cover home health care services for particular children with disabilities under their Medicaid plans. This was intended to allow parents “respite” or rest periods with a trained professional helping to care for their child’s needs.

In 1991, Kennedy sponsored legislation to reorganize the Alcohol, Drug Abuse, and Mental Health Administration. Specifically, it separated the previously combined treatment and research branches of the department, which improved the capacity to effectively address both the prevention and treatment of substance abuse and mental health.

In 2006, Kennedy won a 5-year-long battle to pass the bipartisan Family Opportunity Act. The law provides states the option of allowing families of disabled children to purchase health coverage through Medicaid. The bill passed as an amendment to the budget reconciliation bill.

In 2008, after more than 10 years of effort, Senator Kennedy championed historic legislation to reform the inequities in the way mental health and substance use disorders are treated by the insurance industry. This legislation, co-sponsored by Senator Domenici, assured individuals living with mental health and substance abuse issues that their mental health benefit would be treated equally with the medical-surgical benefit regarding treatment limitations and financial requirements. This means that co-pays, out of pocket expenses, and deductibles cannot be treated differently than they way medical-surgical is treated. This legislation assured equity for 113 million Americans.

In July of 2009, Senator Kennedy succeeded in having the CLASS Act be included in the text of the *Affordable Health Choices Act* that was passed out of the HELP Committee. This bill aims to provide the elderly and disabled with a daily cash benefit that allows them to purchase the services and supports they need to remain in and be productive member of one’s community.

### ***Developmental Disabilities***

In 1975, Senator Kennedy cosponsored legislation to create a “bill of rights” for people with developmental disabilities. The bill also provided funding for services for people with this type of disability, supplemented funding for affiliated university facilities and created state-based systems of protection and advocacy groups in all 50 states. Kennedy was an original cosponsor of the reauthorization in 1987, which updated the language of the 1975 law. It also gave greater independence to the State Planning Councils, fortified the authority of the state-based protection and advocacy systems in investigations into abuse and neglect, and established separate line items for funding and training in university affiliated programs.