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Senate

The Senate met at 10 a.m. and was called to order by the Honorable ROLAND W. BURRIS, a Senator from the State of Illinois.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Lord God Almighty, may our hearts be right with You so that our lives will honor You. Bless the Members of this body. Provide them with all the direction, defense, support, and consolation they need for life's journey. As they keep their minds on You, infuse them with Your wonderful peace. Lord, give them an abundant supply of Your spirit that they will submit to You in every trial, trusting You even when walking through the valley of shadows. Uphold them by Your might that they may move forward with faith and perseverance.

We pray in Your sacred Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable ROLAND W. BURRIS led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. BYRD).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, June 16, 2009.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable ROLAND W. BURRIS, a

Senator from the State of Illinois, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. BURRIS thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

Mr. REID. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

SCHEDULE

Mr. REID. Mr. President, following leader remarks, the Senate will be in a period for the transaction of morning business for an hour. Senators will be permitted to speak for up to 10 minutes each. The majority will control the first 30 minutes and the Republicans will control the next 30 minutes. Following morning business, the Senate will resume consideration of the motion to proceed to S. 1023, the Travel Promotion Act. There will be 1 hour for debate prior to a cloture vote on that motion to proceed. Senators should expect the vote to begin as early as quarter to 12 today. The Senate will recess, as we do on every Tuesday, from 12:30 p.m. to 2:15 p.m. for our weekly caucus luncheons.

HEALTH CARE

Mr. REID. Mr. President, every day, like every Senator, I get mail from

men and women across my State. People still write letters. It is not all over the Internet. People still send handwritten letters, lots of them. People offer advice, criticism, suggestions, and stories. They are making sure their representative democracy works the way they believe it should. Anyone who is watching at home and wondering whether the representatives you send to Washington actually read these letters, I can tell you that we do.

I can tell you that on no other issue have the letters my constituents have sent me underscored the urgent need to act more than the health care nightmares they have shared with me.

For example, Lisa lives in Gardnerville, NV, a beautiful place, right under the Sierra Nevada mountains. It is very scenic and beautiful. She lives in Gardnerville with her two daughters. One is 10 and one is 7. The youngest little girl suffers seizures, and her teachers think she has a learning disability. Because of her family history, Lisa, the mom, is at high risk for cervical cancer. Although she has been told by her doctors that she should get an exam every 3 months, she now goes once a year because she doesn't have the money to go every 3 months. When Lisa lost her job recently, she lost her health coverage. Now both Lisa and her daughters miss out on the tests and preventive medicine to keep them healthy. Her long letter ended with a simple plea: "We want to go to the doctor."

Braden lives in Sparks, NV. The 55-hour weeks he works to support his family just barely cover his bills. He doesn't have enough money to buy health insurance for his family, so he doesn't buy it. Braden owes a hospital \$12,000 for a trip to the emergency room—the only place he could go because he has no health care. Braden is brave, though. In his letter, he doesn't dread the debt he carries or grumble about how hard he works, but he does fear, "If I was seriously sick or injured, I would lose it all."

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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Alysia is a 21-year-old woman from Las Vegas. She needs surgery for the kidney disease with which she has suffered since she was born, but because she recently lost her job, health care is not part of her life anymore. Alysia has done everything she can to try to get help. Medicaid tells her she doesn't qualify because she isn't pregnant, doesn't have children, doesn't have disability insurance. Insurance companies refuse to cover her, calling her kidney disorder a preexisting condition. Everyone else calls this a tragedy.

These stories are as real as they come. The letters are written by people who play by the rules and don't understand why the health care system doesn't play by the rules. They are written from the heart, and many are written through pain, tears, and uncertainty. Sadly, though, they are not unique. Many Americans like Lisa skip routine medical checkups or, like Braden, live one accident away from bankruptcy or one sickness away from bankruptcy or, like Alysia, fear for the worst as they fight through the red tape.

Our Republican colleagues like things, obviously, just the way they are, the status quo. They have committed themselves to a strategy of misinformation and misrepresentation. I heard it again on the radio this morning—government health care. In fact, one Senator said that if he heard a Republican Senator say anything other than “government health care”—and he instructed them not to use “public choice” or “public option”—he jokingly said they will have to put some money in the kitty.

Misinformation and misrepresentation is not where we should be. This, together with their attempt to delay, is only going to hurt people like Alysia, Braden, and Lisa.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

HEALTH CARE

Mr. McCONNELL. Mr. President, the health care system in this country is in urgent need of reform. People are frustrated with the soaring cost of care, and they are frustrated that so many of their fellow Americans lack the coverage they need that they should be able to expect in a nation as prosperous as ours. People are also worried about the enormous burden rising health care costs is placing on American businesses, which are being forced to put off pay increases and lay off workers to cope with rising insurance premiums. And now people are concerned that a new government health plan that is being talked about will make all of these problems even worse.

For weeks, many of us have been warning about plans for a government

takeover of health care along the lines of takeovers we have seen in other areas of the private sector. Now the details of those plans are coming to light, and they raise two questions: How much is all this going to cost, and how are we going to pay for it?

Let's take just three proposals in the plan that is currently taking shape in the Health, Education, Labor, and Pensions Committee, the details of which are just beginning to emerge.

First, there is a massive expansion of Medicaid. Here is a program that was originally established as a partnership between the Federal Government and the States to assist the poor and disabled and which has become fiscally unsustainable. Yet, rather than reform this broken program, the HELP Committee is proposing a massive new expansion.

Second, the HELP Committee bill includes massive new subsidies for Americans with incomes higher than \$100,000 a year. The purpose of these subsidies is to help defray the cost of rising insurance premiums. We all know health insurance is too expensive, but we ought to be working to lower those premiums, not opening the Federal checkbook to drive them up even higher.

Third, the HELP Committee bill establishes a new so-called prevention and public health investment fund. The details of this fund are a little murky, but early indications are that it will direct billions of dollars to things such as having the government build sidewalks and government-subsidized farmers markets. The idea here is to use tax dollars to encourage healthier lifestyles. But at a time when Americans are buried under medical bills and frightened about losing the coverage they have, farmers markets and sidewalks are not the reforms they have in mind.

Americans want serious health care reform, not expansion of programs that are already fiscally unsustainable, subsidies that disguise rising costs instead of addressing their causes, and billions for sidewalks and asparagus. These are precisely the kinds of proposals that mask the underlying problems and cause people to lose faith in government solutions, and they are simply not acceptable.

The details we are seeing from the HELP Committee should make us more skeptical of a government health plan, not less, and they should underscore for every American the need for the kinds of real, comprehensive reforms some of us have been calling for over the last few weeks.

The irony in this whole debate is that we are being told that America's fiscal future will be jeopardized if we do not allow these people who are proposing these outrageous so-called reforms to take over the entire health care system.

Preliminary estimates for this flawed legislative proposal are simply staggering. Just yesterday, the Congressional Budget Office released an esti-

mate of just part—just part—of the HELP Committee bill. Focusing on just this one section, the CBO determined the bill will spend \$1.3 trillion over 10 years, even though 37 million people would still be left without health insurance. Let me say that again, Mr. President. Just part of the HELP Committee bill would spend \$1.3 trillion over 10 years, after which 37 million Americans would still be uninsured. Let me say that again, as I just have. One section of the bill—one section—\$1.3 trillion, and 37 million still uninsured. And this isn't even a complete evaluation of the bill. Large proposals that will have a significant impact on the cost, such as the Medicaid expansion and a government-run plan, have not even been factored in yet.

Moreover, according to details of the HELP Committee plan, a new health care exchange would result in 15 million Americans losing the employer coverage they already have—further evidence if you like what you have, you may well lose it under a government-run plan.

How does the HELP Committee propose we pay for all this? Well, its proposal is full of creative new ways to spend taxpayer dollars, but it offers little in offsetting the cost of the overall bill. They will either charge the money to the national credit card or, more likely, raise taxes on working families. In other words, more spending, higher taxes, and even more debt. So far, some of the taxes under discussion include a new tax on soda, juice boxes, the creation of a new tax on jobs, and new limits on charitable deductions.

Based on the CBO estimate, these taxes would only be the beginning. The health care proposal being put together is not only extremely defective, it will cost a fortune. And that cost will come straight out of the taxpayers' pocketbook.

The bottom line is this: Under the illusion of reform, Americans will be asked to give up the care they like for something worse, and then they will be taxed to the hilt to pay for it. Americans don't want changes that make the entire health care system as unsustainable as Medicaid, and they don't want to go broke covering the cost.

Mr. President, I yield the floor.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period of morning business for 1 hour, with Senators permitted to speak for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the majority controlling the first half and the Republicans controlling the second half.

The Senator from New Jersey.

ORDER OF PROCEDURE

Mr. MENENDEZ. Mr. President, I ask unanimous consent that I be recognized for 15 minutes, after which the Senator from Illinois be recognized.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ACKNOWLEDGING ISRAEL'S HISTORY

Mr. MENENDEZ. Mr. President, last Wednesday, a few blocks down the street, a neo-Nazi opened fire at the Holocaust Museum. He murdered a security guard and terrorized the museum's visitors, including schoolchildren, who had come to learn, to express sympathy, and to pray. That evil act was the work of a killer who had made his hatred of other religions and ethnic groups well known. And it was a reminder that intolerance, ignorance, and anti-Semitism have not yet been defeated in our world.

This tragedy reminds us of the need of sound understanding of one of the darkest episodes in the history of the world. Far too many misrepresent the significance of the Holocaust, especially in regard to the State of Israel and her people. And far too many people deny it happened altogether, out of bigotry, hatred, and spite.

In the face of so much misunderstanding, I am compelled today to speak up about the role of the Holocaust in Israel's history and Israel's challenges in preventing anti-Semitic murder from continuing to happen.

The Holocaust was the most sinister possible reminder that the Jewish population in exile was in constant jeopardy. It was a definitive argument that anti-Semitism could appear anywhere, and its horrors galvanized international support for the State of Israel. But let us be very clear: While the Shoah has a central role in Israel's identity, it is not the reason behind its founding and it is not the main justification for its existence.

The extreme characterization of this mistaken view is the following: The Western powers established Israel in 1948 based on their own guilt, at the expense of the Arab peoples who lived there. Therefore, the current state is illegitimate and should be wiped off the face of the map. This flawed argument is not only in defiance of basic human dignity but in plain defiance of history. It is in defiance of ancient history as told in biblical texts and through archeological evidence. It ignores the history of the last several centuries. Because of what is at stake, it is well worth reviewing this history in detail, and let me make a modest attempt at a very broad overview.

There has been a continuity of Jewish presence in the Holy Land for thousands of years. Jewish kings and governments were established in that area

that is now Israel several millennia ago. After untold years of Jewish sovereignty, based in Jerusalem, the land of the Jewish people fell repeatedly to invaders—Assyrians, Persians, Greeks, Romans, and many others. Jews were repeatedly massacred and expelled, and the departure of so many from the land they had always called home developed into an unparalleled diaspora.

From the 16th century until the earliest 20th century, the land that is now Israel was under the control of a distant Ottoman caliphate based in Istanbul, and during this time, as earlier, many Jews returned to their ancestral homeland. The Ottoman Empire collapsed after World War I, and the treaty granted Great Britain a mandate over the area then known as Palestine.

The League of Nations endorsed and clarified this mandate in 1922, requiring Britain to reconstitute a Jewish national home within the territory they controlled, in accordance with the declaration made by British Foreign Secretary Balfour in 1917, making the restoration of Jewish communities in that area a matter of international law.

By the time World War II had ended, there were more than 600,000 Jews living in the British Mandate of Palestine. In 1947, the United Nations approved a plan to partition the territory into Arab and Jewish states. The Jewish Agency accepted the plan. The Arabs did not. On May 14, 1948, the State of Israel declared its independence. On May 15, five Arab nations declared war. Despite being surrounded on all sides, Israel prevailed and expanded its borders, providing a small additional measure of security against attacks which were certain to come—and did.

So to be clear, the more than 700,000 Palestinians who left Israel were refugees of a war instigated by Arab governments, bent on seizing more land for themselves. But the Arabs who left Israel after its modern founding weren't the only displaced population in the Middle East. In addition to the hundreds of thousands of Jews who left Europe during and after the Holocaust in the 20th century, more than three-quarters of a million Jews fled or were expelled from their homes in Arab and Middle Eastern nations—in cities that many of their families had lived in for nearly a millennium. Their possessions were taken, their livelihoods were destroyed, victims of nationalism and hatred of Israel.

Several thousand years of history lead to an undeniable conclusion: The reestablishment of the State of Israel in modern times is a political reality with roots going back to the time of Abraham. And so the way to consider the immeasurable impact of the Holocaust in Israel is not to ask whether the State would exist otherwise. It is, at least in one sense, to imagine how even more vibrant Israel would be if millions upon millions had not been denied a chance to know it.

The attacks on Israel have barely stopped since 1948—not just attacks by armies but attacks by individuals, attacks by tanks and terrorists, attacks that have come in the form of stones and they have come in the form of speeches. Its enemies have attempted to assassinate its people with rockets and assassinate its national character with hateful rhetoric. Today it is still surrounded by hostility; its back is still to the sea. It is surrounded by hostility from Hezbollah in Lebanon and Hamas in the Gaza strip.

In looking at the threat Israel faces on its southwestern border, one fact must be absolutely, indisputably, unequivocally clear: There is no moral equivalency between Israel and Hamas. Israel is a sovereign democratic state of 7.5 million people—Jews, Muslims, and Christians. Hamas is a terrorist organization. It won control of Gaza after men in ski masks waged gun battles with another branch of Palestinian leadership. It used that control to launch rockets at sleeping children in the nearby Israeli cities of Ashkelon and Sderot. This is the thanks Israel got for withdrawing from Gaza.

Hamas does not recognize agreements that Palestinian leaders have reached with Israel in the past, it does not recognize Israel's right to exist at all, and in fact it is ideologically committed to Israel's annihilation. Gaza's people thirst for freedom and opportunity but are held hostage to Hamas's thirst for destruction. And even today, after the consequences of menacing Israel became clear in a disastrous war, weapons are flowing freely through tunnels into Gaza, Hamas has rearmed and is readying itself for the day when it is going to take on Israel again.

Hamas and Hezbollah may be the head of the snake when it comes to terrorism, but the tail extends much further. The weapons terrorists use were sent from Iran. Money they received was sent from Iran. Propaganda supporting Hamas's campaign of terror and calling for Israel's destruction was conceived in, produced by, and broadcast from Iran.

The fundamentalist regime in Teheran isn't just an emerging threat. It doesn't just have the potential to be a threat to Israel's existence. It is a threat to Israel's existence. Under no circumstances whatsoever can we allow that conventional threat to become a nuclear one. Especially in light of the threat of Iran, and in light of the threat extremists pose to so many innocent civilians around the globe, the importance of Israel as a strategic ally and friend to the United States could not be clearer. It is hard to overstate the value of having such a stalwart democratic ally in such a critical part of the world—an ally in terms of intelligence gathering, economics, politics, and culture. Israel arose in a desert rampant with repression, a force of moderation against fundamentalism and extremism. It is an ally we can constantly depend on and count on to

be with us in international fora and on the key decisions that affect the safety and security of Americans around the world.

For more than six decades, it has been a key U.S. trading partner and a scientific innovator. We have Israeli engineers to thank for everything from advances in solar power to cell phone technology to AOL Instant Messenger. Equipment we are using in Iraq to fight terrorism and keep American troops safe was developed in Israel. Medical treatments we are using in U.S. hospitals to fight cancer, heart disease, and chronic pain were developed in Israel. Israeli-born actors are stars of Hollywood, and an Israeli astronaut has accompanied Americans into space.

So it is not only in the interest of Israel to have its full history recognized, it is in the national interest and the national security interests of the United States. It is in our interests to fully remember the unbreakable bond that has made us both stronger over the last 61 years and to make it unmistakable that our commitment is as strong as ever.

The argument for Israel's legitimacy does not depend on what we say in speeches. It has been made by history. It has been made by the men and women who have made the desert green, by Nobel prizes earned, by groundbreaking innovations and enviable institutions, by lives saved, democracy defended, peace made, and battles won. There can be no denying the Jewish people's legitimate right to live in peace and security on a homeland to which they have had a connection for thousands of years.

We can and must move forward in the peace process, and look for ways to reach agreement between all sides. But we cannot erase the moral distinctions between tyranny and freedom, and we must not edit history. If we stay true to history and follow our moral compass, I am optimistic that talks can lead to understanding and resolution of the very sensitive, detailed, and tough issues we face.

The next pages of Middle Eastern history are not doomed to be stained by an endless, senseless fight to the death. It doesn't have to be that way. Different peoples of vastly different backgrounds have peacefully thrived in the Middle East for generations upon generations, and this coexistence can happen once more.

Let us remember the words of Egyptian President Anwar al-Sadat in 1978, when he accepted the Nobel Prize for peace—words that not long before would have seemed incredibly unlikely. He said:

Let us put an end to wars, let us reshape life on the solid basis of equity and truth. And it is this call . . . of the great majority of the Arab and Israeli peoples, and indeed of millions of men, women, and children around the world that you are today honoring. And these hundreds of millions will judge to what extent every responsible leader in the Middle East has responded to the hopes of mankind.

I have been to Israel. I have shaken the hands of its citizens and visited its

holy places. I know that in the heart of Israelis there is a strong desire for peace. We can never lose sight of why peace is so important. After the unspeakable horrors of the Holocaust, the Jewish people would forever be mindful that no one knows what turns history will take and every day we are mindful that anti-Semitism has not gone away, whether in the form of a firebombing of a French synagogue, defamatory comments of a government official in South Africa, or a senseless murder in Washington DC.

Israel is the one place in the world, the one place where anti-Semitism can be structurally impossible. It is a field of hope on which fear can be vanquished, an island of refuge that can stand firm no matter how stormy the sea of history turns. That is why we must always keep it safe and always keep it free.

The United States is not simply allied with a government, it is an ally of Israel's people. It is an ally of Israel's democratic ideals. It is an ally of its history, of its aspirations for peace and prosperity, its can-do spirit, and amazing resilience in the face of threats from all sides. In that sense, we are not just Israel's allies, we are admirers, we are partners, and we are friends.

I plan to do everything I can to see that we support this friendship this year, next year, and every year thereafter.

Let me close by saying Martin Luther King said:

The arc of the moral universe is long, but it bends towards justice.

We know that in Israel's quest for security, there will be trials along the way, there will be setbacks, and there will be dangers too tremendous for words. But if we continue the work we do and continue to stay true to the values that drive our journey, then the long arc will eventually rest in place in the land of Israel and it is a just and lasting peace that will be at hand.

I yield whatever time I have, and I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Illinois.

ORDER OF PROCEDURE

Mr. DURBIN. How much time is remaining in morning business on the Democratic side?

The ACTING PRESIDENT pro tempore. Sixteen minutes.

Mr. DURBIN. I am going to ask consent for an additional 5 minutes on both sides in morning business, and I will try to not use it if I can. I ask consent for an additional 5 minutes on both sides.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. DURBIN. Mr. President, I ask unanimous consent after my remarks the Senator from Oregon be recognized.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. MCCAIN. Could I amend the unanimous consent request that I follow Senator WYDEN?

Mr. DURBIN. I ask unanimous consent that on the Republican side, for their morning business, Senator MCCAIN be recognized first.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

HEALTH CARE REFORM

Mr. DURBIN. Mr. President, this morning the Republican Senate leader, MITCH MCCONNELL of Kentucky, came to the floor to talk about health care. It is a timely conversation among Members of the Senate about the future of this important issue. I know Senator WYDEN of Oregon is going to address it as well.

Yesterday, in Chicago, IL, which I am honored to represent, the President came to speak to the American Medical Association, a gathering of doctors from all over the United States, to address this same issue. It is an issue of paramount importance to these medical professionals. They understand, as we do, that we want to maintain the best quality health care in the world. In order to do that, we have to face the realities of the shortcomings of our current health care system.

Although we have many of the best hospitals and doctors and some of the best technology, we lead the world in the development of pharmaceuticals, we also know the cost of this system is spinning out of control. People feel it; whether it is individuals buying health insurance, businesses, governments—State and local and Federal governments—all understand that if the cost of health care continues to rise as it is currently going up, it will literally break the bank, not just for the Federal Government and all the health care programs we have but for individuals and families and businesses. That is the reality.

If we do nothing, if we ignore this reality, we are doomed to face a situation where more and more of the dollars we earn as employees will go toward health care protection and health care insurance and the protection itself will diminish each year—because that is the other reality. As the cost of health insurance goes up each year, the coverage goes down.

People know what I am talking about. When the health insurance company says we have a great plan for you but, incidentally, remember the cancer test you had last year, we will not cover anything related to cancer in the future, that is not much when it comes to insurance or protection or peace of mind.

They also know that many health insurance companies make this a deadly game of a battle between what your doctor says you need and what some insurance company bureaucrat is going to negotiate. You end up on the phone with some clerk in a distant location

debating as to whether there is coverage and whether they can go ahead with the procedure they think is important for you or someone you love very much in your family. That is the reality of where we are today. We have to deal with cost and deal with it in a fashion that is appropriate.

How do we deal with it? First, this system has a lot of money in it. We spend twice as much as any other country on Earth when it comes to health protection and health care. Yet when you look at the results, the actual survival rates for many of the serious illnesses that face us, it turns out that countries that spend a fraction of what the United States spends get better results. There is a lesson to be learned. There is waste in this system.

One of the articles that is making the rounds on Capitol Hill was written in the New Yorker magazine on June 1 by a Boston surgeon named Atul Gawande. He went to McAllen, TX, and tried to understand why the cost per Medicare patient there, at \$15,000 a year, was so high, dramatically higher than many other comparable cities in the State of Texas and around the Nation.

What he found, to his surprise and disappointment, was that the doctors and hospitals in those areas were bundling up and charging people as much as possible, ordering procedures that were unnecessary, doing things that were not called for. The reason was obvious: there was money to be made. As long as they kept piling the medical bills on the patients through Medicare, they received more reimbursement. They didn't have healthier people. They didn't have an outcome that justified it. But they made a lot more money in the process.

What the President has said to us is, with all this money in the system, we have to find ways to bring in more efficiency. It is one thing to say that 48 million Americans currently uninsured will receive protection. I think that is basic. That is moral. That should be one of our primary goals. But that costs money.

When the Republican leader comes up and argues this is going to be an expensive undertaking, what he is saying is we cannot afford to insure people in America. I think he is wrong. I think there are ways to do it, and we must do it because, honestly, if they don't have health insurance, they are still going to get sick. They are still going to a doctor or hospital and all of us are going to pay for it.

Right now we estimate that for an ordinary family in America, we are paying about \$1,000 a year more in health insurance premiums to cover those who are uninsured. In other words, the health insurance policy I have through the Federal Government with the Federal employees costs \$1,000 more than it ordinarily would so there is more money in the system to cover those uninsured. If we can bring those uninsured into insurance coverage, it

gives them peace of mind, it relieves this hidden tax on families across America, and it means, frankly, that providers—hospitals, doctors, and others—are going to be adequately compensated for the care they offer to currently uninsured people.

When President Obama comes to the AMA and talks about covering the uninsured, there is usually a cheer. That is 48 million more paying customers, people who will actually pay into our system. But he also talks about something that is not as popular with many health care providers and that is reducing the cost of this system.

What happened in McAllen, TX, is unacceptable; that you can have health care providers trying to run up the bill in an effort to make more money for themselves at the expense of the government, at the expense of health insurance companies but, frankly, not to the benefit of those who are being treated.

The Senator from Kentucky frequently comes here and talks about how much he dislikes—I will use that word—government-related health care. Let's make it clear. I do not know of anyone, including the President or leaders of Congress, calling for a government health care plan to cover everyone. That is not what we are asking for. We want to make sure there is private health insurance that is held accountable and is competitive so we can help bring down the cost. But to argue there is something fundamentally wrong with government-sponsored health care, even if it is just an option, a voluntary option for customers across America, is to ignore the obvious. There are 40 million Americans today protected by Medicare. Forty million seniors and disabled people who have quality health care because of a government plan that has been in place now for over 40 years. There are also a large number of our men and women who serve in the military protected by the veterans health care system, another government health care system, who believe—and I think rightly so—that they are receiving some of the best medical care in America. I do not believe the Senator from Kentucky is opposed to the Veterans' Administration and the health care it provides, but it is a government plan.

The same is true when it comes to the Children's Health Insurance Program. That is health insurance for individual children through private companies, but the Government has stepped in to make sure these kids are covered, and I, frankly, am very proud of the fact that when President Obama took office, we extended that coverage to 11 million uninsured children in America. That was a government effort to make the private health insurance effort in our country work better.

We have to get down to the bottom line here. Are we going to succeed or fail when it comes to health care reform? If we ignore the obvious and ignore the challenges, there is a genuine

chance we may come up short. But if we accept this historic challenge to come together on both sides of the aisle, I think the American people will cheer us on. They want to maintain what is good about the current health care system and fix what is broken. They want to make sure, at the end of the day, if they have health insurance they like, a plan they think is right for them and their families, that they can keep that. They want to make sure the health care reform is centered on patients and families and the doctor-patient relationship, not on a government bureaucracy. They want to end the health insurance company bureaucracies that are so frustrating and so expensive for families across America.

When the Senator from Kentucky, the Republican leader, comes to the floor and comes up with a series of criticisms about any attempt at reform, I have a question to ask him: What is your option? What would you do? Do you accept the status quo? Do you think this is as good as it can be? I do not. I agree with President Obama. We can do better.

The President said one last thing that I am going to say; that is, he said: If this were easy, it would have been done a long time ago. It is hard, and it will take bipartisan cooperation for it to succeed. I encourage my colleagues to join in that conversation at the Finance Committee, as well as at the HELP Committee, and I hope we can produce a product this year that shows we are going to move forward together to make sure we have affordable quality health care for every American.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Oregon.

Mr. WYDEN. Mr. President, how much time remains on the Democratic side?

The ACTING PRESIDENT pro tempore. There is 11 minutes 24 seconds.

Mr. WYDEN. Mr. President, many Senators on both sides of the aisle are working constructively to fix American health care. For several years, I have spent time listening to colleagues, going to the offices of 85 Senators and at least that many in the House, and to thousands of others in the public and private sectors, about their ideas for fixing American health care. My aim with these discussions has been to find common ground and to chart a path so that this Congress and this President can do something this country has never done before: enact real health reform.

Today, I come to the floor to lay out the specifics of real health care reform. The President said yesterday that there has never been a better opportunity to get the job done; to improve the lives of all Americans and guarantee quality, affordable coverage to all of our people.

The question now is will Democrats and Republicans in the Senate rise to this challenge? Will this Congress and the President overcome the fear tactics

that have derailed past efforts? But maybe equally as important: Will this Congress and our President dare to pass real reform?

The pitfall, as I see it, is that too often we have been afraid of failure. If we draft legislation with an eye only on what we think can get passed, on what we think the American people will buy, if we play it too safe, my fear is that we will miss the opportunity for real reform. I believe that passing a reform bill that does not reform the health care system is about as wrong as not passing any bill at all.

President Obama said yesterday he will only support legislation that "earns the title of reform." I agree with the President, which is why I am going to use this morning to lay down a similar marker for what I believe is necessary to "earn the title of real reform."

First, real reform means that all of us, and especially the powerful interest groups, must accept changes resisted in the past. Insurers are going to have to change the way they do business. Pharmaceutical companies will have to be more responsive to purchasers that insist on more value and transparency. Doctors and hospitals will be held accountable for the quality of care they provide. Malpractice suits will be held to stricter standards.

Individuals will have to take greater responsibility for their health. Real health reform means changing the way business is done in the private insurance market. It means an end to insurance companies cherry-picking, a practice where the companies take the healthy people and send sick people over to government programs more fragile than they are. No longer should anyone make money by denying care to someone who needs it. That is wrong, and this Congress will make it illegal.

Real reform means everyone is guaranteed coverage by their choice of insurer. Under any new system, insurance companies must be required to cover everyone and they must be required to price with fairness so you do not get discriminated against because of your gender or your health status or your age. It means you will no longer be denied coverage or charged more because you were sick 5 years ago or today or you might be sick 5 years from now.

Real health reform guarantees that all Americans can choose their doctor and their health plan. The President said yesterday: Real reform will give every American access to the insurance exchange where they can choose to keep the care they have or pick a better plan that meets their families' needs. That means if you like the care you have, you can keep it. But it also means that if you do not like the care you have, you can reject it. You can reject it and choose a better plan.

Real reform would not only cover the uninsured, but it will make the lives of all of those who have insurance cov-

erage better. Right now the majority of Americans who are lucky enough to have employer coverage have no choice in where they get their insurance. I believe these Americans deserve choices too.

Some might say that this undermines the employer-based system. No, it does not. Rather, it makes the employer-based system more accountable at the same time that it makes health care more portable. Real health reform means that if you leave your job or your job leaves you, you will not lose your health care coverage.

Real reform will once and for all end the entrepreneurial tax in which Americans are afraid to go into business for themselves because they cannot take their health care with them. The President himself said it best when he wrote in 2006, "With Americans changing jobs more frequently, more likely to go through spells of unemployment, and more likely to work part time or to be self-employed, health insurance can't just run through employers anymore, it must be portable."

Real reform will guarantee that all Americans can afford quality health care. No longer should families be forced to pay more for their health insurance premiums than they pay for their housing. Our goal should not be to exempt those Americans who cannot afford to pay, our goal should be to guarantee that every American can afford the health care they need.

Real reform will be affordable for the Nation and for our taxpayers. It will reduce current costs and bring the rate of health care inflation in line with economic growth. Failure to meet this test would result in massive new government obligations and no means to pay for them.

Real reform must end the health care caste system in which low-income Americans are treated as second-class citizens. No longer should low-income Americans have less access to doctors than their Member of Congress or any other American. Today, 37 million adults and 10 million children effectively lack access to a primary care physician. Those are Americans who have health insurance but who cannot find a doctor to care for them. Real reform means ending the caste system in America that, in my view, discriminates against the most vulnerable and most impoverished among us. Real reform means that when you need a doctor you will be able to see one.

Real reform will reward Americans for making smart choices. Americans should be rewarded for choosing the right insurer for their families, and they should be rewarded for choosing a healthy lifestyle. This means creating a health system that no longer focuses primarily on sick care, but puts a priority on prevention as well.

Real reform will change the incentives that drive behavior in the American health system. It will reduce the demand and desire for unnecessary health care services. Health care insti-

tutions will no longer profit from the quantity of procedures they run up but will instead be rewarded for quality care.

Real reform will take an axe to administrative costs. Americans will sign up just once for health care. They will have their premiums taken from their withholding so they do not have to worry about making payments. They will go into large efficient groups so they are no longer left on their own in the individual market.

In today's non-system, people are an afterthought to the self-perpetuating bureaucracy of medical billing, reimbursement fights, coverage fights, and outright fraud, waste, and abuse. Like the President said yesterday, real reform will: "Replicate best practices; incentivize excellence; close cost disparities." In effect, he wants to see health care dollars go to pay for quality, efficient health care. And that is what I have described today.

Real reform means providing care. It means guaranteeing that all Americans have good, quality, affordable coverage, coverage that is portable. It means ensuring we end the caste system so all Americans can see doctors when they need one. And it means creating a system that is more intent on keeping people healthy than profiting from illness.

The central question, when it comes to real reform, is not who pays, but how we pay. Because everyone knows that ultimately the American taxpayer is the one footing the bill. It is now Congress's job to create an accountable system that puts the focus where it belongs, not on misguided incentives, not on shedding risk, not on quarterly profits, but on providing quality, efficient care for all our people.

That is what Americans want from this debate about health care reform. That is what I think can bring Democrats and Republicans together, working with the President under the banner of real reform. The country deserves it. It is time for this Congress to give it to our people.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Arizona is recognized.

HEALTH CARE

Mr. McCain. Mr. President, tomorrow the Committee on Health, Education, Labor and Pensions will begin consideration of a 615-page bill that seeks to reform our Nation's health care system. This bill, introduced by Senator Kennedy and others last week, has very great ambitions.

We all agree that health care reform is necessary. We all agree that Congress must act. But we must not act recklessly. We must not act with haste and political expediency. Health care reform will affect each and every American and we must do it right. I strongly believe that we have to start over and act in a truly bipartisan manner to address the issue.

Unfortunately, the legislation before that committee seeks to enact a massive government-run health care program that intrudes into the lives of all Americans by making decisions on each American's choice of doctors, employer health plans, and insurance providers, and it leaves major questions unanswered.

Every American should know the answer to how much will this massive expansion of government cost. And every taxpayer should have a clear answer to how are taxpayers going to pay for this massive government expansion.

Yesterday the Congressional Budget Office released a letter which stated that the Kennedy bill, the bill now pending for markup beginning tomorrow in committee, would insure only one-third—would insure only one-third—of the 47 million Americans who are currently uninsured, for a cost of \$1 trillion—\$1 trillion—over 10 years.

Again that only insures one-third of the uninsured. Let me quote from the Congressional Budget Office report. It says:

Once the proposal [that is the bill that we are now considering in the HELP Committee] was fully implemented, about 39 million individuals would obtain coverage through the new insurance exchanges. At the same time, the number of people who had coverage through an employer would decline by about 15 million or roughly 10 percent, and coverage from other sources would fall by about 8 million. So the net decrease in the number of people uninsured would be about 16 million, because 47 million are without health insurance in America.

So this matches an executive summary entitled "The Impact of the 2009 Affordable Health Choices Act" which was completed by the HSI Network, done by Steve Parente, Ph.D., and Lisa Tornai, M.S.

I ask unanimous consent that this report be printed in the RECORD.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

(See exhibit 1.)

Mr. MCCAIN. This study authenticates the Congressional Budget Office, because what it says is, if you want to insure every American, it is going to be \$4 trillion—not \$1 but \$4 trillion—over a 10-year period.

So to insure coverage for all Americans, as proposed in the legislation, it would cost \$460 billion annually or \$4 trillion over the next 10 years, according to a report issued last week, as I mentioned.

The best we can tell, the cost of the legislation that we are now considering is \$4 trillion. How are we going to pay for that? How are we going to pay for it? Is there a proposal yet, besides eliminating fraud, abuse, and waste?

It is unacceptable. It is not health care reform. I believe the CBO letter should be a wake-up call to all of us in this Chamber to scrap the current bill and start all over, and start all over in a bipartisan fashion with true negotiations.

Yesterday the President of the United States said the opponents of his

legislation or his proposal were fear mongering. I cannot agree with that assessment nor do I accuse the proponents of this bill of that motivation. This is not health care reform. Any bill that strips 23 million Americans of their current health care coverage and insures a mere third of the 47 million uninsured Americans is not what Americans are looking for in legislation.

Let me say, Americans are not calling for a massive government expansion. They are not calling for a new government insurance plan that will do away with existing private insurance plans or an act of a broad government panel exerting command and control of individual, small group and large employer health care plans. They are not calling for new tax cuts to health care services or penalties to individuals or small businesses if health coverage does not comply with Washington's standards. They are not calling for \$1 to \$4 trillion to be spent to fund the appetite of some who are hungry for more government intrusion into the daily lives of Americans.

Americans need health insurance, good and complete health care coverage, the security of knowing they have a job, and even better, a job where an employer can afford to provide health care coverage. If the employer does not provide coverage, we need to make it easier and affordable to get health care coverage for an American.

Two ideas: One, give every American family a \$5,000 refundable tax credit and let them go out and get an insurance policy that meets their needs. And let them go across State lines if they feel like doing it. That is pretty simple. It is not real complicated. It can be done in a bipartisan way in a matter of weeks.

That is not what is happening here, despite all of their calls, along with the President's, for bipartisanship. But it can be done if we wanted to solve the problem for the American people.

I believe it is time for Democrats and Republicans to come together and draft a bill that gets Americans the health care coverage needed at affordable rates. This should be our goal, ensuring that all Americans have coverage, not just 16 million as the Congressional Budget Office study indicates, but have everybody covered, not an unsustainable government expansion.

Again, I am calling on the White House and the Democrats to scrap this unsustainable bill and sit down and let us start from scratch. According to news reports in New York, Robert Gibbs states this morning, "This is not the Administration's bill," after the CBO letter came out.

Well, where is the administration's bill? We are supposed to be enacting legislation before the end of July. Where is the administration's bill?

We cannot afford this one. We cannot afford the one that is supposedly going to be enacted into legislation that will come to the floor of this Senate. It

does not do justice to our taxpayers and their children. Forty-two percent of U.S. voters say cutting the deficit is the most important priority for the country. The bill that is being considered tomorrow in the HELP Committee is an extraordinary step in the wrong direction.

So let me just say, scrap this bad bill. Pay attention to the Congressional Budget Office. Understand it does not achieve the goal of coverage. Understand the costs would be around \$4 trillion over a 10-year period for which, so far, there is almost no provision to pay for it. Let's sit down together and work together in order to provide Americans with the health care they need at a reasonable cost.

EXHIBIT 1

EXECUTIVE SUMMARY

2009 AFFORDABLE HEALTH CHOICES ACT
Independent Assessment by HSI Network
LLC, for Public Dissemination
SUMMARY SNAPSHOT

The Senate Committee on Health, Education, Labor and Pensions (HELP) have proposed a health reform bill called the Affordable Health Choice Act (AHC) that seeks to reduce the number of uninsured and increase health system efficiency and quality. The draft legislation was introduced on June 9th, 2009. The proposal provided adequate information to suggest what the impact would be of AHC using the ARCOLA™ simulation model. AHC would include an individual mandate as well as a pay or plan provision. In addition, it would include a means-tested subsidy with premium supports available for those up to 500% of the federal poverty level. Public plan options in three tiers: Gold, Silver and Bronze are proposed in a structure similar to that of the Massachusetts Connector, except that it is called The Gateway. These public plan options would contain costs by reimbursing providers up to 10% above current reimbursement rates. There is no mention of removing the tax exclusion associated with employer sponsored health insurance. There is also no mention of changes to Medicare and Medicaid, other than fraud prevention, that could provide cost-savings for the coverage expansion proposed. Below, we summarize the impact of the proposed plan in terms of the reduction on uninsured, the 2010 cost, as well as the ten year cost of the plan in 2010 dollars.

HELP Affordable Health Choices Act

Insurance is reduced by 99% to cover approximately 47,700,000 people.

Subsidy—Tax Recovery = Net cost:
\$279,000,000,000 subsidy to the individual market; \$180,000,000,000 subsidy to the ESI market with; Net cost: \$460,500,000,000 (annual); Net cost: \$4,098,000,000,000 (10 year)

Private sector crowd out: -79,300,000 lives.

The underlying simulation model used is ARCOLA™, a proprietary version of a health reform coverage and cost assessment analytic engine. A peer-reviewed presentation of the core model structure is summarized in the journal Health Affairs and a longer version is available as a DHHS report at www.ehealthplan.org

SCORING COMPONENTS

Major policy components considering for scoring:

Employers would have to offer health insurance or pay a tax not as yet specified.

Individuals would have to be covered by a qualified plan or pay a tax.

Medicaid for everyone up to 150% of poverty.

Sliding scale subsidy from 150% to 500% of poverty.

The government would define a qualified plan with 3 levels of coverage: gold, silver and bronze. We assume the subsidy would be priced at the silver level of benefit design.

All plans must use modified community rating: premiums can vary only by geographic region (to be defined), family structure, actuarial value of benefits, and age (maximum 2:1 range).

Public plan that pays Medicare rates +10%. Small-employer tax subsidy

SUMMARY

The plan lowers the uninsured significantly, to less than 1% of the population, but not without a cost of over four trillion dollars over 10 years. There are no provisions in the legislation to offset this course. Even if the most generous estimate of the employer sponsored tax exclusion (\$300 billion per year, including collecting FICA contribu-

tions from employers) were used and combined with fraud estimates and block granting all of Medicaid (acute and long term care), this would be a challenging proposal to finance with budget neutrality. Finally, the public plans will be quite successful in recruiting large numbers of Americans. They will also likely crowd out at 79 million individual contracts with existing private insurers.

Detailed Breakout of AHC Legislation Impact from ARCOLA™

	Affordable Health Choices Act Impact			
	Status Quo	Proposal	2010	Population
Individual Market	Population	Population	Total Impact	Impact
Insured	16,182,877	57,513,571	\$279,903,791,139	11,572,054
Uninsured	41,843,646	501,918	0	-41,341,728
		Subtotal	\$279,903,791,139	
Group Market				
Insured	162,665,411	168,980,727	\$180,626,259,236	-70,763,315
Uninsured	6,773,521	443,524	\$0	-6,329,997
		Subtotal	\$180,626,259,236	
		Total	\$460,530,050,376	
Total Market				
Insured	178,848,288	226,494,298	\$460,530,050,376	
Uninsured	48,617,167	945,442	0	-47,671,725

**2009 Affordable Health Choices Act
2010 Dollar Estimates by Plan Choices**

	Status Quo	2010	2010	Delta
	Population	Population	Fiscal Impact	
Individual Market				
HSA	6,764,409	8,837,503	\$24,523,097,130	2,073,094
Public Gold	0	21,634	\$38,352,668	
Public Silver	0	15,384,939	\$85,340,451,551	
Public Bronze	0	14,352,067	\$80,151,337,191	
PPO High	57,525	1,121,641	\$7,691,906,410	1,064,116
PPO Low	9,009,693	6,569,646	\$18,899,814,008	-2,440,047
PPO Medium	351,250	11,226,141	\$63,258,832,181	10,874,891
Uninsured	41,843,646	501,918	\$0	-41,341,728
			\$279,903,791,139	
Group Market				
HMO	38,902,944	25,212,667	\$18,220,965,760	-13,690,277
HRA	4,628,425	3,584,030	\$2,636,475,136	-1,044,395
Employer-sponsored HSA	141,186	57,501	\$43,016,344	-83,684
Opt-out HSA	277,905	2,261,246	\$6,230,527,020	1,983,341
Public Gold	0	11,159,097	\$4,940,047,142	
Public Silver	0	38,123,622	\$47,241,576,558	
Public Bronze	0	27,795,913	\$32,108,463,133	
Opt-out PPO Low	245,762	651,234	\$398,087,278	405,472
PPO High	17,286,666	19,528,447	\$26,951,344,787	2,241,781
PPO Low	2,023,263	996,385	\$424,070,922	-1,026,878
PPO Medium	87,320,502	38,739,485	\$41,431,685,157	-48,581,017
Turned Down - Other Private	11,838,759	871,099	\$0	-10,967,659
Turned Down - No insurance	6,773,521	443,524	\$0	-6,329,997
			\$180,626,259,236	
		Total Subsidy:	\$460,530,050,376	

ARCOLA™ TECHNICAL DOCUMENTATION

The ARCOLA™ model is a national health policy impact micro-simulation model designed to estimate the impact of health policy proposals at federal and state levels. The model predicts individual adult responses to proposed policy changes and generalizes to the US population with respect to: (1) health insurance coverage and (2) financial impact of the proposed changes.

This model was first used for the Office of the Assistant Secretary (OASPE) of the Department of Health and Human Services (DHHS) to simulate the effect of the Medicare Modernization Act of 2003 (MMA) on take-up of high-deductible health plans in the individual health insurance market (Feldman, Parente, Abraham et al, 2005; Parente et al, Final Technical Report for DHHS Contract HHSP233200400573P, 2005). The model was later refined to incorporate the effect of prior health status on health plan choice—a necessary step if one wants to predict enrollment more accurately. The latest model also used insurance expenditures from actual claims data to refine premiums and then predict choices again with the new premiums. The model then iterates the choice model until premiums and choices converge, and then finds an equilibrium state. A subsequent change to the model permitted state-specific predictions of policy changes as well as total federal health policy impact.

MODEL COMPONENTS & DATA SOURCES

There are three major components to the ARCOLA™ model: (1) Model Estimation; (2) Choice Set Assignment and Prediction; and (3) Policy Simulation. Often, more than one database was required to complete the task. Integral to this analysis was the use of consumer directed health plan data from four large employers working with the study investigators.

The model estimation had several steps. As a first step, we pooled the data from the four employers offering CDHPs to estimate a conditional logistic plan choice model similar to our earlier work (Parente, Feldman and Christianson, 2004). In the second step we used the estimated choice-model coefficients to predict health plan choices for individuals in the MEPS-HC. In order to complete this step, it was necessary first to assign the number and types of health insurance choices that are available to each respondent in the MEPS-HC. For this purpose we turned to the smaller, but more-detailed MEPS Household Component-Insurance Component linked file, which contained the needed information. The third step was to populate the model with appropriate market-based premiums and benefit designs. The final step was to apply plan choice models coefficients to the MEPS data with premium information to get final estimates of take up and subsidy costs.

Mr. MCCAIN. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mrs. GILLIBRAND). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MARTINEZ. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRAVEL PROMOTION ACT

Mr. MARTINEZ. Madam President, this week the Senate will be consid-

ering the Travel Promotion Act, which is an important bill for my home State of Florida.

Every year, millions of tourists travel to the United States from overseas, helping our economy, generating revenues for States and communities, and creating job opportunities for millions of Americans. But for most of this last decade there has been a huge dropoff in visitors to the United States from other countries. Between 2000 and 2008, the U.S. tourism industry has experienced an estimated 58 million lost arrivals, \$182 billion in lost spending, \$27 billion in lost tax receipts, and \$47 billion in lost payroll. We have also lost 245,000 jobs. One in eight Americans is directly or indirectly employed by the travel industry. The industry contributes \$1.3 trillion to the U.S. economy, and the industry contributes \$115 billion in tax revenue.

In Florida, home to Walt Disney World, Universal Studios, many beautiful beaches, the Everglades, some of the best fishing and snorkeling in the world, and the oldest settlements in North America, the tourism industry employs no less than 750,000 Floridians and accounts for nearly 25 percent of all of the State's sales tax collections. Last year, the United States had 633,000 fewer international travelers than we had in the year 2000. Florida has taken a harder hit, losing 1.3 million visitors over that same period of time.

Numbers do not lie. Our lack of attention to self-promotion is costing us money, jobs, and opportunities. And it is not that people are not traveling. The fact is, people are traveling to some destinations other than the United States. The world competition for the travel dollar is keen. Countries all over the world are doing all they can to attract visitors to their countries. We are competing in a world marketplace.

This is an alarming trend we are seeing in the United States, and it clearly hurts our economy. But it also has an impact on our image around the world. Studies show a person's opinion of our country is greatly improved when they visit our country. We are our own best ambassadors. But when fewer people visit here, there are fewer opportunities for others to see what our Nation has to offer and what we are all about. So increased travel to the United States is not only good for our Nation, it is also good for the way in which we portray ourselves to the world.

One of the best ways to address this is to create a comprehensive campaign to promote the United States as a travel destination. This is a way of reversing this current trend. This is a way of bringing back some of the declines to a better day so we can increase jobs and opportunities in our country.

Here is an example of what other nations spend to promote themselves in the tourism market around the world. Here is what we are competing against. This is what the United States is up against as we look to compete for the

travel dollar. Our close neighbor of Mexico spent \$149 million promoting travel to Mexico. Our other close neighbor, Canada, spent \$58 million in promoting travel to its country. China spent \$60 million in promoting travel to its country. Australia spent \$113 million. The countries of the European Union collectively spent \$800 million on self-promotion. How much has the United States spent? We have spent absolutely nothing. We spend nothing in promoting our tourism.

For years, sectors within the agricultural industry have used so-called checkoff programs to promote their products. We have heard the slogans: "Pork, the other white meat." "Beef, it's what's for dinner." "Milk, it does a body good." These are familiar slogans created by industry-sponsored campaigns. Producers kick in their own money to create a marketing campaign that benefits all producers. We need the same thing for our tourism, which is why I urge my colleagues to support moving forward on the Travel Promotion Act. It will benefit our economy, it will complement our Nation's diplomatic efforts and, perhaps most importantly, it will help to create new jobs.

The Travel Promotion Act will enable the United States to become its own ambassador by establishing a public-private campaign to promote tourism abroad. The campaign would be led by an independent, not-for-profit corporation governed by an 11-member board of individuals appointed by the Secretary of Commerce. Each would represent the various regions around the Nation and bring their expertise in promoting international travel. The program will not use taxpayer money but will instead rely on user fees paid by foreign tourists and in-kind contributions from corporate partners.

Additionally, the act will increase coordination among the Commerce, State, and Homeland Security Departments to streamline the entry and departure procedures for our foreign tourists. You see, not only are we not promoting ourselves, we are also doing a lot to complicate travel to our country. Because of those things which were done as a necessity post-9/11, we have created a lot of layers of complication for foreign travelers to visit our country. We have to continue to have the kind of protection about who visits our land to protect our homeland, but at the same time we need to use some common sense about how this is done and incorporate some modern technologies to ensure that the travel experience to the United States is not cumbersome, is not complicated, and that it is transparent and enjoyable for those who come to visit us.

In today's economy, every visitor counts. In the competitive world we live in, every competitive dollar that can be spent out there promoting travel to the United States will inure to the benefit of the job creation we will see in places such as my home State.

When you consider that visitors from overseas spend an estimated \$4,500 every time they visit the United States, more visitors will mean more jobs for Americans at a time when unemployment continues to rise.

So I truly urge my colleagues to join me in supporting this bill as we work toward increasing our Nation's presence as a tourist destination around the world. I hope, as the week unfolds, we will have an opportunity to engage in conversation and discussion and debate about this very important tourism bill, which will help most States of this country.

The fact is we want Florida to be a significant tourism destination. We are proud of that in our State, but the fact is that States around the country all can benefit and do benefit greatly from foreign tourists visiting our country. It is a great, green way of promoting jobs and opportunities in our country and one I think is long overdue. If we are going to compete effectively with countries abroad, we must, in fact, also be competitive in how we promote and advertise ourselves to the world.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Madam President, I ask unanimous consent to speak for up to 12 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

HEALTH CARE REFORM

Mr. ALEXANDER. Madam President, I am looking for a way to offer an amendment to the health care bill that would sentence every Senator who votes to increase Medicaid eligibility to 150 percent of the Federal poverty level to a term of 8 years as Governor in his or her home State, so they can have an opportunity to manage the program, to raise taxes, and to find a way to pay for that sort of proposal. If we Senators were to increase Medicaid in that way, and go home, we would find first that Medicaid is a terrible base upon which to build an improved health care system, because it is filled with lawsuits. It is filled with Federal court consent decrees that sometimes are 20 and 25 years old and take away from the Governor's and the legislature's authority to make decisions. It is filled with inefficiency. It is filled with delays. Governors request waivers to run their systems, and it may take a year or more for approval from the Federal Government for relatively simple requests. And finally, it is filled with an intolerable waste of taxpayer money because of fraud that is documented by the Government Accountability Office. As much as 10 percent of the entire program—\$32 billion a year—according to the Government Accountability Office is lost to fraud. That is the Medicaid Program.

The second thing a Senator who goes home to serve as Governor for 8 years

would find is that increasing coverage in this way will require much higher State taxes at a time when most every State is making a massive cut in services, and a few States are nearly bankrupt. For example, in my State of Tennessee, if the Kennedy bill were to pass, which would increase Medicaid expansion by 150 percent and increase reimbursement rates to 110 percent of Medicare, it would require, based on our estimates, a new State income tax of about 10 percent to pay for the increased costs just for our State, as well as perhaps adding another half a trillion dollars or so to the Federal debt.

Finally, if we were to base new coverage for the 58 million people now in Medicaid, and others who need insurance, upon this government-run Medicaid Program these Americans—who are the people we are talking about in this debate and who are the ones we hope will have more of the same kind of health care the rest of us have—we would find that a large number of them would have a hard time finding a doctor. Today 40 percent of doctors already refuse to provide full service to Medicaid patients because of the low reimbursement rates, and if we simply add more to that Medicaid Program, these people will have an even harder time getting served.

There is a better idea. Instead of expanding a failing government health care program which traps 58 million of our poorest citizens in that government-run program that provides substandard care, the better way to extend medical care to those low-income Americans now served by Medicaid is to give them government tax credits, or government subsidies, or vouchers, or money in their pockets they can use to purchase private health insurance of their choice. That sort of option for health care reform is before the Senate, if it could only be considered. It has been offered on one end by Senator COBURN and Senator BURR. It has been offered at the same time by Senator GREGG of New Hampshire. It has been offered in a bipartisan way by Senator WYDEN and Senator BENNETT who have offered a proposal that would basically give these dollars to the people who need help, let them buy their insurance, and according to the same Congressional Budget Office that said the Kennedy proposal costs at least 1 trillion more dollars, the CBO has said that Bennett-Wyden would cost zero more.

I ask that I am informed when I have 1 minute left.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator has 5 minutes remaining.

Mr. ALEXANDER. Madam President, during the last 6 months, the four words we have heard most in Washington are "more debt" and "Washington takeover," and all four words apply to the health care debate. We have seen a Washington takeover of banks, of insurance companies, of student loans, of car companies, and now,

perhaps, of health care. The President insists on a government-run insurance option as part of a health care reform plan which would inevitably lead to a Washington-run health plan.

Why would it do that? Well, putting a government-run and subsidized plan in competition with our private health insurance plans would be like putting an elephant in a room with some mice and saying: OK, guys and gals, compete. I think we know what would happen. The elephant would win the competition and the elephant would be your only remaining choice.

As for more debt, the Congressional Budget Office, in a letter sent to Senator KENNEDY, estimated that his bill, which is the only legislation the Senate Health Committee is considering, would add another \$1 trillion during the next 10 years in order to cover 16 million uninsured Americans, leaving 30 million uninsured. That is another \$1 trillion over the next 10 years that, according to yesterday's Washington Post, already is nearly three times as much as was spent in all of World War II. The Post said the proposed new debt over the next 10 years, before we get to the health care bill, is three times as much as we spent in World War II. The Congressional Budget Office estimate didn't even consider the cost of the Kennedy bill's proposals to expand Medicaid coverage.

So let's talk about Medicaid. Every State offers it. It provides health care in a variety of ways to low-income Americans who are not eligible for Medicare. The Federal Government pays about 60 percent of the costs and writes most of the rules; the States pay the rest. Fifty-eight million low-income Americans are trapped in Medicaid. It is the only place of any significant size where we don't have competition in our health care system. Think of the elephant in the room.

It was my experience as Governor—I believe it is for most Governors—that it is not only an administrative mess with substandard care, the Medicaid Program, but its costs have spiraled out of control, threatening the viability of public universities and community colleges because there is no money left for the States to support them.

Here is what would happen in Tennessee if the Kennedy bill passed, according to the State of Tennessee's Medicaid director. Our State costs would go up \$572 million if we increased coverage to 150 percent of Federal poverty. If the Fed pays for this, the Fed's cost would be \$1.6 billion—I mean the Federal budget paying for all of it, because normally the Federal budget pays two-thirds, the State one-third. If the State has to also provide Medicaid payments to physicians at 110 percent of Medicare, this would add another \$600 million in costs to the State of Tennessee. Thus, the proposal of the combination of the Health and the Finance Committees' bills that are being considered would be 1.2 billion new dollars for Tennessee. If you add the Federal Government's increase in costs

just for the Tennessee program to which the Tennessee program was expanded, it would be \$3.3 billion.

So you can see why the Kennedy bill has been called so expensive. That is not all. The Finance Committee has been discussing turning back to the States by 2015 these increased costs, although the Finance Committee is talking about a smaller expansion of coverage. So imagine a Senator going home to the State of Tennessee—it won't be me, because I have already had the privilege of being Governor—but say if one went back to be Governor of Tennessee, what would one find if we passed the Kennedy bill as it is now proposed? We would find a bill by 2015 of 1.2 billion in today's dollars, and where would the Governor get the money? Well, when one Governor proposed a 4-percent State income tax in Tennessee in 2004, a 4-percent income tax would bring in 400 million new dollars. We need \$1.2 billion under the Kennedy bill to pay for the expansion of Medicaid. So to raise nearly \$1.2 billion, a new State income tax of more than 10 percent would be needed, if all other services were held flat, and the Governor has already said that most State functions will see a decrease in funding after the stimulus money goes away.

This same problem would be true for all States. The National Governors Association says if we assume that all individuals under 150 percent of poverty are covered and there is no change in reimbursement rates, the cost to the States would be \$360 billion more over the next 10 years. If you also increase the reimbursement rate for physicians from say 72 percent to 83 percent, the Governors Association says the new cost is \$500 billion more over 10 years.

Then there is the fraud in the Medicaid Program. The Government Accountability Office says 10 percent of it is fraud—\$32 billion a year—about three-fourths of the amount we spend on prescription drugs for all seniors. Then there is the problem of access of care, with 40 percent of doctors already not being willing to provide full service to patients who are on Medicaid. So why would we expand this government-run program when it is filled with inefficiencies, delay, and waste, when it would bankrupt States, when it would add hundreds of billions of dollars to the Federal debt, and when it would provide substandard service when, instead, we could pass the Coburn-Burr bill, or the Gregg bill, or the Wyden-Bennett bill and give to the 58 million low-income Americans who are trapped in a failing government program the dollars they need to purchase private health insurance much like the rest of us have?

I hope I can find a way to offer an amendment that would require any Senator who votes for a 150-percent increase in Medicaid, who says that Medicaid expansion will go to 150 percent of the Federal poverty level, will be sentenced to go home and serve for 8 years

as Governor of his or her State so they can find out what it is like to manage such a program or to raise taxes to pay for it.

I ask unanimous consent to have printed in the RECORD following my remarks the letter from Douglas Elmendorf of the Congressional Budget Office to Senator KENNEDY of June 15 stating that his bill would add \$1 trillion more over the next 10 years to the debt, and that doesn't even include the Medicaid expansions I have talked about.

I also ask unanimous consent that an article from the Wall Street Journal of yesterday talking about State budget gaps, which shows what dire straits many States are in be printed in the RECORD.

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

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, June 15, 2009.

Hon. EDWARD M. KENNEDY,
Chairman, Committee on Health, Education,
Labor, and Pensions, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office (CBO) and the staff of the Joint Committee on Taxation (JCT) have completed a preliminary analysis of the major provisions related to health insurance coverage that are contained in title I of draft legislation called the Affordable Health Choices Act, which was released by the Senate Committee on Health, Education, Labor, and Pensions (HELP) on June 9, 2009. Among other things, that draft legislation would establish insurance exchanges (called "gateways") through which individuals and families could purchase coverage and would provide federal subsidies to substantially reduce the cost of that coverage for some enrollees.

The attached table summarizes our preliminary assessment of the proposal's budgetary effects and its likely impact on insurance coverage. According to that assessment, enacting the proposal would result in a net increase in federal budget deficits of about \$1.0 trillion over the 2010-2019 period. Once the proposal was fully implemented, about 39 million individuals would obtain coverage through the new insurance exchanges. At the same time, the number of people who had coverage through an employer would decline by about 15 million (or roughly 10 percent), and coverage from other sources would fall by about 8 million, so the net decrease in the number of people uninsured would be about 16 million.

It is important to note, however, that those figures do not represent a formal or complete cost estimate for the draft legislation, for reasons outlined below. Moreover, because expanded eligibility for the Medicaid program may be added at a later date, those figures are not likely to represent the impact that more comprehensive proposals—which might include a significant expansion of Medicaid or other options for subsidizing coverage for those with income below 150 percent of the federal poverty level—would have both on the federal budget and on the extent of insurance coverage.

KEY PROVISIONS RELATED TO HEALTH INSURANCE COVERAGE

Subtitles A through D of title I of the Affordable Health Choices Act would seek to increase the number of legal U.S. residents who have health insurance. Toward that end, the federal government would provide grants to states to establish insurance exchanges

and—more importantly—would subsidize the purchase of health insurance through those exchanges for individuals and families with income between 150 percent and 500 percent of the federal poverty level; those subsidies would represent the greatest single component of the proposal's cost. The proposal would also impose a financial cost on most people who do not obtain insurance, the size of which would be set by the Secretary of the Treasury.

The draft legislation released by the HELP Committee also indicates that certain features may be added at a later date. Because they are not reflected in the current draft, however, CBO and the JCT staff did not take them into account. In particular, the draft legislation does not contain provisions that would change the Medicaid program, although it envisions that the authority to extend Medicaid coverage will be added during Senate consideration of the bill. (By itself, adding such provisions would increase the proposal's budgetary costs and would also yield a larger increase in the number of people who have health insurance.) The draft legislation also indicates that the committee is considering whether to incorporate other features, including a "public health insurance option" and requirements for "shared responsibility" by employers. Depending on their details, such provisions could also have substantial effects on our analysis. (A summary of the key provisions that were included in this analysis is attached.)

IMPORTANT CAVEATS REGARDING THIS PRELIMINARY ANALYSIS

There are several reasons why the preliminary analysis that is provided in this letter and its attachments does not constitute a comprehensive cost estimate for the Affordable Health Choices Act:

First, this analysis focuses exclusively on the major provisions on health insurance coverage contained in certain subtitles of title I of the draft legislation. Although other provisions in title I, along with provisions in the other five titles of the legislation, would have significant budgetary effects, the analysis contained in this letter and its attachment is limited to the provisions in subtitles A through D regarding health insurance coverage.

Second, CBO and the JCT staff have not yet completed modeling all of the proposed changes related to insurance coverage. For example, the proposal would allow parents to cover children as dependents until they are 27 years old, and our analysis has not yet taken that provision into account. (Other instances are listed in the attachment.) Although this analysis reflects the proposal's major provisions, taking all of its provisions into account could change our assessment of the proposal's effects on the budget and insurance coverage rates—though probably not by substantial amounts relative to the net costs already identified. As our understanding of the provisions we have analyzed improves, that could also affect our future estimates.

Third, the analysis of the proposal's effects on the federal budget and insurance coverage reflects CBO's and the JCT staff's understanding of its key features and discussions with committee staff—but does not represent a full assessment of the legislative language that was released by the committee. Although our reading of the draft language has informed our analysis, we have not had time to complete a thorough review of that language, which could have significant effects on any subsequent analysis provided by CBO and the JCT staff.

In particular, the draft legislation includes a section on "individual responsibility" that would generally impose a financial cost on

people who do not obtain insurance—but is silent about whether people are required to have such coverage. On the basis of our discussions with the committee staff, we understand that it was the committee's intent to impose a clear requirement for individuals to have health insurance, and this analysis reflects that intent. However, the current draft is not clear on this point, and if the language remains ambiguous, that would affect our estimate of its impact on federal costs and insurance coverage.

Fourth, some effects of the insurance proposals that we have modeled have not yet been fully captured. For example, we have not yet estimated the administrative costs to the federal government of implementing the proposal or the costs of establishing and operating the insurance exchanges, nor have we taken into account the proposal's effects on spending for other federal programs. Those effects could be noticeable but would not affect the main conclusions of this analysis.

Fifth, the budgetary information shown in the attached table reflects many of the major cash flows that would affect the federal budget as a result of the proposal and provides our preliminary assessment of its net effects on the federal budget deficit. Some cash flows would appear in the budget but would net to zero and not affect the deficit; CBO has not yet estimated all of those cash flows.

LIKELY EFFECTS OF THE PROPOSAL

The proposal would have significant effects on the number of people who are enrolled in health insurance plans, the sources of that coverage, and the federal budget.

Effects on Insurance Coverage. Under current law, the number of nonelderly residents (those under age 65) with health insurance coverage will grow from about 217 million in 2010 to about 228 million in 2019, according to CBO's estimates. Over that same period, the number of nonelderly residents without health insurance at any given point in time will grow from approximately 50 million people to about 54 million people—constituting about 19 percent of the nonelderly population. Because the Medicare program covers nearly all legal residents over the age of 65, our analysis has focused on the effects of proposals on the nonelderly population.

People obtain insurance coverage from a variety of sources. Under current law, about 150 million nonelderly people will get their coverage through an employer in 2010, CBO estimates. Similarly, another 40 million people will be covered through the federal/state Medicaid program or the Children's Health Insurance Program (CHIP). Other nonelderly people are covered by policies purchased individually in the "nongroup" market, or they obtain coverage from various other sources (including Medicare and the health benefit programs of the Department of Defense).

According to the preliminary analysis, once the proposal was fully implemented, the number of people who are uninsured would decline to about 36 million or 37 million, representing about 13 percent of the nonelderly population. (Roughly a third of those would be unauthorized immigrants or individuals who are eligible for Medicaid but not enrolled in that program.) That decline would be the net effect of several broad changes, which can be illustrated by examining the effects in a specific year. In 2017, for example, the number of uninsured would fall by about 16 million, relative to current-law projections. In that year, about 39 million people would be covered by policies purchased through the new insurance exchange. At the same time, about 147 million people would be covered by an employment-based health

plan, 15 million fewer than under current law. Smaller net declines (totaling about 8 million) would occur in coverage under Medicaid and CHIP and in nongroup coverage because of the subsidies offered in the exchanges.

Budgetary Impact of Insurance Coverage Provisions. On a preliminary basis, CBO and the JCT staff estimate that the major provisions in title I of the Affordable Health Choices Act affecting health insurance coverage would result in a net increase in federal deficits of about \$1.0 trillion for fiscal years 2010 through 2019. That estimate primarily reflects the subsidies that would be provided to purchase coverage through the new insurance exchanges, which would amount to nearly \$1.3 trillion in that period. The average subsidy per exchange enrollee (including those who would receive no subsidy) would rise from roughly \$5,000 in 2015 to roughly \$6,000 in 2019. The other element of the proposal that would increase the federal deficit is a credit for small employers who offer health insurance, which is estimated to cost \$60 billion over 10 years. Because a given firm would be allowed to take the credit for only three consecutive years, the pattern of outlays would vary from year to year.

Those costs would be partly offset by receipts or savings from three sources: increases in tax revenues stemming from the decline in employment-based coverage; payments of penalties by uninsured individuals; and reductions in outlays for Medicaid and CHIP (relative to current-law projections).

The proposal would not change the tax treatment of health insurance premiums. Nevertheless, the reduction in the number of people receiving employment-based health insurance coverage, relative to current-law projections, would affect the government's tax revenues. Because total compensation costs are determined by market forces, CBO and the JCT staff estimate that wages and other forms of compensation would rise by roughly the amounts of any reductions in employers' health insurance costs. Employers' payments for health insurance are tax-preferred, but most of those offsetting changes in compensation would come in the form of taxable wages and salaries. As a result, the shift in compensation brought about by the proposal would cause tax revenues to rise by \$257 billion over 10 years. (Those figures are generally shown as negative numbers in the attached table because increases in revenues reduce the federal budget deficit.)

The government would also collect the payments that uninsured individuals would have to make. CBO and the JCT staff assume that the annual amount, which would be set by the Treasury Secretary, would be relatively small (about \$100 per person). Moreover, individuals with income below 150 percent of the federal poverty level would not have to pay that amount. As a result, collections of those payments would total \$2 billion over 10 years.

Finally, although the proposal would not change federal laws regarding Medicaid and CHIP, it would affect outlays for those programs. CBO assumes that states that had expanded eligibility for Medicaid and CHIP to people with income above 150 percent of the federal poverty level would be inclined to reverse those policies, because those individuals could instead obtain subsidies through the insurance exchanges that would be financed entirely by the federal government. Reflecting those reductions in enrollment, federal outlays for Medicaid and CHIP would decline by \$38 billion over 10 years.

I hope this preliminary analysis is helpful for the committee's consideration of the Affordable Health Choices Act. If you have any questions, please contact me or CBO staff.

The primary staff contacts for this analysis are Philip Ellis, who can be reached at (202) 226-2666, and Holly Harvey, who can be reached at (202) 226-2800.

Sincerely,

DOUGLAS W. ELMENDORF,
Director.

Attachments.

A SUMMARY OF THE KEY PROVISIONS OF THE HELP COMMITTEE'S PROPOSAL

Congressional Budget Office, June 15, 2009

Most of the proposal's key provisions would become operative in a state when that state establishes an insurance exchange (called a "gateway") through which its residents could obtain coverage; such exchanges might start offering health insurance in some states in 2012; all exchanges would be fully operational by 2014.

The proposal is assumed to require most legal residents to have insurance (though the draft language is not explicit in this regard). In general, the government would collect a payment from uninsured people, but individuals with income below 150 percent of the federal poverty level (FPL) would be exempt and the payment would be waived in certain other cases. The Congressional Budget Office (CBO) and the staff of the Joint Committee on Taxation (JCT) assumed that the annual payment amount, which would be set administratively, would be relatively small (about \$100 per person).

New health insurance policies sold in the individual and group insurance markets would be subject to several requirements regarding their availability and pricing. Insurers would be required to issue coverage to all applicants, and could not limit coverage for preexisting medical conditions. In addition, premiums for a given plan could not vary because of enrollees' health and could vary by their age to only a limited degree (under a system known as adjusted community rating). Existing policies that are maintained continuously would be "grandfathered."

There would be no change from current law regarding Medicaid or the Children's Health Insurance Program (CHIP).

Insurance policies covering required benefits that are sold through the exchanges would have actuarial values chosen by the Secretary of Health and Human Services from specified ranges within three tiers. (A plan's actuarial value reflects the share of costs for covered services that is paid by the plan.) CBO and the JCT staff assumed that the chosen actuarial values would be 95 percent (for the highest tier), 85 percent (for the middle tier), and 76 percent (for the lowest tier). Plans would be allowed to offer added coverage or benefits for an extra premium.

The subsidies available through the exchanges would be tied to the average of the three lowest premium bids submitted by insurers in each area of the country for each tier of coverage. For people with income between 150 percent and 200 percent of the FPL, the subsidies would apply to that average bid for the highest-tier plans; for people with income between 200 percent and 300 percent of the FPL, the subsidies would apply to that average bid for the middle-tier plans; and for people with income between 300 percent and 500 percent of the FPL, the subsidies would apply to that average bid for the lowest-tier plans.

The subsidies would cap premiums as a share of income on a sliding scale starting at 1 percent for those with income equal to 150 percent of the FPL, rising to 10 percent of income at 500 percent of the FPL. Those income caps would be indexed to medical price inflation, so that individuals would (on average) pay a higher portion of their income for exchange premiums over time. Individuals

and families with income below 150 percent of the FPL would not be eligible for those subsidies. (The proposal envisions that Medicaid would be expanded to cover those individuals and families but the draft legislation does not include provisions to accomplish that goal.)

Subsidies would be delivered by the Department of Health and Human Services via the insurance exchanges with some provisions for income verification. Subsidy amounts would be determined using a measure of income for a previous tax year, implying that subsidies received for a given year (for example, in 2013) would be based on in-

come received two years prior (for example, in 2011). Individuals might be eligible for larger subsidies if their income declined significantly in the intervening period or if other extenuating circumstances arose. (The draft legislation's provisions regarding verification of income are unclear, which is reflected in the analysis.)

The proposal does not include a "public plan" that would be offered in the exchanges, nor does it contain provisions that would require employers to offer health insurance benefits or impose a fee or tax on them if they did not offer insurance coverage to their workers.

In general, individuals with an offer of employer-sponsored insurance would not be eligible for exchange subsidies under the proposal. However, employees with an offer from an employer that was deemed unaffordable could get those subsidies; because the exchange subsidies would limit the share of income that enrollees would have to pay (as described above), CBO and the JCT staff assumed that an "unaffordable" offer from an employer would be one that required the employee to pay a larger share of income for that plan than he or she would have to pay for coverage in an exchange.

6/15/2009

Preliminary Analysis of HELP Committee's Insurance Proposal

NOTE: Figures in table do not reflect all elements of the proposal (see text)

EFFECTS ON COVERAGE OF NON ELDERLY PEOPLE^a

(Millions of people, by calendar year)

	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
Current Law Coverage										
Medicaid/CHIP	40	39	39	38	35	34	35	35	35	35
Employer	150	153	156	158	161	162	162	162	162	162
Nongroup	13	12	12	12	13	14	14	14	14	15
Other	14	14	14	14	14	15	15	15	15	16
Uninsured	<u>50</u>	<u>51</u>	<u>51</u>	<u>51</u>	<u>51</u>	<u>51</u>	<u>52</u>	<u>53</u>	<u>53</u>	<u>54</u>
TOTAL	267	269	271	273	274	276	277	279	281	282
Change (+/-)										
Medicaid/CHIP	-1	-1	*	1	-4	-3	-2	-2	-2	-2
Employer	2	2	-1	-7	-14	-14	-15	-15	-15	-15
Nongroup/Other	*	*	-1	-2	-5	-5	-5	-6	-6	-6
Exchanges	0	0	5	17	38	38	38	39	39	40
Uninsured	-1	-1	-3	-9	-15	-16	-16	-16	-17	-17
Post-Policy Uninsured ^b	49	51	48	42	36	35	36	36	37	37
as a Share of Non elderly	19%	19%	18%	15%	13%	13%	13%	13%	13%	13%

EFFECTS ON THE FEDERAL DEFICIT^{a,c}

(Billions of dollars, by fiscal year)

	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2010-2019
Exchange Subsidies	0	0	17	66	148	183	196	209	223	237	1,279
Employer Subsidies ^d	4	8	8	5	4	7	7	6	6	7	60
Payments by Uninsured Individuals	0	0	0	*	*	*	*	*	*	*	-2
Medicaid/CHIP Outlays	-1	-2	-1	2	-6	-7	-6	-6	-6	-6	-38
Tax Revenue Effects of Coverage Changes ^e	1	2	-2	-15	-30	-37	-40	-43	-45	-48	-257
NET IMPACT	4	7	21	58	116	146	157	166	177	189	1,042

* = Less than 0.5 million people or spending/savings of less than \$0.5 billion

Notes: a. Components may not sum to totals because of rounding. b. The count of uninsured people includes unauthorized immigrants and people eligible for, but not enrolled in, Medicaid. c. Positive numbers indicate increases in the deficit, and negative numbers indicate reductions in the deficit. d. The effects on the deficit from employer subsidies include their impact on taxable compensation. e. Increases in tax revenues reduce the deficit.

Sources: Congressional Budget Office and Joint Committee on Taxation.

The proposal would offer subsidies to small employers whose workers have low average wages and who offer health benefits to those workers. The amount of the subsidy would vary with the size of the firm (up to a limit of 50 workers), and firms that contribute larger amounts toward their workers' health insurance would receive larger subsidies. The credit would be available indefinitely, but firms would be eligible to take the credit for only three consecutive years at a time.

KEY PROVISIONS NOT YET TAKEN INTO ACCOUNT

There are several features of the proposal that CBO and the JCT staff have not yet reflected in their budget estimates. The most significant features of the proposal that have not yet been estimated would do the following:

Require insurers to offer dependent coverage for children of policyholders who are less than 27 years of age.

Delegate authority to a Medical Advisory Council to establish minimum requirements for covered health benefits and to determine the level of coverage that individuals would need to obtain in order to qualify as having insurance.

Require insurers to maintain a minimum level of medical claims paid relative to premium revenues (otherwise known as a "medical loss ratio"), or to repay certain amounts to policyholders; the HHS Secretary would have the authority to set the minimum medical loss ratio.

Apply "risk adjustment" (a process that involves shifting payments from plans with low-risk enrollees to plans with high-risk enrollees) to all health insurance policies sold in the individual and group insurance markets.

Allow employers to buy health coverage through the exchanges.

Require health insurance plans participating in the new exchanges to adopt measures that are intended to simplify financial and administrative transactions in the health sector (such as claims processing).

[From the Wall Street Journal, June 15, 2009]

STATES' BUDGET GAPS ARE ANOTHER TEST FOR WASHINGTON

(By Jonathan Weisman)

As the White House eagerly scans the economic landscape for signs of recovery, a looming drought in the form of state budget deficits could make any "green shoots" wilt.

States face a cumulative shortfall of \$230 billion from this year through 2011, and there is little sign in bailout-weary Washington of any attempt to create yet another aid program to solve that problem. But if the federal government did want to hold that drought at bay, it has options: passing another stimulus plan; assisting states in the bond market; assuming a greater share of Medicaid payments. If the recovery stalls a few months from now, those may suddenly become central to the rescue efforts.

While discouraging talk right now of any federal response to state budget woes, the Obama administration is anxiously eyeing state efforts to close persistent budget gaps. So far, 42 U.S. states have slashed enacted budgets to cope with rising demand for services and plunging revenue, according to the National Governors Association. About half have also raised taxes.

Those policies run counter to Washington's efforts to prime the economic pump, with a \$787 billion stimulus plan, plus hundreds of billions of dollars more in new lending, mortgage relief and other efforts. About \$246 billion of the stimulus funds are already going to the states, to offset rising Medicaid costs, stave off education cuts and help with infrastructure problems. Friday, the Treasury made \$25 billion in bond authority avail-

able for state and local governments under the Recovery Zone Bonds program, a little-known piece of the massive stimulus law.

But all that money will start drifting away next year, when the administration hopes a recovery will be taking hold. And that is exactly when states anticipate their fiscal problems could be even worse. "The states have so few options to respond," said Nick Johnson, director of the state fiscal project at the Center on Budget and Policy Priorities, a liberal think tank. "Drawing down reserve funds, various accounting gimmicks—those options are either gone or won't do enough. The remaining options threaten to slow the recovery."

If Washington were inclined to help, the easiest approach would be a second stimulus bill pouring more money directly into state coffers. But with a federal budget deficit approaching \$2 trillion, there is little chance of that.

So creativity is in order.

House Financial Services Committee Chairman Barney Frank has been searching for low-cost ways to step in. His staff has looked into a raft of measures to loosen state borrowing and lower the interest rates state governments must offer on their bonds. The Massachusetts Democrat would like to create a reinsurance fund, financed through premiums paid by bond sellers, which would offer bond purchasers additional assurance that their money is safe.

Legislation also could mandate that ratings companies such as Standard & Poor's would have to use the same criteria to rate state bonds as are used to rate corporate bonds—a requirement that doesn't exist now, sometimes to the disadvantage of states. "Where there's the full faith in credit behind these municipal bonds, where the full taxing power of a state or city is behind them, they never default," Mr. Frank said, yet the bonds are "treated as if they're risky."

In the short run, the Treasury or Federal Reserve could use existing programs established to prop up consumer borrowing to underwrite state bond offerings, he said. That would bring more lenders into the state bond market and lower interest costs for cash-strapped states.

President Barack Obama suggested in a recent C-SPAN interview that some kind of clever bond-market moves may be in the works. "We are talking to state treasurers across the country, including California, to figure out are there some creative ways that we can just help them get through some of these difficult times," he said.

But crafting the right balance would be tough.

Treasury officials have told California state legislators that the U.S. is monitoring the situation but isn't keen to provide assistance, according to people familiar with the matter. "It's hard to help just one state," says a government official. On the other hand, there is worry about setting up a broad short-term assistance program that some fret could turn into a permanent federal subsidy.

The move to bail out California—or any other state—is made harder by the current political climate, particularly opposition from home-state Republicans on Capitol Hill.

Rep. John Campbell, one of four California Republicans on Mr. Frank's committee, said a federal intervention would only halt state efforts to come to terms with budgets and could create incentives to spend even more. "The states are kind of on their own because the bullets are out of the federal gun," he said, "not because they couldn't print some more money but because I hope there's a recognition that printing and borrowing more money is going to have extremely negative consequences."

In response, Mr. Frank shrugs: "How am I going to get representatives from Pennsylvania and New York to send money to California if Republicans from California are fighting it?"

The PRESIDING OFFICER. The Senator's time has expired.

Mr. ALEXANDER. I yield the floor.

The PRESIDING OFFICER. The Senator from California is recognized.

EXTENSION OF MORNING BUSINESS

Mrs. BOXER. Madam President, I ask unanimous consent that morning business be extended until 15 minutes from now.

The PRESIDING OFFICER. Without objection, it is so ordered.

HEALTH CARE REFORM

Mrs. BOXER. Madam President, I decided to come to the floor to talk about a couple of things. One is health care reform and the other is the stimulus package.

We are seeing attacks from the party of no, the Republican Party, every day on this floor, and I believe the purpose is to derail health care reform. I think it is perfectly legitimate to debate how we do it, but I think when everything is stripped away, you are going to see the Republicans as the party of the status quo.

In relation to health care reform, the status quo has to go, because it is hurting our people. I will put a couple of facts out there that are irrefutable; they are just facts. The fact is, if we don't act, soaring health care costs are unsustainable for our families. In this great Nation, we pay twice as much as any other nation for our health care. The fact is we must turn this around. As the wording is now, we must "bend that cost curve," because we cannot sustain the situation as it is. It is hurting our families. Premium rises are unbelievable. We all know it in our own circumstances. And we know the uninsured keep growing. Why? Because they cannot afford the premiums or maybe companies won't take them because they may have had high blood pressure or something, and they don't get the coverage they need. So they don't avail themselves of prevention.

We have too much obesity in this country among our kids and adults. We know that prevention in and of itself could bend that cost curve. If someone understands nutrition and diet, and they get help in making sure they change their lifestyle or that their kids don't eat sugar and fattening foods all the time, it has an enormous impact on what happens to them when they get older. Diabetes is a major problem. We can turn that around, along with the heart risks that go with it later on, and the stroke risks that go with high blood pressure. These things can be controlled.

We took a first step in prevention when we passed the bill on smoking

which, for the first time, will give the FDA the ability to regulate cigarettes and keep these products away from our kids, who are lured into smoking. You know how it is, because I am sure everybody knows someone who has this addiction, how very difficult it is—those folks who want to quit have such a hard time. Clearly, if we have prevention as the name of the game, we are going to see a decrease in costs, we are going to see healthier families, and we should see lower premiums.

The question is: If we do nothing, can we sustain what happened? If we do so, it ought to stress prevention and also make sure that the insurance companies are kept honest. How do you do that? It seems to me you want to make sure we have some kind of plan out there that has to live by the same rules as the private sector, be it a cooperative, a public plan, but it should live by the same rules so we can test and judge whether our people are getting ripped off when they get these huge increases in their premiums. We also need a plan that covers the uninsured, however we deal with it, because there is no question about it that when people are uninsured, they are still going to get the health care they need. No doctor is going to turn them away when they show up in the emergency room with a stroke or heart condition that probably has not been looked at for a long time. The signs of a stroke you can find through blood pressure taking. If they haven't done that, when they show up there, who pays for it? The fact is, those costs come right back home to us. Somebody has to pay for it. That is reflected in the premium.

So here is the point. I don't think it is that complicated. If you stress prevention, and if you have a plan out there—a nonprofit plan—that can keep the insurance companies honest and make sure they are not overcharging us, and if you cover the uninsured, I think those are the principles I am looking for. I don't think it is that complicated. But we hear our colleagues on the Republican side come out to the floor day in and day out bashing public plans.

Let the Republicans introduce a bill to repeal Medicare. That is a public plan. Our seniors love it. The Republicans fought it in the 1960s. The Democrats passed it under Lyndon Johnson. Why don't they come here and say they want to repeal Medicare?

Another public plan is veterans' health care. It is a government plan. Why don't they come here and put forward a proposal to completely do away with veterans' health care? I will tell

you, the veterans in this country will rise up—the Republican veterans, the Democratic veterans, the Independent veterans, the old and young veterans. Why don't they do that, instead of coming here and saying public plans are bad?

How about SCHIP, the public plan that allows our children to be covered, our poor kids? Why don't they come here and say our children should not be covered and let's repeal it?

How about our military? They get free health care through the public domain. Should we now cancel that and contract it out?

Look, I am for a robust debate. I am for a bipartisan bill. I want to work toward that. But let me tell you this: If we don't get 60 votes for something, we cannot quit around here. We cannot allow a terrible crisis toward the end of life bankrupt our families. More than half of our families who file bankruptcy do it because of a crisis in their health. We cannot afford that. The fact is that we are on the verge of being able to do something but not if the party of no comes here every day and bashes every idea and starts frightening the American people. They will have their chance, but I hope we won't stop. We will have to figure out a way to do it with a majority vote. That is my feeling. This is too important an issue. Our families cannot take it. They cannot take a circumstance where they are now already paying a third of their money for their mortgage. Are they going to pay another third, or half, for health care? What is left over to live a life and support their kids?

Come on, get over it, party of no. Come to the table and work with us. Don't bash every idea President Obama lays down on the table. He is the President. Give him a chance to move this forward.

THE STIMULUS PROGRAM

Mrs. BOXER. Madam President, speaking of bashing things, my last commentary until we vote is this:

Senator COBURN has put out a report in which he bashes the stimulus program. I think it is very important for the American people to understand a few things. One, a couple of his examples are right on target, and we always expect there will be a couple of things that would happen that were wrong. The administration is aware of that. We tried to get on top of it and stop it. But we lost over a trillion dollars from our economy and we put in this stimulus package—about \$787 billion—so we can make sure that this great recession doesn't turn into a great depression.

That is why we have I think 30 inspectors general overseeing this program.

Despite that, I understand Senator COBURN. He was never for the stimulus. He said let the American people work their way through it, that government should stay out. That is fair. Now he is bashing the stimulus program. All of the work he has done thus far has identified .7 percent—not even 1 percent—that was a problem. Some of those are way off base. I want to talk about some of them in California that he has highlighted and has bashed:

First, \$200,000 to place restrooms at a Black Butte Lake, California park. Excuse me. Maybe there is something wrong with me, but I think having a clean restroom in a State park that is safe and available is quite important. But he says that is ridiculous. It creates jobs to build that, and it is an important hygienic issue that I think needs to be addressed.

He talked also about a State park. This is near and dear to my heart. It is \$620,000 to build a State park for our children in Long Beach, CA. I don't know about Mr. COBURN in Oklahoma—they have fewer people there, true. I have a State of 37 million people. We have a lot of kids. We have a lot of kids who get in trouble after school and who drop out of school. We have a problem. They love to skateboard. As a matter of fact, we had a former gang in Oakland come forward and actually construct it themselves. Building a State park for our kids is not a boondoggle. It is a safe place for them to go, and you create jobs when you do it.

We are installing energy efficient runway guidance lights at the San Diego Airport. Yes, energy efficient lighting saves money. As a matter of fact, this thing has a payback. It cost \$5 million. It has a payback of 2 to 5 years. When you put in efficient lighting, there is a payback. It uses less electricity and it lowers the cost. But, no, Senator COBURN bashes that. Those are some examples of what he is bashing just in my State.

I ask unanimous consent to have printed in the RECORD a document entitled "Funding Notification By Program" for my State of California.

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

FUNDING NOTIFICATIONS BY PROGRAM

The table below presents breakdown of total dollars allocated to a state by program. Programs are identified by the Catalog of Federal Domestic Assistance (CFDA) number and the program title provided in the agency report.

STATE: CALIFORNIA

CFDA number	Program	Allocated
84.394	State Fiscal Stabilization Fund	\$5,960,267,431
93.778	MEDICAL ASSISTANCE PROGRAM	1,991,907,534
84.391	IDEA Part B Grants to States	1,226,944,052
84.389	Title I Grants to Local Educational Agencies	1,128,225,993
14.258	Tax Credit Assistance Program	325,877,114
14.317	Section 8 Housing Assistance Payments Program Special Allocations	305,037,547
66.458	Clean Water SRF	280,285,800
81.041	State Energy Program (A)	226,093,000
17.260	WIA Dislocated Workers	221,906,888

STATE: CALIFORNIA—Continued

CFDA number	Program	Allocated
14.257	Homelessness Prevention and Rapid Re-Housing Program	189,086,299
17.259	WIA Youth Activities	186,622,034
81.042	Weatherization Assistance for Low-Income Persons (A)	185,811,061
66.468	Drinking Water SRF	159,008,000
16.803	Office of Justice Programs (OJP) Edward Byrne Memorial Justice Assistance Grant (JAG) Formula Program— http://www.ojp.usdoj.gov/BJA/recoveryact.html	135,641,945
14.885	Public Housing Capital Fund Stimulus (Formula)	117,918,838
14.253	CDBG Entitlement Grants	112,675,396
16.804	Office of Justice Programs (OJP) Edward Byrne Memorial Justice Assistance Grant (JAG) Formula Program— http://www.ojp.usdoj.gov/BJA/recoveryact.html	89,712,677
17.258	WIA Adult Program	80,117,954
84.386	Educational Technology State Grants	70,805,622
93.703	Health Center Integrated Services Development Initiative	63,688,867
84.126	Vocational Rehabilitation State Grants	56,470,213
84.393	IDEA Part C Grants for Infants and Families	53,233,307
17.207	Employment Service/Wagner-Peyser Funded Activities	46,970,564
84.392	IDEA Part B Preschool Grants	41,028,219
84.033	Federal Work Study	20,657,189
93.659	Adoption Assistance	19,904,604
66.805	LUST Trust Fund Program	15,577,000
14.882	Native American Housing Block Grants (Formula)	15,033,342
14.907	Lead-based Paint Hazard Control in Privately-Owned Housing	14,999,190
93.658	Foster Care—Title IV-E	13,888,000
16.588	Office on Violence Against Women (OVW) Recovery Act STOP Violence Against Women Formula Grant Program— http://www.ovw.usdoj.gov/BJA/recovery.html	13,298,809
10.579	Child Nutrition Discretionary Grants Limited Availability	12,864,683
10.569	The Emergency Food Assistance Program (Food Commodities)	12,411,681
10.561	State Administrative Matching Grants for Supplemental Nutrition Assistance	10,795,187
14.255	CDBG State's Program and Non-Entitlement Grants in Hawaii	10,652,033
16.802	Office of Justice Programs (OJP) OVC FY09 VOCA Victim Compensation Formula Grant Program (Compensation)— http://www.ojp.usdoj.gov/BJA/recoveryact.html	8,110,055
93.707	ARRA—Aging Congregate Nutrition Services for States	6,585,441
17.235	Senior Community Service Employment Program	4,293,139
16.800	Office of Justice Programs (OJP) Internet Crimes Against Children Task Force Program— http://www.ojp.usdoj.gov/BJA/recoveryact.html	4,233,003
84.399	Services for Older Individuals who are Blind	3,707,078
93.705	ARRA—Aging Home-Delivered Nutrition Services for States	3,242,063
10.568	The Emergency Food Assistance Program (Administrative Costs)	3,110,696
16.801	Office of Justice Programs (OJP) OVC FY09 VOCA Victim Compensation Formula Grant Program (Assistance)— http://www.ojp.usdoj.gov/BJA/recoveryact.html	2,931,000
66.454	Water Quality Planning (604b)	2,830,700
14.908	Healthy Homes Demonstration Grants	2,624,992
66.040	State Clean Diesel Grant Program	1,730,000
84.398	Independent Living State Grants	1,623,087
84.401	Impact Aid Construction	1,428,766
17.265	Native American Employment and Training	\$236,970
Total		\$13,462,105,063

Mrs. BOXER. If you go through this, you will see in the largest State of the Union, which is suffering with an 11.2 percent unemployment rate, projects that are putting people to work today and doing good things. There is a medical assistance program; a clean water State revolving fund grant; a State energy program, which is putting people to work; weatherization assistance for low income; working with the youth; and it goes on and on. There are safe drinking water grants, a law enforcement grant, adoption assistance grant, and a foster care grant.

Why is my colleague not coming down here and saying he did find less than 1 percent of a problem, but these other things are good, and these other things are putting people to work and they are saving our children, saving our environment, and saving energy?

It is the party of no. No, no, no, a thousand times no. The American people understand that we on this side of the aisle, and our President, in reaching across the aisle, are going to continue to work for change. Change means getting out of this mess we are in right now—this deep recession. We are going to continue to do it. They are going to say no, no, a thousand times no. We will work with them when they want to work with us. If they don't, we have to figure out a way to bring the change and jobs to America, the energy efficiency to America, and all that is good that the American people deserve.

CONCLUSION OF MORNING BUSINESS

Mrs. BOXER. Madam President, I ask unanimous consent that morning business be closed.

The PRESIDING OFFICER. Without objection, it is so ordered. Morning business is closed.

ORDER OF PROCEDURE

Mrs. BOXER. I ask unanimous consent that the hour for debate prior to the cloture vote on the motion to proceed to S. 1023 be yielded back.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. BOXER. I yield the floor.

TRAVEL PROMOTION ACT OF 2009—MOTION TO PROCEED—Resumed

CLOTURE MOTION

The PRESIDING OFFICER. By unanimous consent, pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will report.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to proceed to Calendar No. 71, S. 1023, the Travel Promotion Act of 2009.

Byron L. Dorgan, Tom Udall, Patrick J. Leahy, Barbara Boxer, Kay R. Hagan, Kirsten E. Gillibrand, Robert P. Casey, Jr., Roland W. Burris, Benjamin L. Cardin, Bill Nelson, John D. Rockefeller, IV, Daniel K.

Inouye, Blanche L. Lincoln, Ron Wyden, Bernard Sanders, Sheldon Whitehouse, Ben Nelson.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call is waived.

The question is, Is it the sense of the Senate that debate on the motion to proceed to S. 1023, the Travel Promotion Act of 2009, shall be brought to a close?

The yeas and nays are mandatory under the rule. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. REID. I announce that the Senator from West Virginia (Mr. BYRD), the Senator from Illinois (Mr. DURBIN), the Senator from Massachusetts (Mr. KENNEDY), and the Senator from West Virginia (Mr. ROCKEFELLER) are necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from Nevada (Mr. ENSIGN) and the Senator from New Hampshire (Mr. GREGG).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote.

The yeas and nays resulted— yeas 90, nays 3, as follows:

[Rollcall Vote No. 208 Leg.]

YEAS—90

Akaka	Bingaman	Cardin
Alexander	Bond	Carper
Barrasso	Boxer	Casey
Baucus	Brown	Chambliss
Bayh	Brownback	Cochran
Begich	Burr	Collins
Bennet	Burris	Conrad
Bennett	Cantwell	Corker

Cornyn	Kohl	Reid
Crapo	Kyl	Risch
Dodd	Landrieu	Roberts
Dorgan	Lautenberg	Sanders
Enzi	Leahy	Schumer
Feingold	Levin	Sessions
Feinstein	Lieberman	Shaheen
Gillibrand	Lincoln	Shelby
Graham	Lugar	Snowe
Grassley	Martinez	Specter
Hagan	McCain	Stabenow
Harkin	McCaskill	Tester
Hatch	McConnell	Thune
Hutchison	Menendez	Udall (CO)
Inhofe	Merkley	Udall (NM)
Inouye	Mikulski	Vitter
Isakson	Murkowski	Voinovich
Johanns	Murray	Warner
Johnson	Nelson (NE)	Webb
Kaufman	Nelson (FL)	Whitehouse
Kerry	Pryor	Wicker
Klobuchar	Reed	Wyden

NAYS—3

Bunning	Coburn	DeMint
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NOT VOTING—6

Byrd	Ensign	Kennedy
Durbin	Gregg	Rockefeller

The PRESIDING OFFICER. On this vote, the yeas are 90, the nays are 3. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Madam President, I ask unanimous consent that any recess time or morning business time count postcloture.

The PRESIDING OFFICER. Is there objection?

Hearing no objection, it is so ordered.

Mr. MERKLEY. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Ms. KLOBUCHAR. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. KLOBUCHAR. Madam President, during these tough economic times, American families expect and deserve that we will do everything we can to get the economy moving again. Of course, that involves investing in our country, investing in our infrastructure. It involves getting our financial system in order. It involves getting credit moving again. But we should not forget that one out of eight Americans is employed in the travel industry.

I chair the subcommittee of Commerce, that deals with tourism issues, and I cosponsored the bipartisan legislation to bring new visitors and new spending and new jobs to the United States. I thank Senator BYRON DORGAN for his leadership and hard work on this bill, and I also thank Senator ENSIGN for his leadership.

I spoke last week, when we first started talking about this bill, about the importance of the tourism and travel industry to our economy. Tourism creates good jobs that cannot be outsourced. It increases sales for local businesses, and it brings in tax revenue for local and State economies.

As I said, one out of every eight Americans is employed by our travel

economy. Each year, travel and tourism contribute approximately \$1.3 trillion to the American economy. The travel economy contributes \$115 billion in tax revenues to State, local, and Federal Governments, and last year travel and tourism exports—which means the people coming into the U.S. to enjoy our beautiful country—accounted for 8 percent of all U.S. exports. In fact, tourism is one of the few economic sectors where we enjoy a substantial trade surplus.

But things are not going as well as they could or they should, especially when it comes to bringing international travel to the United States. I know you know that, Madam President, coming from the State of New York. I see the Senator from Michigan. I have seen their recent ad campaign on “Enjoying Pure Michigan.” But we need to bring more people to this country.

What does this mean? What is the problem? As you can see, while more people around the world are traveling—there were 48 million more global overseas travelers in 2008 than there were in 2000—633,000 fewer visited the United States. That is unfortunate. You can see more people around the world are traveling, but fewer are coming to our country. What does that really mean?

Since 2000, the U.S. share of the world travel market has decreased by nearly 20 percent, costing us hundreds of thousands of jobs and billions of dollars in revenue. You can see what happened here in our country. This chart is in millions of dollars—\$26 million brought in in 2000, only \$25.3 million in 2008; while for the rest of the world, \$124 million for the rest of the world in 2000—up to \$173 million in 2008.

When a traveler decides to visit another country, to visit someplace besides the United States, there is a ripple effect across our economy. Fewer airline tickets are sold, fewer cars are rented, hotels and lodges rent fewer rooms, tourist attractions have fewer visitors, local businesses miss out on sales and opportunities, workers lose their jobs, and it goes on and on.

The decline in international travel, combined with the current economic downturn, is hitting our country's travel industry hard. Last year, nearly 200,000 travel-related jobs were lost, and the Commerce Department predicts we will lose another 247,000 jobs this year. We are not talking about the CEOs of the airline companies. These are hard-working Americans—the people who work in the hotel rooms, the cooks, the janitors, the shop workers, the people who own little flower stores next to the hotels. They are the ones making the beds. They are the ones making the meals. These are the people we should think about when we talk about the bill before the Senate today.

The question before us today is how can we bring international visitors to the United States because—do you know how much they each spend when they come? Something like \$4,500 when

they come to our country. That is \$4,500 that provides jobs for those janitors and maids and shop owners.

We have just as much, if not more, to offer travelers than anyplace else. We have stunning national landmarks, such as the Grand Canyon—and the Statue of Liberty in your home State of New York, Madam President—centers of fun and entertainment from Las Vegas to Disney World, scenic country towns and the bright lights of the big cities and those quiet moments in those little towns in my home State of Minnesota. But we need to do a better job of promoting the United States as a premier travel destination. We have to face it. We are in a competition for international travelers, but we are not competing.

Look at what is going on around the world when it comes to tourism. Here are some examples: Yemen has their own tourism promotion for their country. Of course, the Bahamas—I think many of us have seen those on TV. I certainly have. You see Tourism Australia. I have seen a few of those ads. South Africa, Taiwan, Scotland, India—these countries are promoting themselves internationally to bring in other visitors.

What do we have right now in our country? We do not have a centralized promotion of our country for tourism. Countries around the world make tourism a national priority because they see it brings jobs to their country. They spend millions of dollars on promotion and programs and senior officials to coordinate national tourism policy. For example, Vietnam, Egypt, New Zealand, Lebanon, and Jamaica have ministries of tourism. Germany has a National Tourist Board, and Australia has a “Tourism Australia” program. In 2005, Greece spent more than \$150 million on travel promotion; France spent \$63 million. That is what we are up against.

The Travel Promotion Act would level the playing field so we can compete with the rest of the world and recapture that lost market share. It will create the Corporation for Travel Promotion, a public-private partnership to promote the United States as an international travel destination and finally establish a coordinated national travel program.

Under the direction of a board of directors made up of representatives from the States, the Federal Government, and the travel industry, the corporation would be in charge of a national travel promotion, a program with goals to encourage travel to the United States, to communicate our country's travel policies, and to promote international exposure for parts of America that do not have the resources to promote themselves.

As I mentioned earlier, our loss in the share of the world travel market is not a new phenomenon. It actually started after September 11, where, for good reasons, security measures were put into place, but some of those good

reasons have turned into very difficult times for tourists to come over, and that is what needs to be fixed. That is why part of this bill would make it easier for tourists to get their visas, make it easier for them to visit the country. A lot of times it is just expediting the checks that need to be made, making sure they can get their visas, just as they can get one to go to Canada or Mexico or other countries.

The bill will establish the Office of Travel Promotion in the Department of Commerce to work with the Corporation for Travel Promotion and secretaries of state and homeland security to make sure that international visitors are processed efficiently.

America is a country that wraps its arms around those who come to visit us, and this bill will make sure international visitors know they are welcome and wanted. The Travel Promotion Act is about more than just encouraging travel. It is also about building our economy. This bill is expected to bring in 1.6 million new international visitors each year. Since international visitors, as I noted, spend an average of \$4,500 per person while they are here, this is a huge boost to our economy. That money from overseas coming into our economy, into our towns and cities, into our small businesses is new money. If they are not going to come and spend it here, they are going to go to one of these countries—to the Bahamas, South Africa, Australia. That is new money coming into our country.

The U.S. Travel Association estimates this bill will create 40,000 new jobs, and economists at Oxford Economics expect the bill to generate \$4 billion in new spending and \$321 million in new tax revenue.

Just as important as how much it will generate is how much it will cost, which is zero for American taxpayers. This bill comes at no cost to the taxpayer. It will be paid for by a combination of private sector contributions and a \$10 fee on international travelers entering the United States of America—zero cost, big benefit.

The Congressional Budget Office just released a report that estimates that this bill will reduce budget deficits by \$425 million over the next 10 years—that is the bill pending before this body today. The math is undeniable. For no cost to the taxpayer, we can boost travel, boost the economy, and reduce the deficit. That is why this bill has such strong bipartisan support in the Senate. It also has the support of numerous organizations such as the U.S. Travel Association, the U.S. Conference of Mayors, and the U.S. Chamber of Commerce.

It has many newspaper endorsements. As you can see, newspapers in every part of the country support this legislation. I will read just a few. The Sacramento Bee:

The country needs to reclaim its status as a global magnet for visitors, even in the post 9/11 climate, and Congress can help by pass-

ing the Travel Promotion Act by the end of this year.

Dallas Morning News, September 6:

The Travel Promotion act is a sensible first step toward putting the welcome mat back on America's doorstep.

Orlando Sentinel:

Our position, charging international travelers \$10 to pay for promotion of travel to bring in all that money makes sense.

Detroit Free Press, September 25, 2008:

Doesn't it make sense to encourage, at no cost to taxpayers, foreign visitors to come here and leave some money? There's no good reason not to pass this bill.

Finally, I leave the best to last, Duluth News Tribune, Duluth, MN, May 18, 2009:

Ideas to bolster economic recovery without plunging the nation any deeper into debt would be welcomed by taxpayers from coast to coast.

I know firsthand how important tourism is for the city of Duluth. It has had some very difficult economic times in the seventies and eighties. At one point it was so bad there was a time there was a billboard that someone put outside Duluth that said, "The last one to leave, please turn off the lights."

That is what they were dealing with. They bolstered their economy through tourism.

I was just up there. I did a field hearing there and they have actually seen an increase in their convention and business travel this year. Maybe a few people are going to places such as Duluth. Businesses are cutting back a little. But the important part of this is that you have one town just like so many across the country that has benefited from tourism.

This is what we are talking about across the country. I wonder why we didn't pass this earlier, why we haven't been able to get this through. I can't answer this question. It makes no sense to me. Sometimes people don't want to talk about tourism because they don't think it is important, but when one out of eight Americans is employed in this business it is important.

I urge my colleagues to support it. I hope we can get it through intact. I hope we will have a minimum number of amendments and we can simply do something good in a bipartisan way that will help increase jobs in America where one out of eight people is employed.

Madam President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. KLOBUCHAR. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS

Ms. KLOBUCHAR. I ask that the Senate recess until 2:15, as under the previous order.

Thereupon, the Senate, at 12:28 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Acting President pro tempore.

TRAVEL PROMOTION ACT OF 2009— MOTION TO PROCEED—Continued

The ACTING PRESIDENT pro tempore. The Senator from North Dakota is recognized.

Mr. DORGAN. Mr. President, just prior to lunch, we had a vote on a cloture motion. The vote was 90 to 3. It was not some significant piece of public policy that will shake the Earth, it was a vote on the question of whether we could actually proceed to something called the Travel Promotion Act.

For those who do not know how the Senate works, you have to have a motion to proceed. Normally, a motion to proceed to a bill such as this would be done by unanimous consent and take just a nanosecond, no problem, a motion to proceed approved, proceed then to the bill, have a debate on the bill, and then vote on the bill.

But this is something called the Travel Promotion Act, which I will describe. It is bipartisan. I have offered it along with Senator JOHN ENSIGN, a Republican from Nevada. The two of us, along with many other cosponsors, Republicans and Democrats in the Senate, believe this is an important piece of legislation for the Senate and for the Congress to pass. Despite that, we had to have a vote this morning on the motion to proceed: Shall we proceed to this? A cloture motion had to be filed. It took 2 days to ripen, and then we had a vote. It was 90 to 3. The answer was yes by 90 to 3. And now we have 30 hours postcloture that we have to wait until we can get to the bill. And then have another cloture motion filed. It is the most unbelievable, Byzantine example of how this place has sort of fallen off the rails—requiring cloture motions to be filed on things that then get a 90-to-3 vote, and then there is a requirement that we have to spend the next 30 hours waiting until we can actually get to the bill. Unbelievable. But it is an example of what has happened here. And the minority is requiring this of every single piece of legislation. It is a way to require the Senate to walk through wet cement and make almost no progress at all. I guess when you get nothing done and then you are able to boast that nothing has happened, maybe some people feel good. It does not make me feel very good.

But having complained about it, now let me at least describe what this bill is. We will get to the bill this week. It will have taken a difficult route to get there. Judging by the 90-to-3 vote, I assume ultimately, when the Senate passes this legislation, we will have very strong support because it is a bipartisan piece of legislation.

I am told Senator ENSIGN has had to leave today as a result of a family matter. I think Senator MARTINEZ will be coming to the floor, who is also a cosponsor of this legislation. I appreciate

very much working with Senator ENSIGN and Senator MARTINEZ; on this side, Senator REID, the majority leader, a strong cosponsor, and so many others as well.

Let me describe what this issue is. The fact is, there is an effort to attract international tourism around this world. Why is that the case? Because international tourists; that is, people who visit other countries, spend a lot of money and create a lot of jobs. They support airlines, support hotels, support recreation facilities and theme parks. Plus, they have a chance to understand a little about that country before they go back home. So many countries around the world are very actively engaged in saying: Come to our country. They have very aggressive, very sophisticated promotion campaigns saying: Come to our country. We do not, but they do.

Here is an example of India: One special reason to visit India in 2009. Anytime is a good time to visit the land of Taj. But there is no time like now. Incredible India.

Well, India is very interested, very promotional, saying: Come to India.

But it is not just India. Here is Ireland, big promotional campaign: Go where Ireland takes you.

A beautiful photograph of the majesty of Ireland.

An example of Australia: Looking for an experience to remember? Arrived. Departed. An adventure we will never forget. Go find yourself in Australia.

All over the world we have campaigns now, very aggressive campaigns, saying: Come to Italy. Vacation in Italy. Come to Great Britain. Come to Spain. See the wonders of Spain.

Why are countries doing that? Well, it is interesting. The average international traveler spends about \$4,500 on an overseas trip. When they go to a country, they spend money. This creates jobs. So countries are aware of that, and they are very active in trying to encourage travelers to come to their country. Not so with our country so much since 9/11/2001. In fact, it is interesting that in 2008 we had 633,000 fewer people come to this country from overseas than we had in 2000. Let me say that again. In 2008, 633,000 fewer people from overseas came to visit our country than in the year 2000. In fact, here is an example of what is happening around the world: visitors to the United States—this is 2000 to 2008—a 3-percent decrease; visitors to other countries in international travel, a 40-percent increase. The fact is that we are losing ground and losing shares of the international travelers' tourism dollars and the ability also to explain to them a bit, by having them see this country, what America is all about.

Well, why is that happening? Headlines like this post-9/11/2001. We are very concerned about people coming into this country, and we tightened the visa requirements so that there were long lines and very long waits in order to try to come to this country. Here are some of the headlines:

Sydney Morning Herald: "Coming to America is not easy."

The Guardian: "America—more hassle than it's worth?"

The Sunday Times in London: "Travel to America? No thanks."

Look, the fact is, we want to change that.

This legislation is bipartisan. A group of us Republicans and Democrats who want to create jobs in this country and want to attract international tourism to this country want to change this perception that somehow international travelers are not welcome here.

So here is what we believe. We believe that to have people come to this country is to see its wonders. It is the only one like it on the face of this planet. It is an extraordinary place. There is so much to see and so much to do. And when we have done polling, and so on, when international travelers leave this country, they have an unbelievably positive impression of the United States of America, and that is very important. At a time when there has been so much discussion about our country going it alone and doing this or that, we have suffered some in international areas. But the fact is, inviting international tourism to our country is job creating, it produces a boost to our economy, but it also allows people to come here and understand what this country is about and inevitably leave with a great impression.

Here is what we do with this piece of legislation. We set up a nationally coordinated travel promotion program. I might say that if somebody says: Well, you are going to set up something new, well, you know what, the Congressional Budget Office has a score for this. They have to decide what everything costs or what the consequences of everything will be.

This is one of the few pieces of legislation to be brought to the floor of the Senate that the Congressional Budget Office estimates would actually reduce the budget deficit by half a trillion dollars over the next 10 years. Let me say that again. This is one of the few pieces of legislation you are going to get a chance to vote on that reduces the Federal budget deficit by \$425 million in the next 10 years.

How does it do that? Well, the fact is, it creates a private-public partnership and it establishes a corporation for travel promotion which will be an independent nonprofit corporation governed by an 11-member board of directors appointed by the Secretary of Commerce. It also creates an Office of Travel Promotion in the Department of Commerce to develop programs to increase the number of international visitors to our country. It sets up a travel promotion fund, and that is financed by a private-public matching program. The Federal contributions will be financed by a \$10 fee paid by foreign travelers from visa waiver countries, and it will be collected in the electronic system for travel authorizations which already exists.

Let me make the point that many other countries do exactly this. It does not in any way retard international travel. Australia charges a \$37 departure fee; Guatemala, \$30; Mexico, \$11 to \$38; Thailand, a \$14 departure fee. And the list goes on. We are suggesting a very modest \$10 fee for international travelers, from the visa waiver countries, and that will finance this piece of legislation that we have had now to file a cloture motion on the motion to proceed to this issue and for which there was a 90-to-3 vote, an affirmative vote.

Here is some discussion about our legislation.

I introduced this in the last session of the Congress. We had over 50 cosponsors, Republicans and Democrats. We have reintroduced it now with wide bipartisan cosponsorship.

The Detroit Free Press says:

Doesn't it make sense to encourage, at no cost to taxpayers, foreign visitors to come here and leave us with some money? There's no good reason not to pass this bill.

The Dallas Morning News says:

The Travel Promotion Act is a sensible first step toward putting the welcome mat back on America's doorstep.

The Orlando Sentinel says:

Our position, charging international travelers \$10 to pay for the promotion, makes sense.

The Los Angeles Times:

Considering that the U.S. spends hundreds of millions of dollars on public diplomacy with dubious results, and nearly nothing on promoting tourism, it might do well to invest a little money in wooing travelers.

The list goes on of newspapers that have endorsed the legislation.

This has been a pretty difficult decade for our country in many ways. Our country was attacked on 9/11/2001. Several thousand innocent Americans were killed by terrorists. Following that, we suffered a recession almost immediately, then a war in Afghanistan, and then a long protracted war in Iraq that cost an enormous amount of money and was very controversial all around the world. It has been a very difficult decade.

As I indicated when I started, 8 years later, we have so many fewer visitors coming to the United States. I think during part of this decade there was a notion by some that we were not welcoming visitors to the United States; we did not want them to come here very much.

That was not true, but I think that was a sense of some: You want to come to the United States, get in line, it is going to take a long time to get a visa. Why? Because we are concerned. We are screening everybody. We are doing all of these kinds of things. Well, the fact is, no one ever intended to decide we were not going to welcome people to this country. By far, the most effective way to describe to the world what America is about and the unbelievable values that exist and the openness and the wonders of this great democracy, by far, the best way to do that is to say

to people from around the world: Come here. Vacation here. You are welcome here. We want you here, to experience and visit America and some of the best attractions and some of the best people and be a part of what we are and then go home and remember what the United States is about.

So that is what we are trying to do. It has been too long, but finally we are now putting together a piece of legislation that says: We are not willing to go through another 8 or 10 years like the last 8 or 10 years where our share of international tourism dramatically decreased.

We want the next 8 or 10 years to show a substantial increase in people from around the world coming to visit America. And the fact is, it will create substantial numbers of jobs. That is important. I mean, as you know, we ran into a financial ditch, have an economic crisis of sorts. The number of unemployed Americans rises every month, and we are hoping that turns around soon. But in the meantime, this is something constructive and positive and concrete we can do to try to boost this economy. It does not even cost money. This will save almost half a trillion dollars in the next 10 years by reducing the Federal deficit.

Again, I wish some of my colleagues were not deciding to see if they could run everybody through the traps for the next few days before we get to what I think will be a very positive vote on a very constructive idea that will benefit this country. But if it takes 4 days or 2 days or 1 day, whatever the moment, I think most of us will feel as if we have done something good for the country.

In the midst of all of the other very controversial issues and very important issues, some of which are urgent, the questions of: How do you rein in increasing health care costs? What do you do about a country that is 70 percent dependent on oil that comes from foreign countries? What do you do about the issue of protecting our climate and climate change? How do you deal with the Federal budget deficit that seems galloping out of control? There are all these big issues.

In the middle of all that—all of which, in my judgment, we are required to address in order to put America on a different course toward a better future—in the middle of all that, this piece of legislation, the Travel Promotion Act of 2009, might be one small glimmer—just one small bit of hope—for more bipartisanship rather than less. Because this piece of legislation is so persuasive about the interests of this country, we have Republicans and Democrats who have come together to say: Let's do this. Let's do this in the interest of this country's economic future.

Mr. President, I yield the floor and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. ROBERTS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. ROBERTS. Mr. President, I ask unanimous consent that I may proceed for approximately 16 minutes as in morning business.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. ROBERTS. I thank the distinguished Acting President pro tempore.

HEALTH CARE REFORM

Mr. President, last week, I came to the Senate floor to talk about the flawed process of our current attempts to reform the health care system in this country and the urgent need to fix those flaws.

Those efforts included a letter—my letter—which every Republican member of the Finance Committee and the HELP Committee—Health, Education, Labor, and Pensions Committee—signed requesting some very reasonable steps to be taken by Chairman BAUCUS, Chairman KENNEDY, and Senator DODD, who is standing in for our friend and colleague, Senator KENNEDY.

We asked the chairmen to release the details of their plans to reform health care. We asked them to do so in a timely manner to allow us time to read and understand the policies and to get reactions from our constituents, i.e., the people who will benefit or will not benefit, not to mention the providers of health care. We asked them to give us the estimates of how much their plans would cost and how it would impact everyday Americans. Finally, we asked them to identify how they intended to pay for these plans.

It was my sincere hope that by receiving this information we could better participate in the quest to ensure that every American—every American—has meaningful access to health care, not to mention patient choice.

Well, unfortunately, the health care reform process has been so corrupted by artificial timelines and a “hurry up” and a “riding hell for leather” mentality that it threatens to destroy a health care system that has served most Americans very well.

The American health care system represents one-sixth of our economy, which has been repeated many times on this Senate floor, offers health insurance coverage to 250 million Americans, and employs over 16 million people. It leads the world in medical innovations that save lives inside as well as far outside our borders. So this actually is an international health care bill.

President Obama has recognized that most people are happy with their health care. Obviously, they would like some changes, some reforms. But he has repeatedly assured them: If you like what you have, you can keep it.

Well, because changes to this system have the potential to impact every sin-

gle American citizen and citizens of other nations, it seems to me we must ensure we protect the best of its features when we consider changes to shore up its deficiencies.

Careful consideration is required. That is why we ask for more details. That is why we ask for more time. To date, our requests for more information have not been met, and I think I am starting to understand why.

Yesterday afternoon, the Congressional Budget Office, the CBO, released its first preliminary analysis of the bill we are scheduled to begin marking up in the HELP Committee tomorrow. Let me repeat this: Yesterday afternoon—less than 24 hours—if you are a HELP Committee staffer, you are looking at your watch, and you are wondering how come you do not have more time—the Congressional Budget Office released its first preliminary analysis of the bill that we are scheduled to begin marking up tomorrow.

I said in my previous speech, maybe we need a “process czar,” a “fair play czar” around here. We have 25 czars in the Obama administration. Maybe we need a czar around here to at least be fair, give us more time, give us more consideration, let us know what we are going to be voting on.

Before I talk about the results of the CBO's analysis of the Kennedy-Dodd legislation, I need to point out this analysis is incomplete. It is incomplete because, despite our persistent requests for more information from our Democratic colleagues and friends, one day before the markup of possibly the most important health care bill ever to cross the Senate floor, they have not released the complete legislation.

In fact, even when the HELP Committee begins our markup tomorrow, we will not have a complete picture of what we are marking up. The most contentious components of the bill will not be released until sometime on Thursday morning—leaving us around 30 hours to digest these significant policies, vet them with our people back home, take the specifics back home to the health care providers and every constituent who certainly is interested and wants to know the details, and then file amendments to see if we can do better, see if we can actually correct some things we think are headed in the wrong direction.

I said it is hard to digest all of this in 30 hours. This is not digestion, this is not indigestion—this is heartburn. It may develop into a malady much more serious than that.

Most egregious perhaps is the fact that we will most likely be considering these major reforms without any idea of how much they will cost or how they will affect the current system. But, as I said, I am starting to wonder whether that is not part of the plan, which leads me back to yesterday's CBO release analyzing the cost and effect of just one of the six titles to the Kennedy-Dodd health care reform bill—and an incomplete title at that.

According to CBO, the incomplete sections of title I will cost \$1 trillion—\$1 trillion. That is just for one incomplete title of this bill. What will we get for this staggering investment, for a title with a purpose ostensibly to expand health care coverage to the estimated 47 million Americans currently lacking insurance?

According to CBO, we will only cover 16 million more Americans. Let me say that again. According to CBO, we will only cover 16 million more Americans. That does not seem like a very good return for a bill that seeks to cover three times that many people.

Instead of extending health insurance to 47 million uninsured, we are leaving tens of millions still uncovered. And the CBO says that figure is around 37 million people. So you can see we have some flaws in this approach on this bill.

In addition, CBO says that 15 million people would lose their employer-sponsored insurance and another 8 million—again, this is the CBO analysis—would lose coverage from their current source.

Whom are we going to trust around here? At least when we asked the CBO to give some specifics, they are providing some specifics; that is, 15 million people would lose their employer-sponsored insurance and another 8 million would lose coverage from their current source. That is 23 million people. That is a lot of folks. As I said, President Obama has consistently promised: If you like the health insurance plan you have, you can keep it. Not those 23 million.

Under the Kennedy-Dodd bill, 23 million Americans who may like what they have cannot, in fact, keep it—again, according to the CBO, non-partisan.

I cannot even imagine how much more this bill will cost taxpayers when CBO figures in the rest of the initiatives my friends across the aisle wish to add. I am positive, under the complete plan by my colleagues, millions more Americans will not be able to keep the insurance they like.

That is because in addition to the plans that have already been released, they want to establish a new government-run, taxpayer-financed insurance plan that is estimated to replace private insurance for over 100 million Americans. They want an expansion of Medicaid for everyone up to 150 percent of the Federal poverty level. They want to enact dozens upon dozens of new programs.

For example, title III of this bill includes—listen to this—a \$10 billion per-year-cost in mandatory spending—mandatory spending; this is on the appropriators' side—for something called a Prevention and Public Health trust fund for the Appropriations Subcommittee on Health, with very little, if any, direction on what the money would be used for.

This is unprecedented and amounts, in my view, to a slush fund, regardless of any description.

Another section provides an unknown amount of money—"such sums as may be necessary"—to fund something called a community makeover—excuse me—a community transformation grant to build grocery stores, sidewalks, and jungle gyms.

Sidewalks, jungle gyms, grocery stores? This is a health care bill, not a rural development bill. I am shocked by the numbers that have come out so far, and they are just the beginning.

Well, come to think of it, maybe it is related to health care. Maybe if you build a better sidewalk, people could walk on that sidewalk, pass the jungle gym, exercise on the jungle gym, go to the grocery store, have mandates to buy nothing but fruits and vegetables, come back past the jungle gym, exercise some more, and since the sidewalk is fixed, they could go home, and we would help cure the obesity factor we face today. Maybe that is the tie. Maybe that is the tie.

I am shocked, as I said, by the numbers.

One independent group—now listen again to this; you have to listen to this—the group called HSI Network in Minnesota has estimated that the cost of the Kennedy-Dodd bill in its entirety could be \$4 trillion—\$4 trillion. The Lewin Group has estimated that up to 119 million Americans could lose their private insurance coverage under a government-run plan.

I am willing to bet the American public will be as shocked as I am once they understand what has been lurking, lurking, lurking under the banner of reform. The refusal to release information such as this until the very last possible minute, under an unjustifiably accelerated timeline, leaving no time for Senators, let alone the American public, to examine the merits of this plan, makes me think the "health care emperor has no clothes."

Let me repeat what the CBO has said. Sixteen million Americans newly insured—a good thing—but 37 million Americans still not insured. Twenty-three million Americans lose what they have for \$1 trillion. This is the wrong direction. This is the wrong direction. We ought to say: "Whoa." Put a sign up in both committee rooms that says: "Whoa," and put a sign underneath it that says: "Do no harm."

To add to this concern I have and the frustration I have in regard to health care reform, CongressDaily reported Tuesday, June 16—that is today—that CBO scored a recent version of the Senate Finance Committee—this is Finance, this is not Health. This is not the one I am talking about; this is the Finance Committee, and I have the privilege of serving on both—that their overall proposal is at \$1.5 trillion over 10 years, not \$1 trillion, according to several sources. This is a typical news story. The committee's timeline to release and mark up the legislation could slip on the news. Senate Finance Chairman MAX BAUCUS cautioned today the CBO numbers, which he did not con-

firm, were on a bill that is about 2 weeks old and the bill has evolved since then. The chairman indicated it is unlikely he will release a draft of his committee's bill Wednesday, as he previously estimated—that is tomorrow. The high score could add more credence to an insurance co-op proposal offered by Senate Budget Chairman KENT CONRAD as an alternative.

So we don't know. Is it \$1.5 trillion or is it \$1 trillion? We don't know. And if an offhand comment, which may or may not be private, but I don't think anymore anything should be private in regard to health care reform—the chairman indicated, I think, it was a comment in response to Senator SNOWE, who said, How do we vote for this bill in committee if we don't know how much it costs and how it is going to merge with the Health Committee's bill. Basically the answer coming back, as everybody knows is, This bill isn't going to be written here, this bill isn't going to be written in committee; it is going to be written in conference. It is called "trust me."

I don't see how we can have much trust when "the emperor has no clothes."

I yield the floor.

Mr. CASEY. Mr. President, first, I ask unanimous consent to be permitted to speak as in morning business.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. CASEY. I also ask unanimous consent to be permitted to speak for what I hope will be 20 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. CASEY. Finally, I will have two separate subject matters I wish to cover.

Mr. President, I didn't plan on responding to my colleague from Kansas, and I won't today, but I still think on health care we have a long way to go. There is still a lot of work to be done in the committee I am a member of, the Health, Education, Labor and Pensions Committee, and an awful lot of work to do still in the Finance Committee. So we will leave that for another day. But in a general sense, I think what we are all trying to do—I know my colleagues on the Democratic side are trying to do this—is to make sure that at the end of this debate, the bill that emerges from the Congress has a couple of basic principles. One is it gives people choice in their health care. If you like what you have, you get to keep it, and if you don't like what you have, you have a choice; and that the bill also reflects a cost reduction which is essential if we are going to move forward; and finally, that we provide the kind of quality, affordable health care that every American has a right to expect that we would try to provide in this bill.

If we keep that in mind, I think we can get to the right place. We have an awful lot of work to do, and I think

there are some conclusory statements that have been made in the last couple of days which don't reflect the reality, which is we have a lot of proposals, we have draft bills, but we don't have a final product yet, so we have a way to go.

IRANIAN ELECTIONS

Mr. President, the first subject I wish to discuss is the Iranian elections. I wish to convey some brief remarks on the remarkable events we have been witnessing unfolding in Iran in the last couple of days. It is too soon to tell what will happen. We do not know if Iran's brittle theocratic regime will hear out the voices of reform emanating in such powerful fashion from the streets of Iran today. We do not know if a credible investigation of serious electoral irregularities will occur, but I am confident that the events of this past weekend will be recorded in the history books as a major milestone for the democratic aspirations of the Iranian people. While the hard-liners who continue to rule Iran today may further entrench their power in the coming days, they are only planting the seeds for their ultimate defeat by their response to the democratic voices with the kind of force and suppression we have seen play out on television.

It is a promising sign that Iran's supreme leader has called upon the all-powerful Guardian Council to review the electoral results and assess the claims of serious irregularities, including vote rigging and ballot fraud, in the national election. However, we should not get our hopes raised that justice is imminent.

In the last Iranian Presidential election in 2005, there were also serious questions of fraud raised after Mr. Ahmadinejad came out of nowhere to win the Presidency following a runoff vote. Yet the final results of that investigation were never published, and thereafter Mr. Ahmadinejad's declared victory stood firm. Because of that precedent, I am skeptical that the Iranian regime will engage in an honest review of this election count.

President Obama and his senior national security team have refrained from extensive commentary on the election in recent days. That is as it should be. The U.S. Government should not give the Iranian regime any flimsy rationales for further crackdown on protestors and reformist leaders. However, administration officials, led by Vice President BIDEN, have made clear that the strategy of diplomatic engagement with Iran's leadership to bring a peaceful resolution of Iran's nuclear program will continue, regardless of who may comprise that leadership or how they may have assumed power. That, I believe, is the right strategy. We must deal with Iran as it is, not as we may wish it to be. For far too long, the United States deprived itself of the power of its diplomacy on the mistaken insistence that Iran agree to a set of preconditions before talks could even commence. Talking to your enemy can

never be viewed as a concession. The United States spoke to the Soviet Union during the worst excesses of the Cold War, but diplomacy cannot be the only option that the United States pursues with Iran. The President knows this and has reaffirmed that other options are open to the United States on multiple occasions.

Any effective strategy toward Iran must offer the regime a clear choice when it comes to its nuclear program, and here is the choice; it is either one or the other. Come into compliance with the multiple United Nations Security Council resolutions and reap the benefits of economic engagement and warmer diplomatic ties, choice No. 1. Or choice No. 2 for the Iranian regime: Face continued economic sanctions and international isolation that will steadily worsen if Iran continues to engage in illicit nuclear activities. It is either one or the other, and the regime has a choice to make before the world. Effective diplomacy is successful if it can fully convey that choice to the decisionmakers in Iran.

The Congress can also play a useful role here in elucidating the consequences Iran faces when it makes its choice on its nuclear program. Some might call it the "good cop, bad cop" strategy; I simply prefer to call it diplomatic leverage that our negotiators can employ if and when they do sit down at the table with Iranian representatives.

For those reasons, I am proud to have joined my colleague SAM BROWNBACK in introducing the Iran Sanctions Enabling Act. This legislation would authorize State and local governments as they see appropriate to direct divestment from, and prevent future investment in, companies that hold investments of \$20 million or more in Iran's energy sector.

There is a growing divestment movement across the country in response to Iran's accelerating nuclear program, its support of Hamas and Hezbollah, and hateful statements against Israel perpetrated by its President and others in Iran's senior leadership. Unfortunately, the Federal courts have ruled that divestment actions undertaken against a single nation may not predict the President's constitutional authority to enjoy exclusive authority over our Nation's diplomatic relations; thus, State and local governments undertake divestment measures with some legal jeopardy. The Justice Department has taken legal action against State and local governments in cases involving other nations. This act, the Iran Sanctions Enabling Act, protects the rights of State and local governments to ensure that their pension funds and other investment funds are not invested in companies that do business with a regime such as Iran. It is carefully targeted to focus only on financial ties with Iran's energy sector, to hit Iran where it is economically most vulnerable.

The bill includes a sunset provision to lift this authorization once the

President certifies that Iran has ceased providing support for acts of international terrorism and has ceased the pursuit of weapons of mass destruction. I am proud to have assumed the lead Democratic role on this legislation, taking over for President Obama, then Senator Obama, who served in the lead role when he was in the Congress.

Secondly, let me also take a brief moment to comment on the Iran Refined Petroleum Sanctions Act of which I am proud to be a cosponsor with the majority of the Senate. The bill would clarify existing legal ambiguity by authorizing the President to sanction foreign firms involved in supplying Iran with refined gasoline and/or assisting Iran with increasing its refining capacity.

Iran is forced to import as much as 40 percent of its annual gasoline consumption due to the fact that much of its refining infrastructure was destroyed during the Iran-Iraq war in the 1980s. Economic sanctions in place since then have limited outside foreign investment. Targeting Iranian gasoline consumption is a promising venue for increasing our leverage on Iran's leadership. The Iranian people, I believe, may question why the regime prioritizes a nuclear program condemned by the international community at the cost of serious gasoline shortages in Iran.

The images in recent days have been stirring. Just yesterday we witnessed a procession of hundreds of thousands of Iranians, both young people dressed in modern attire and elderly women wearing traditional veils, marching in silence throughout downtown Teheran. Indeed, whenever a chant or shout emerged from the crowd, it was quickly hushed by the crowd, seeking to avoid any provocation for the riot police standing watch to move and break up the march. It is easy to forget, with all the incendiary rhetoric from leaders such as Mr. Ahmadinejad, that the Iranian people remain fundamentally pro-American and envy our democracy and personal liberties.

This week is a dark moment for the Iranian people as their legitimate aspirations for greater reform have been apparently sidetracked by the regime. But I am optimistic on their future and look forward to the day that the United States and Iran can once again be at peace and enjoy mutual respect for and with one another.

Mr. President, I would inquire as to the time remaining.

The ACTING PRESIDENT pro tempore. The Senator has used 11 minutes. Mr. CASEY. So I have more time than I thought I did. That is good news.

AMERICAN RECOVERY AND REINVESTMENT ACT

Mr. President, I wish to move to a second topic in the remaining time I have with regard to the American Recovery and Reinvestment Act, but especially in regard to some of the attacks that have been leveled in recent days.

In just over 100 days now, the Recovery and Reinvestment Act is already at

work doing many things, such as providing immediate relief for hard-hit communities and families; secondly, creating and saving jobs; and thirdly, jump-starting thousands of shovel-ready projects across America. Our economic problems were not created in 100 days and they will not be solved in 100 days or even in a little more than 100 days. But thanks to the Recovery Act, we are meeting the greatest economic challenge in a generation head on.

There are early signs of progress across the country. Just a couple of examples of immediate relief measures under the act are providing stability for hard-hit families.

First, the Make Work Pay tax credit has increased take-home pay for 95 percent of working families; 95 percent of working families in America are benefiting from that. I note that in Pennsylvania the number is 4.8 million households are benefiting from that tax credit. Second, unemployment benefits have increased by \$25 a week. Third, COBRA health insurance premiums have been cut by 65 percent. Fifty-four million older citizens across the country have received \$250 in emergency relief checks in the mail. Finally, in this section, food assistance benefits have increased by 13 percent, just when vulnerable Americans need them.

Tax credit and other Recovery Act incentives are starting to drive new consumer spending and creating new product demand. Energy efficiency and renewable energy tax credits are providing fresh opportunities for manufacturers and contractors that make or install green products. And the \$8,000 first-time home buyer tax credit is proving to be a bright spot for the hard-hit housing industry.

The Recovery Act aid to State governments is helping to protect critical safety net programs and saving teaching and law enforcement jobs. Over half of the States have qualified for the State fiscal stabilization funds that are saving teaching jobs and improving education.

State governments are making up shortfalls in Medicaid funds, thanks to the Recovery Act.

Infrastructure improvement projects funded by the Recovery Act are bringing new jobs to hard-hit communities.

Over 20,000 Recovery Act projects across the country have been approved already. In Pennsylvania, just two quick examples: \$725 million for highway projects has been allocated and \$600,000 for airport grants.

The Recovery Act commitments to develop and commercialize new technologies that will be the foundation of the new economy are starting to boost confidence and spur some private sector investment across the country.

Businesses are converting crisis to opportunity because of the promise they see with the Recovery Act. The Recovery Act is already making life a little easier for families and businesses

like these, and work is just getting started.

Last week, President Obama and Vice President BIDEN announced the Roadmap to Recovery, 10 new major projects that will define the next 3 months of the Recovery Act. Here is what the 10 are: help 1,129 health centers in 50 States and 8 territories provide expanded service to approximately 300,000 patients; begin work on 107 national parks; start rehabilitation and improvement projects at 98 airports and over 1,500 highway locations throughout the country; fund 135,000 education jobs, including teachers, principals, and support staff; begin improvements at 90 veterans medical centers across 38 States; hire or keep on the job approximately 5,000 law enforcement officers; start 200 new waste and water systems projects in rural America; begin or accelerate cleanup work at 20 Superfund sites from the National Priority List; create 125,000 summer youth jobs; finally, begin 2,300 construction and rehabilitation projects at 359 military facilities across the country.

Billions of dollars in Recovery Act programs that will shape the economy of the 21st century will launch in the weeks and months ahead—for example, \$8 billion for high-speed rail; \$4.7 billion to connect more Americans to broadband Internet; \$4.5 billion to make a nationwide smart energy grid a reality; \$800 million to accelerate the use of biofuels and bring them to market; and \$300 million to expand the Nation's fleet of alternative-fuel vehicles through the Clean Cities Program.

These investments will get our economy moving today in a way that will change our economy for tomorrow. The road to recovery is long and our economic problems won't be solved overnight, but with every dollar invested and every project started under the Recovery Act, we are getting one step closer.

I will conclude with one further comment. Just as was the case when we voted on the Recovery Act, it was a choice between are you for the Recovery Act or for the status quo? Fortunately, enough of us voted for it so we could jump-start the economy, get it out of the ditch and back on the road to recovery. We still have a long way to go, and there is a lot more work to do, but so far the news is positive in communities across the Commonwealth of Pennsylvania and I know in your home State of Illinois, Mr. President, and across the country.

With that, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Arkansas is recognized.

Mrs. LINCOLN. Mr. President, I ask unanimous consent to speak as in morning business.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mrs. LINCOLN. Mr. President, I wish to applaud my colleague from Pennsyl-

vania because he shared not only our dreams for the recovery—or, as we call it in Arkansas, the “jump-start” bill—but, more importantly, not just our dreams but the things that are actively happening in our States, the great things, whether it is highway projects or for us in Arkansas the new market tax credits, which have been a tremendous boost for capital infusion into small businesses and for entrepreneurs. We can also look at the SBA 7(a) Loan Program, which is tremendous for small businesses. Education alone—I met with principals and administrators last week when I was home, talking about the opportunities for education and the infusion of resources coming from the Recovery Act, along with water projects and broadband. The Senator from Pennsylvania did an excellent job in mentioning those and, most importantly, focusing on the fact that this will help us get our country and our economy back on track and get Americans back to work or keep them in the jobs they are clinging to. I appreciate him coming to the floor and mentioning some of that, all of which many of us have been seeing as we travel home to our States over the weekend or during the breaks.

Mr. CASEY. I thank the Senator.

(The remarks of Mrs. LINCOLN pertaining to the submission of S. Res. 186 are located in today's RECORD under “Submissions of Concurrent and Senate Resolutions.”)

The ACTING PRESIDENT pro tempore. The Senator from Virginia is recognized.

SYSTEMIC RISK REGULATION

Mr. WARNER. Mr. President, I rise today to discuss the state of our financial system and to provide some thoughts on systemic risk regulation, as we set about crafting an overall reform to our financial regulatory approach.

Yesterday, Treasury Secretary Timothy Geithner and the Director of the National Economic Council, Lawrence Summers, published an editorial in the Washington Post laying out the broad outline of their proposal for regulatory reform. I share their views on how we arrived at this moment. I share the broader goals they discussed and look forward to working with the administration on comprehensive and timely regulatory reform. However, I wish to speak today about one area where I disagree, and that is how to address systemic risk.

Let me step back for a moment.

In the past 2 years we have witnessed events that have shaken our financial system to its core, altered our markets in ways that we still struggle to understand, and imposed costs that will burden our economy and our taxpayers for decades to come. We have grown numb to the news, but let me briefly recount these events.

The investment banking sector that built our capital markets has collapsed. Two of our largest investment banks have failed. Another has merged

with a commercial bank to avoid failure. Two others became commercial banking organizations.

Our residential mortgage finance sector has collapsed. The largest mortgage banks in the country have failed. Our two largest savings and loan associations have failed. Our two largest housing GSEs are operating under Federal Government conservatorship.

Our commercial banking sector has avoided collapse only through the infusion of hundreds of billions of dollars in equity support from the U.S. Treasury and massive liquidity support from the FDIC and the Federal Reserve. And despite these interventions, some of our largest commercial banks continue to face an uncertain future and dozens of smaller commercial banks have failed. Our insurance sector has been badly damaged. The largest insurance organization in the United States has been nationalized to avoid collapse. Other major insurers have received billions of dollars from the Treasury.

The magnitude of the events of the past 2 years strains comprehension. I believe what we have seen over the last couple years is the equivalent, in economic terms, of the 100-year flood. Millions of families and retirees have lost their financial security. Millions of people are out of work. Each day, we read about more layoffs, more losses, more bankruptcies, and more bank failures. We call this a financial crisis, but for the American people it is a very personal crisis of lost homes, derailed careers, forgone education, deferred retirement, communities less cared for, and at its core, the confidence of the American people has been shaken.

This crisis has uncovered the flaws of our current regulatory model and has revealed a shadow financial system which lies beyond the current regulatory structure.

We all share the hope that we will soon return to healthy, competitive financial markets and a vibrant economy. We have seen some positive signs that markets are stabilizing. But for our long-term prosperity, we do need a new model. What has happened to our financial system and our economy should not have happened. We must find and adopt reforms that will ensure that it never happens again.

We cannot shrink from the needed reform because it will be difficult or because some will oppose it. Right now there is a lack of faith in our system or its long term prospects. You can see that in our bond markets. We are not turning to the financial sector as a source of positive innovation so that the broader economy can grow. You can see that in the lack of credit in our markets, and the jobs lost every month.

To innovate and create jobs, not only in the financial system but across our whole economy, we do need comprehensive reform. Quality will attract capital, but only change will restore the quality of our markets.

This is the fundamental challenge facing the Banking Committee, of

which I am a new member. However, before I joined this Banking Committee, before I joined this August body, I did spend 20 years in the private sector around the financial system, taking companies public, looking at and learning about the markets. So I came to this body, I believe, with some background. But only since that time have I learned how complex the problems and the challenges are of trying to get financial reregulation or financial reform right.

Since joining the Banking Committee, I have been working to educate myself, meeting with a range of experts to learn more about the issues and to collect their thoughts on potential solutions to financial reregulation. There are a number of things we must do, including providing full regulatory coverage for all markets, ending too big to fail with a robust resolution authority, and ending regulatory arbitrage.

Today I would like to speak about one issue I discussed at length with these experts—systemic risk regulation. I hope, in the coming days, to come back to the floor and discuss other parts of securities and banking regulation.

“Systemic risk” is a term that, quite candidly, probably most of us even around the financial markets had not even heard of or thought very much about until the last couple years. Obviously, systemic risk is not the only area we need to address, but it is an area in which the current system has unequivocally failed.

Systemic risk is a tricky concept. Systemic risk is not a specific kind of risk at all. It is a catchall phrase that includes risks of all kinds, united only by the possibility that if left uncontrolled, they could have consequences for entire markets or even our entire financial system. Counterparty exposures can present systemic risk. So can interest rate shifts. So can bad laws and regulations. Because they come in all shapes and sizes, we should not expect to control systemic risks with a rigid, one-size-fits-all approach.

Our current system has failed to provide checks and balances and has replaced healthy competition with a system where a handful of firms are called too large to fail, and these so-called too-large-to-fail firms can threaten the safety of the entire system and, unfortunately, enjoy an implicit or even now even more explicit government guarantee that destroys any notion of market competition.

Secretary Geithner and Professor Summers have proposed empowering the Federal Reserve to manage systemic risk. But as I have discussed this approach with a number of experts, they have raised a number what of what I think are very serious and legitimate concerns.

My primary concern with placing this added new responsibility with the Federal Reserve is structural. There are already tensions between the Federal Reserve’s responsibilities for the

conduct of monetary policy and its responsibilities for bank supervision. No less an authority on this matter than Paul Volcker told the Joint Economic Committee last year that broadening the Federal Reserve’s responsibilities “would be a way of destroying the Federal Reserve in the long run, because it does need independence.” Adding this additional responsibility on the Federal Reserve, I believe, is a step too far.

My other concern is rooted in the governing philosophy of this country, which I think has, quite honestly, served us well. That philosophy is that too much economic power placed in one place puts our system of government at risk.

Our Founding Fathers opposed that concentration of power, economic or otherwise, and favored a system of checks and balances. Thomas Jefferson famously wrote that “[t]he Central Bank is an institution of the most deadly hostility existing against the principles and form of our Constitution.” That is why America, unlike so many European countries, never created a single, all-powerful national bank. We have, consequently, even since that time, resisted creating that all-powerful central bank. The experience of countries which have concentrated too much power in one entity I think should serve as cautionary tales.

Also, we should not ignore that the Fed has had some responsibility for systemic risk regulation under the current structure. Over the course of the past year, we have seen the Federal Reserve and the Treasury strike private deals with our largest and most powerful financial institutions—deals that might have protected the shareholders and creditors of those banks, but, consequently, by those actions, put smaller and less powerful and often better run institutions at a competitive disadvantage and undermining the long-term vitality of our financial system.

An old African proverb says that when elephants dance, the grass gets trampled. We have a trampled grass problem at this point, and I don’t think we can solve it with bigger elephants, whether those bigger elephants are regulators or institutions. If we do not give the Federal Reserve the responsibility for systemic risk regulation, what should we do instead?

I believe the answer to this question has two parts. The first part is that many systemic risks already lie squarely within the responsibilities of the day-to-day financial regulators. We did not just discover systemic risks. We have been discovering them for generations. We have passed laws to deal with them, and we have entrusted those laws to the administration of substantial regulatory agencies.

We need to make sure our current regulators, the folks who, for the most of the last century, have done their jobs well, have clear missions, including managing risks within their regulated institutions and markets, and we

must ensure that these regulators do their jobs.

But that is only half the problem. Even if we get the day-to-day prudential regulator to be more efficient in evaluating particular institutions' risk profile, we have to recognize that some part of systemic risk may lay outside of the regulator's day-to-day responsibilities and actually fall between the cracks of our existing regulatory system.

Working with folks across the financial spectrum, they have suggested the creation of a systemic risk council. I don't mean to claim on this floor that a systemic risk council is a silver bullet, but it avoids the pitfalls of entrusting the systemic risk responsibility in one agency that already has responsibilities and can be a potential source of conflict. Instead, a council can see across the horizon and gather all the information and expertise can flow to it, thereby addressing our stovepipe problem of our various regulatory agencies and making sure, as well, by having this council, it would have the intrinsic conflicts that would come if you also have to have responsibility for monetary policy. Making sure we have this council would also avoid the very real challenge of regulatory capture. Let me briefly outline this concept.

Our belief would be the systemic risk council would consist of the Treasury Secretary, the Chairman of the Federal Reserve, and the heads of the major financial regulatory agencies. It would be charged with the responsibility for working to improve our understanding and control of systemic risks and, in a narrow set of circumstances or emergencies, it would have the ability to act.

People would say: What does this look like? It builds on the model of the President's working group on financial markets. The idea is, the systemic risk council would have an independent chair appointed by the President and approved by the Congress and supported by a permanent staff. The best analogy of the systemic risk council might be the resemblance it might bear to the National Transportation Safety Board or the National Security Council. Just as the NTSB leaves rule-making on a day-to-day basis to the FAA, the systemic risk council would leave most of the day-to-day rule-making to the financial regulatory agency.

I understand criticism of the council's approach today is we don't just want a debating society at moments of crisis. That is why it needs this independent chair, independent staff, and resources. We must ensure it could act.

It would have the authority to review every bit of information that the individual, prudential, day-to-day Federal regulatory agencies possess, to require those agencies to collect information from the institutions they regulate.

It would also have, as I mentioned, an independent staff capable of analyzing this data, understanding how

the pieces of the regulatory system work together, and then at that council level, at that staff level, feed that information up to the council so it could identify weaknesses or gaps within our system or potential systemic risks that might be arising outside the purview of the independent Federal regulatory agency.

The council would also have the authority to require the financial regulators to develop clear, written plans for dealing with potential financial crises. In effect, it would have the potential to ask any institution to come forward with a winddown resolution plan for its particular circumstances. These plans would be created in advance of any crisis, maintained and even simulated from time to time to make sure they are adequate.

Again, if we put in place these kinds of credible plans to handle the potential failure of every systemically important financial institution, then we will no longer have the excuse that we have constantly heard over the last few months: Gosh, it is tough we have to put up this much public money to support this institution, but it is too big to fail.

As we have seen time and again in this crisis, because we didn't have these plans in place, unfortunately, the American taxpayers have taken on unfounded, quite honestly, financial risk in shoring up these institutions.

Because a systemic risk council would not directly interact with our major financial institutions on a day-to-day basis, it would be less prone to capture than the financial regulatory agencies. During normal times, the council could help to determine how to regulate new products and markets in order to minimize regulatory gaps, regulatory arbitrage, and the blind spots that currently exist in our system. As we know at this point, too many of those blind spots exist and have allowed the creation of some of the financial products that led to the financial meltdown we have seen.

The council will not identify firms that are too big or too large to fail but instead will work to prevent firms from becoming too large to fail. It would do this specifically in two ways.

First, it would have the authority to establish systemwide, counterparty exposure limits, increased capital requirements, reduced leverage, and strengthened risk management requirements—all of these, in effect, to put not an absolute prescription but at least barriers on those institutions that choose to get so large that they might potentially fall into that "too big to fail" category.

Second, it would ensure that the resolution authority would be able to resolve any institution that got to that size and then potentially posed a systemic risk.

In a crisis, the council could work with its member organizations to promote coordinated and comprehensive responses. The systemic risk council's

responsibilities would be clear and focused. Systemic risk would be its only job.

Using a council, prudential regulators would remain empowered and responsible for systemic risks that arose in their jurisdiction. If they encountered a risk that extended beyond their authority they could go to the council to ensure coordinated and comprehensive action. On top of that, if the evidence of risk is spread across different agencies like pieces of a puzzle, the council would have the information and expertise to spot it, and the ability to coordinate action in order to address it.

What I am proposing today boils down to a simple, commonsense idea. If we want to do something constructive about systemic risk, we should create a mechanism that can help ensure our regulators do their jobs on a day-to-day basis, avoid conflicts of interest, and fully leverage our existing regulatory resources to promote the proactive identification and control of systemic risks.

Let me acknowledge at the outset that there are many details that still need to be worked out, and I will, as I mentioned, have a series of other ideas of how we can modernize our financial system in the coming weeks ahead. But I believe the general approach I have outlined today, in terms of a systemic risk council, hopefully, will spark the debate so we do not simply default to further empowering an already extraordinarily important and critical institution, in terms of the Federal Reserve, without a thorough debate about this issue.

The ACTING PRESIDENT pro tempore. The Senator from Arizona.

HEALTH CARE

Mr. KYL. Mr. President, the problems with the current state of health care in America are well known. Republicans do not need to be convinced of a case for reform. We hear from our constituents who have concerns about their own health care dilemmas and those of their neighbors and we all agree the millions of uninsured Americans need access to high-quality health care. But though we all agree on the need for reform, we have disagreements on how best to accomplish our goals.

Republicans favor a patient-centered approach that allows individuals to choose their own insurance, keep it if they like it, and never have to get permission from a Washington bureaucrat to get the test or treatment their doctor says they need. President Obama wants Congress to pass a sweeping new Washington-run health care system that we believe would jeopardize the care most Americans already have. Such a system would likely lead to the collapse of private insurance and replace it with an enormous Washington bureaucracy that would ration health care for all Americans.

I have discussed my concerns that Washington-run health care would diminish Americans' access to quality

care, lead to denials, shortages, and long delays for treatment, and would give power to Washington to dictate what medications and procedures Americans could get and when they could get them. It is already in the works.

A recent National Institutes of Health project description states:

Cost-effectiveness research will provide accurate and objective information to guide future policies that support the allocation of health resources for the treatment of acute and chronic conditions.

"Allocation of health resources" is a euphemism for rationing—denying care based on cost. To that end, Senator MCCONNELL and I have introduced legislation that would bar the Federal Government from using comparative effective research to delay or deny care to anyone. That is a bare minimum that we should do to prevent rationing of care. Our bill, incidentally, is endorsed by the American Medical Association.

Mr. President, government-run and rationed approaches have caused much pain to people in other countries—in Canada, for example. In an article for the Manhattan Institute's *City Journal*, Dr. David Gratzer wrote of the long waits that Canadians endure for just about any procedure or diagnostic test: seniors who lay on stretchers for 5 days in a hospital waiting room; a 3-year wait list for a hernia operation; a 2-year delay for sleep apnea treatment; a year-long delay for a hip replacement, and so on.

It is one thing for Washington to take over car companies. Getting it wrong there usually would not lead to life-or-death problems. But it is an entirely different matter to allow Washington to go into business as the Nation's health care provider. Who is going to protect you when they get it wrong? To whom are you going to appeal?

In his health care speeches, President Obama has stressed that if you like your current health care, you can keep it if you don't want to get on the Washington-run plan. That sounds all well and good, but it would not play out that way, according to health experts.

The Lewin Group produced a study that shows, if enacted, the President's public option—the government-run insurance company—would displace 119 million happily insured Americans. Their companies could take the easy route and simply pay a fine, tell their employees to sign up for Washington-run health care, even if they do not want it. How does that square with the President's assurances that patients will get to keep what they have?

Most insured Americans like their coverage. A May 14 Rasmussen poll shows that 70 percent of Americans rated their coverage as excellent—70 percent. Another 23 percent rated it as fair. So most folks are happy with their current insurance and would not appreciate being pushed into Washington's health care bureaucracy, with all

of its complex rules and hours of waiting on hold and webs of impenetrable bureaucracy.

Then there is the matter of cost. How much will it cost to add 47 million people to the health care rolls? Who will pay? To not know the answers to these questions is to be fiscally irresponsible. Yet we don't even have precise estimates from the Congressional Budget Office whose responsibility it is to tell Congress how much legislation will cost the taxpayers. The preliminary estimate of the Congressional Budget Office shows that only a part of the Health, Education, Labor and Pensions Committee bill will cost \$1 trillion, but it only reduces the number of uninsured by 16 million people—\$1 trillion for 16 million people. The remainder of the bill, by the way, has not even been scored.

My math shows that is \$62,250 per person, and that only covers about one-third of the 47 million who are said to lack insurance. It doesn't take into account the estimated 119 million insureds who will be switched from the private coverage they currently have to the government program. So what will the total cost be?

Mr. President, there is another concern that hasn't been much discussed but needs to be raised. It is a major concern for America's seniors. Over the weekend, the administration proposed trimming Medicare's budget to pay for this new public plan. This is exactly the wrong thing to do and can only mean one thing: rationing and waiting lists for America's seniors. Seniors want Congress to strengthen Medicare, make it more efficient and, importantly, make it solvent. They want it to serve as intended—to pay for the health care of seniors. They do not want its resources drained to pay for a massive new plan for the 47 million uninsured, plus the 119 million currently insured but soon to be displaced into the government system.

Seniors rightly ask: Won't the new demands for care greatly diminish the quality of care seniors now receive and lead to dangerous waits for tests and treatment?

President Obama has acknowledged that Medicare's promises of treatment are financially unsustainable. We learned recently that Medicare's liability; that is, the amount of benefits promised that are not covered by taxes, is \$38 trillion over the next 75 years. One lesson we can draw from Medicare's financial troubles—and veterans health care, for that matter—is that health care plans run by Washington bureaucrats are not very efficient or cost effective. They have no incentive to be. In fact, the economic principle of "the tragedy of the commons" applies. Since the money doesn't belong to any one individual or group, no incentive exists to be cost efficient, to eliminate waste, or to streamline the bureaucracy.

Another way to say it is: Who washes their rent-a-car?

Mr. President, seniors and veterans, private insurance holders, small businesses, and employers that insure their workers, the uninsured—in fact, all Americans—should be given the chance to review, discuss, and provide feedback on any legislation as important as this health care reform. It will affect the way we all get our health care.

I look forward to an ongoing dialogue about the health care reform that we all want, but we must not rush to churn out and then hastily pass a plan that will lead to rationing and the displacement of millions from the insurance they currently enjoy. It is of paramount importance that the principles of quality care, choice, freedom, and putting patients first triumph in the reform we all want.

Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SANDERS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. SANDERS. Mr. President, I think virtually everybody in our country understands that America is in the midst of a major health care crisis. We have 46 million Americans without any health insurance. We have even more who are underinsured, and we have, in addition to all of that, some 60 million Americans—20 percent of our population—who do not have access to a doctor on a regular basis. The result of that particular fact is that we lose over 18,000 Americans every year, Americans who die needlessly—who should not die—because they do not go to the doctor when they should and get the treatment they need. That is six times every single year the number of people we lost on 9/11—people who should not die because they do not have access to a doctor.

Mr. President, in the midst of this horrendous lack of coverage—unique, I should mention, among major nations on Earth—the United States spends far more per capita on health care than any other nation, and those costs continue to soar. So when people make international comparisons of the United States with other nations on how well or not well we are doing—and that is good to do—we should always remember we are spending almost twice as much per capita on health care as any other country. There is certainly something wrong and dysfunctional about a system which spends so much and yet leaves so many people uninsured, underinsured, or without access to a doctor or a dentist or other preventive health care.

At \$2.4 trillion and 18 percent of our gross domestic product, the skyrocketing cost of health care in this country is unsustainable both from a personal point of view—the needs of individual Americans—and also from a

macroeconomic perspective of what is happening to our entire economy. At the individual level, the average American today spends about \$7,900 per year on health care. Can you believe that? Close to \$8,000 per person on health care?

We all know folks who are out there making \$20,000, \$25,000, or \$30,000 a year, and we are spending, on average, almost \$8,000 per person.

Despite that huge outlay—unprecedented in the world—a recent study found that medical problems contributed to 62 percent of all bankruptcies in 2007. I should add that most of the people who went bankrupt had health insurance. They had health insurance. But what they had was inadequate health insurance.

From a business perspective—as opposed to the needs of an individual—General Motors spends more money on health care per automobile than they do on steel—more money on health care than on steel—which might lead us to understand why they are where they are today.

Small business owners in the State of Vermont and around this country are forced to divert hard-earned profits into health coverage for their employees rather than new business investments. Many small businesses are trying to do the right thing for their employees, spending more than they have for health coverage so they do not have the money available to make the investments they need to make their businesses grow. The result of that, of course, is as a result of soaring health care costs—going up 10, 15, 20 percent a year—many small- and medium-size businesses are cutting back drastically on their level of health care coverage or, in some cases, they are doing away with it entirely.

More and more businesses in America are simply saying: I cannot afford to provide health insurance to my workers. Despite all of that—that we spend almost twice as much per person on health care as any other country—people will say: Since you spend all that money, the results must be great. But that is not the case. The bottom line is we get poor value for what we spend.

According to the World Health Organization, the United States ranks 37th in terms of health system performance. We are far behind many other countries in terms of such important indices as infant mortality, life expectancy, and preventable deaths.

So we are spending almost double what any other country on Earth is spending. We have 46 million without any health insurance, we have more who are underinsured, we have thousands who die because they cannot get to a doctor, and then in many other health care outcomes we are behind many other countries around the world—some of which are spending far less per person than we are spending.

It seems to me, as the health care debate in Congress heats up, we as a nation have to ask two fundamental ques-

tions. Different people will have different answers to them, but here are the two questions I think we have to ask: First, as a nation, should all Americans be entitled to health care as a right? That is the first question.

Honest people will have differences of opinion. Some people will say: You know what. Some people have big cars, some people have small cars. Some people have big houses, some people have small houses. Some people have good health insurance, some people have no health insurance. That is the way life goes. Some people hold that view.

I do not. I think in America we should understand that every single person should be entitled to quality, comprehensive, affordable health care. In fact, I think most Americans believe the same thing.

Second, if we are to provide quality health care to every man, woman, and child in this country, how do we do it in a way that does not bankrupt the Nation? How do we do it in a cost-effective way? Those are the two questions that we have to ask ourselves.

I think the answer to the first question is pretty clear and, in fact, it is one of the reasons Barack Obama was elected President of the United States. Most Americans do believe all of us should have health care and nobody should be left out of the system. We have a hard time understanding that Joe Smith who works for one company has good health care, and his neighbor, Mary Evans, who works for another company, does not have any health insurance at all. What sense is that?

I think as a nation we are coming to understand all of our people are entitled to health care as a right, as Americans, and the challenge we face is how do we do it in a cost-effective way. In that regard, I think—and I obviously speak just for myself—the evidence is overwhelming that we must end the private insurance company domination of health care in our country and move toward a publicly funded, single-payer, Medicare-for-all approach. I think the evidence is overwhelming that if you want universal, comprehensive, quality health care for all people, that is actually the only way you can do it.

Our current private health insurance system is the most costly, wasteful, complicated, and bureaucratic in the world. Just today—not yesterday, just today—I spoke to an individual who has a law degree, a very smart guy. His wife has a Ph.D. They went through the Federal employee benefit package. Between a Ph.D. and a lawyer, they spent hours trying to figure out what particular program could work best for them.

All over America, people are spending countless hours trying to figure out: Is it this program? Is it that program? I am young; I might not get sick but, you know, I have a history of cancer in my family. Should I get comprehensive? Should I get a high deductible? If I am a small business I can only

negotiate this, if I am General Motors I can self insure. What should I do?

The answer is, there are 1,300 separate private insurance companies in America peddling thousands and thousands of different plans. Let's be very clear, if in fact, anybody has not caught on yet; the function of a private health insurance company is not to provide health care. It is to make as much money as possible. That is what its reason for existence is about.

In fact, when a private health insurance company denies health care, it makes more money. In fact, the record is pretty clear that private health insurance companies have given bonuses to people, their own employees, who are successful in throwing people off of the insurance policy because those people were running up high health care costs. Thus, we have the insane phenomenon of something called a pre-existing condition.

What a term that is, preexisting condition—meaning a person cannot get coverage for the illness they need to be covered for most. The person who had cancer 3 years ago and is worried about a recurrence of cancer—sorry, we can't provide insurance to you.

Then you have other circumstances where somebody gets really sick, runs up a high medical bill, and the insurance company says: Oh, we don't want to continue your policy because we had to pay out so much money. We want to go to some young guy who can run the marathon and promises us never to get sick. Those are the guys we want to cover.

This is an insane system. It is a wasteful system. It is a bureaucratic system. How many people are spending half their lives on the telephone, arguing with insurance companies to cover the claims they thought they were covered for? So people on one end of the phone are spending huge amounts of time and money doing that, and at the other end of the phone we are paying someone to tell us we don't have coverage for what we thought we did have coverage.

With thousands of different health benefit programs designed to maximize profits, not provide health care, private health insurance companies spend an incredible 30 percent of each health care dollar on administration and billing, exorbitant CEO compensation packages, advertising, lobbying, and campaign contributions.

One of the lovely things the insurance companies do and the pharmaceutical companies do is, after they rip you off and they make huge profits, they take some of that money to hire all these fancy guys in Washington, DC, to protect the status quo.

The bottom line is—and all of the evidence makes this clear—public programs such as Medicare, Medicaid, the SCHIP Program, and the Veterans' Administration are administered for far less money than are private health insurance companies.

In recent years, while we have experienced an acute shortage of primary

health care doctors, nurses, and dentists, we are paying for a huge increase in health care bureaucrats and bill collectors. Here is the insanity, the dysfunctionality of the current system: We do not have enough primary health care doctors, we don't have enough dentists, we do not have enough nurses, we do not have enough medical personnel—we don't have enough of those people, but over the last three decades we have seen an explosion in the number of health care bureaucrats and people who are bill collectors.

To my mind, I would rather see somebody hired who can help somebody get well or prevent disease, not somebody on the telephone billing or arguing about what we owe or do not owe. The fact is, over the last three decades the number of administrative personnel has grown by 25 times the numbers of physicians—25 times more bureaucrats than physicians. We do not need health care bureaucrats pushing paper. We need primary health care doctors delivering babies, taking care of the elderly, and taking care of those people who are sick.

Not surprisingly, while health care costs are soaring, so are the profits of private health insurance companies. From 2003 to 2007, the combined profits of the Nation's major health insurance companies increased by 170 percent. Health care costs are soaring, profits of the health insurance companies are also soaring, and while more and more Americans are losing their jobs and health insurance, the top executives in the industry are receiving lavish compensation packages. It is not just William McGuire, the former head of United Health, who several years ago accumulated stock options worth an estimated \$1.6 billion.

OK, \$1.6 billion a few years ago for the CEO of United Health and we do not have enough money to provide health care to people who are uninsured? It is not just the head of Cigna, Edward Hanway, who made more than \$120 million in the last 5 years. The fact is, CEO compensation for the top private health insurance companies now averages over \$14 million apiece.

Moving toward a national health insurance program which provides cost-effective, universal, comprehensive, and quality health care for all will not be easy. It is the major political struggle that we face right now. The powerful special interests—and they are all over Capitol Hill. The lobbyists are here. In the midst of the recession, I would suggest that while unemployment in general is soaring, my strong guess is that unemployment for health care lobbyists and pharmaceutical industry lobbyists is going down. Those guys have plenty of work, and they are making plenty of money. I am quite confident that those lobbyists will wage an all-out fight to make sure we maintain the current dysfunctional system which enables them, the insurance companies and the drug companies, to make millions and billions of dollars in profits.

In recent years they have spent hundreds of millions on lobbying, campaign contributions, and advertising with unlimited resources. We have no reason to believe they will not continue to spend as much as they need. But at the end of the day, as difficult as it may be, the fight for a national health care program will prevail. Decade after decade, all over this country people fought for a civil rights movement which said we will judge human beings not on their color but on their character, who they are as a human being. The struggle for women's rights went on decade after decade before women had the right to vote or had a seat at the table.

In my view, the struggle for health care is the civil rights struggle of today, and I believe 30 years from now, 50 years from now, people will look back and say: I don't believe there was a time in America where people who got sick couldn't find a doctor, where people went bankrupt because they committed the crime of being sick or having cancer. I do not believe that.

Our job is to bring that day when every American has health care as a right in a comprehensive, cost-effective manner. Our job is to make that day come sooner rather than later. If we work together and if we have the courage to stand up to the big money interests who want to maintain the status quo, we, in fact, can do that.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Alabama is recognized.

TREASURY BOND YIELD UPDATE

Mr. SESSIONS. Mr. President, about 2 weeks ago I spoke on the floor about the unprecedented budget deficits this country is now facing and the fact we are spending money we do not have. I specifically discussed the impact that is having on Treasury yields.

What we know is that President Obama's budget has been scored by the Congressional Budget Office, which is our group, and I think they do a pretty good job. They take pride in being independent and fair. The head of it was selected by the Democratic majority in the Senate. It is certainly not a Republican organization. They are just fair, trying to do the best they can to try to calculate the numbers.

What they calculated was that at the rate of deficit spending we are now undertaking, the total American debt will double in 10 years, from \$5.7 trillion to over \$11 trillion. In 10 years it will triple to \$17 trillion.

That is a lot of debt. You might ask how do you do that? How do you spend more money than you take in? The way we do it is we borrow it, just like other people do. The Government borrows it. The way it does is, it puts out an auction or sale of Treasury bonds or bills, T-bills they call them, and people buy those things if they choose to do so, and the Government pays them a

certain interest rate, whatever the interest rate is at the time.

On short-term debt instruments—short term are under a few months—those interest rates are still rather low because people are panicked over the economic situation. They are afraid to put their money in the stock market, so they bought Treasury bills. Other people around the world did too. They are not getting much interest, but they believe the Government will pay them back in dollars, eventually.

So what has been happening to the 10-year Treasury bill, one of the foundations of our borrowing, is the rate has continued to go up. Two weeks ago, I pointed out that the 10-year Treasury yield had increased 54 percent this year, at that time from 2.4 percent in January, to 3.7 percent. Barron's, a major financial publication, predicted a few weeks ago that Treasury yields could top 4 percent this year.

Well, guess what. Treasury yields topped 4 percent last week. The Wall Street Journal in a front-page article on June 11 said that the 10-year Treasury yield briefly hit 4 percent yesterday afternoon before closing at 3.94 percent. That would be a 67-percent increase in the Treasury bill interest rate just this year.

Why are the rates going up? It seems there is some disagreement between Washington and Wall Street. The Wall Street Journal article says this:

Many policymakers see the rise in Treasury yields as a sign that investors are optimistic that the economy is on the mend. But many market participants say higher long-term bond yields indicate investors are increasingly worried about inflation.

So I interpret that to mean that the Washington politico crowd, looking to see a positive vision here, say it is because the economy is doing better. And that could be a factor. But the folks on Wall Street, who are buying the T bills, say differently.

Is the government responsible for this increase in interest rates? It seems that is a real possibility. The Federal Reserve is creating inflation concerns through its massive asset purchase program. The Fed plans to purchase \$1.25 trillion in mortgage-backed securities, \$200 billion in Freddie Mac and Fannie Mae debt, and \$300 billion in Treasury bills this year. Since there are not enough people who want to buy the Treasury bills, the Federal Reserve is stepping in and buying them in an attempt to keep the rate down.

So far the Fed has purchased \$481 billion in mortgage-backed securities, and \$130 billion in Treasuries. The intention of the program is to reduce the Treasury yield and interest rates, but it may be backfiring. A Forbes.com article on May 28 quotes former Federal Reserve Governor Lawrence Meyer on how this kind of action could actually have a different impact. It could actually cause inflation and even cause a rise in the Treasury bond yield.

This is what he said:

This can become counterproductive. To the extent that you stoke inflation fears and you

get an inflation risk premium built in [to the bond yield] you can't ease that away. You do have to be careful and more measured than that.

In other words, when there is a perception which may be reality that not enough people are willing to buy these Treasury bonds at lower rates, because they think even 4 percent may not be enough because they may fear that inflation is going to be 6 or 7 percent down the road, they do not want to lock themselves in for 10 years at a 4-percent interest rate that is below the inflation rate. So the Fed steps in and buys some of this to keep it low, and that may be having the perverse incentive of causing a belief to occur in the marketplace that inflation is on the way, and scares people even more.

Also let me say this about the voluntary purchase of Treasury bills by citizens of the United States, people in China, the Middle East, and around the world. They do not have to buy Treasury bills. We are going to be offering amounts, these kinds of bills, in volume we have never offered before in the history of the Republic.

So the question is, who wants to buy them? Who wants to hold a mortgage on the United States? What if we inflate our currency? Maybe 4 percent is not enough. Maybe they want more. Maybe China, which had a huge trade surplus a few years ago, is deciding they are not going to buy so many Treasury bills in the United States. Maybe they decide they need to invest in their own economy, which is not doing as well as it has done in the past.

The same about the Middle East. They used to have huge reserves of American money as a result of the high price of gasoline and price of oil on the world market. That price dropped some. So perhaps they do not have as much money to buy our Treasury bills either.

So who is going to buy them? We are not talking about a little bit, we are talking about going from \$5 trillion in total debt today to \$11 trillion in 5 years, and \$17 trillion in 10 years. So we are talking about over \$10 trillion in new debt we have to sell to someone in the world market.

Also, what is the impact of the Federal Reserve, that entity we have created by law, when they buy Treasury bills? What occurs there? I remember hearing Mr. Bernanke, the Federal Reserve Chairman, talking about this on "60 Minutes." Some of you may have seen him being interviewed on that program. I went back and had the transcript of that program called up, and we reviewed it. It is what I thought he said. In response to reporter Scott Pelley's question, Chairman Bernanke said about the Fed's programs:

It's much more akin to printing money than it is to borrowing.

Mr. Pelley replied:

You've been printing money?

And Mr. Bernanke replied:

Well, effectively.

And he added:

And we need to do that, because our economy is very weak and inflation is very low.

So if you want to know the definition of printing money, that is it. Some people say that is not a fair thing to say; we are not printing money. Mr. Bernanke says we are printing money. He is the Chief of the Fed. He is the guy who does it.

Why does this matter to the average American? Even those who are not planning to buy a Treasury bill any time soon will be affected. That is because mortgage interest rates—what we pay to borrow money to buy a house with—track the 10-year Treasury yield. So as the 10-year Treasury goes up, mortgage rates go up too, and it is much harder for people to buy a home or to refinance. Or if you want to sell a home, it is harder for the person who wants to buy it to borrow the money. He has got to pay considerably more for a house in the interest rate. In fact, according to the Wall Street Journal, 30-year mortgage rates have gone up 16 percent in the past 2 weeks, from 5 percent to 5.79 percent. This is the money, when you go out, you have to borrow money to buy a house with. What we need to happen in America is people buying homes and taking them off the market.

There is a huge difference between 5 percent and 6 percent. On \$100,000, 5 percent interest would be \$5,000 a year you pay in interest; \$400-plus a month. On 6 percent interest, it is \$6,000 a year, or \$100 more a month on \$100,000. For a \$200,000 mortgage it would be twice that. It would be \$2,000 or \$3,000 more a year you would pay in interest alone because the rate went up a bit.

We were hoping that the interest rates would stay low to encourage people to buy homes, encourage people to refinance, and be able to live a better life. The Wall Street Journal article said that this increase—from 5 to almost 6 percent—will cut the number of people with an incentive to refinance their homes and save money by paying less interest by half.

Let me mention one more thing. One of the things that is interesting in all of this is the impact our spending has had on the economy. We all hoped it would have a pretty dramatic impact. But it is not being nearly as effective as people thought. Even I thought we would have some impact in the short term.

But I believe that CBO is correct. When we passed the \$800 billion stimulus package that was supposed to put money out into the economy to build roads and bridges, we found out only 4 percent of the money went to roads and bridges, 96 percent went to other kinds of government spending, but that \$800 billion was supposed to create a good bit of jobs and get this economy moving.

I want to say things are not going as well as we would like. I remain optimistic. The Fed is doing all of these things, the spending is coming along. Surely we are going to have a benefit from that in the near term.

But this shows the deficit surge. The deficit, by which I mean how much more money we are spending than we take in. This goes through March of this year. You can see how the deficit is increasing, how much our shortfall is. And by March, it has already topped \$953 billion.

That is more than twice the biggest deficit President Bush ever had. And he was criticized for his deficit. That is twice. We have not gotten to the end of the fiscal year yet.

What the CBO projects—this is our own Congressional Budget Office, their numbers, and they are running the tally of how much we are spending and how much is coming in. They calculate by the end of the year the deficit will be \$1.8 trillion, which is about four times the highest deficit President Bush ever had.

I say that because people say: Well, President Bush had deficits too. Yes, he did. A lot of that was not justified, in my opinion. But we never had deficits like this in the history of the American Republic. And you do have to borrow this money.

This is in March. By September 30, we are looking at a deficit of \$1.8 trillion this year alone. And the whole debt of the American Republic, since its founding, is about 5.7 trillion before this year started. What is that? That is one-third in 1 year.

We hoped that spending and this activity would help improve the unemployment rate. But you can see, it is going up. It was 6.6 and it has gone up to 8.5. Well, it is not 8.5 percent. That was in March. The latest number is 9.4 percent.

So I do not know how much real boost we have gotten from this reckless spending. So much of it we knew was not job creating, and we debated that. It was clear that a lot of this was the kind of spending that would not create jobs. As I said, you heard about roads and bridges. Well, only 4 percent of the money went to roads and bridges. A lot of it went to all kinds of programs that are not job-creating programs. So I am concerned about that.

This is a vibrant country, and I think we have the capability of bouncing back from hard times. I will just say, we are at 9.4 percent unemployment. Unemployment in the early 1980s, under President Reagan, when they had to break the back of surging inflation, they broke the back of 13-percent inflation. Unemployment hit 10.8 percent. So it is not as bad as it was in the 1980s, and we bounced back from that, and we can bounce back from this.

But I have to say to my colleagues, if we do not have fiscal sanity in how we do our business, if we do not have a possibility of showing growth in revenues from economic growth and the containment of spending—and our deficits are surging for as far as the eye can see—then I am not sure we will have the kind of healthy, robust resurgence we would normally expect to occur after a recession.

Look at these numbers. This is very disturbing. We borrow all this money, and we spend it today. I know a great lawyer who has written a book, "The Case for Character." He said: This is a question of character, what I am going to talk to you about here. It is a question about the moral character of the Congress and the President of the United States and how we approach our duties in a responsible manner.

In 2009, this year, we expect that the taxpayers of the United States—on the \$5.7 trillion we have borrowed—will pay \$170 billion in interest. That is a total loss. That is money that goes out to people who have loaned us money. It is interest, just like on your credit card or on your mortgage—\$170 billion. And look how it goes up. This is a chart I have of the interest each year. And 10 years from now, if we follow the President's budget, it will be \$806 billion, according to the Congressional Budget Office.

All right. That is just money. How much is that? How much is \$806 billion? Let me tell you what we do today. The Federal highway bill is about \$40 billion. The Federal aid to education in all its forms is about \$100 billion. So now, since we take money from the future, and we spend it today in a reckless way, I think, to get some sort of hope for stimulus we have not seen much of, we are going to saddle the people in 2019 with an annual debt payment of \$806 billion—10 times the Federal education budget, 20 times-plus the highway budget. So we do need to be focused on this issue.

Let me say one more thing. According to the Congressional Budget Office, the deficit is supposed to drop down in 2 or 3 years, but already it looks as if we will not meet those numbers. The economy is not as strong as they were projecting. It was a rosy scenario. But they project about \$600 billion is what the deficit will be 2 or 3 years from now—30, 40 percent higher than anything President Bush ever had—\$600 billion. Then it starts up again, and it goes up to the 10th year. And in the 10th year, under the scoring of the President's budget by the Congressional Budget Office, the deficit will be over \$1 trillion in that year—\$1.1 trillion.

That is not sustainable. And they are not projecting an economic slowdown. They are projecting modest growth over that period of time, solid growth for the last 5 years during this period. If we have a recession, presumably the deficits would be even larger than that.

I guess I would say to my colleagues, this is a matter we need to start thinking about. It cannot be ignored. Nothing comes from nothing. If you get money to spend today, you must spend every dollar of it with care because you have borrowed it from the future, and somebody has to pay it back. It is not free money. Maybe it feels as if it is free today because we did not have to pay higher taxes or we did not cut some other spending program to get

the money to do what we would like to do with it. We just borrowed it. But borrowing has consequences.

Every year from here on out, that \$806 billion will go up probably because in 2019 they expect not a balanced budget but an annual deficit of that year to be over \$1 trillion. So the thing is going to continue to worsen. If we do not make some changes, this will continue.

By the way, this does not include the spending we are talking about on health care, which you heard a speech about earlier. I will say this about it: the Health, Education, Labor and Pensions Committee has released details on a bill. According to CBO, what they have released so far scores at \$1 trillion. Oh, we just got another \$1 trillion not calculated in these numbers. "Well, everybody just needs to have health insurance." So who is going to pay for it?

We have to be smart. We have to see how we can improve health care, get more people insured, create a better system with the absolute lowest possible cost because we cannot continue this kind of reckless spending. Instead of learning a lesson from the already surging deficits, we seem to be blithely going on with a huge new spending program on top of that.

The American people, I think, are uneasy. They think we are out of control up here. They do not think they have ever seen anything like this: deficits the likes of which we have never seen in peacetime.

The U.S. Government passed a bill last fall that was supposed to buy toxic mortgages from banks, and now they bought a controlling share in General Motors. How did this happen? Did Congress ever vote on that? No. We did not vote on it. They took advantage of the language in that bill, which I was opposed to and voted against. One of the reasons I opposed it was because it was too broad and an unbelievable abrogation of congressional power to the Secretary of Treasury, who had already helped lead us into financial catastrophe. But people in panic, they all voted and gave him this power.

Did anybody know we were going to use that money to buy an automobile company? No. In fact, Secretary Paulson at one point was asked at a hearing: What about buying stock in banks? This was supposed to be helping the banks. In the House committee, he said, no, we did not want to buy stock in banks. But a week after that bill passed, he was buying stock in banks. And they have not yet begun to buy toxic mortgages. Maybe they will begin soon. They say they have a plan now.

I am saying the American people are right to be concerned about the reckless, irresponsible behavior of this government in Washington. I hope they will continue to watch what is going on. I hope the American people will speak out and let the folks up here know they expect us to do something more than deal with the problem next week. They expect us to be thinking

about the long-term health of the American economy.

I heard a well-known financial expert say: Well, you know what? I am not saying there will be reckless inflation occurring, although some people are predicting that. He said: After President Reagan broke inflation and we got the economy on a sound track, the economy grew at about 3 percent a year and inflation was about 2 percent. He said: What I am worried about is that what we are going to see in the next 10 years is inflation at about 3 percent and growth at about 2 percent. That is not good. You want your growth to exceed the inflation rate.

I do not know what will happen. I cannot predict it. But I know this: We are going to have less money to spend on the things we need because we are going to have to be paying a huge amount in interest. Those are real concerns. This matter is not going away. I believe the American people are becoming more and more attuned to these matters. That is what the Tea parties were about—a sort of spontaneous reaction by the American people saying: What are you guys doing up there? Surely you know this is not the way to handle America's business.

I will say, I am going to continue to report on things that are developing. Surely we will begin to see some improvement in the unemployment rate and maybe some economic growth in the weeks to come. You would normally expect that when you pump the kind of money we have pumped into this economy. But in the long run, this begins to drag down the gains you make in the short run. That is what I am saying.

In fact, the Congressional Budget Office said—analyzing the stimulus package alone—it would increase our GDP, our growth for 2 to 3 years, but if you took that over 10 years, the economy would grow less over the 10 years than if we had no stimulus package at all. That is because when you borrow money, not only do you have to pay interest on it, but it crowds out borrowing from the private sector.

If a corporation wants to borrow money through the issuance of bonds, they are having to compete with the Treasury bills that are now paying 4 percent, and they will have to pay a good bit more because people think the Treasury bills are better, safer investments than some private corporate bonds. It hurts the private sector because now they are paying considerably higher interest rates to get people to loan money to them instead of loaning it to the U.S. Government.

I thank the Presiding Officer for the opportunity to share this. I hope and pray we can all figure out a way to work together to do a better job of being stewards of this economy. It is a high responsibility we have. No one knows everything. No one has a perfect answer to it. We are going to have to go through some tough times. I think that is clear, and there is no need to sugar-coat that.

I am not blaming President Obama for everything that has gone wrong, and he inherited so much of this. I have talked about Secretary Paulson. I do not think Secretary Geithner is any better. He was Secretary Paulson's top adviser when they came up with this plan last fall.

But, at any rate, we need to get our heads together and know one fundamental thing: Nothing comes from nothing. There is no free lunch. If you borrow money to spend today, there will be a cost in the future, and those costs can outweigh the benefits that are occurring today.

I thank the Chair and yield the floor. The PRESIDING OFFICER (Mr. KAUFMAN). The Senator from Illinois.

Mr. BURRIS. Mr. President, we live in a world divided. International tension, mistrust, and even war too often separate Nation from Nation. But every 2 years, 10,000 athletes from more than 200 countries come together to celebrate the human spirit. They meet in competition, arriving on the world stage from all five inhabited continents. Each of these five continents is represented by a single-colored circle—a ring intertwined with four others to form the familiar symbol worn by every Olympic athlete. The Olympic and the Paralympic games are a powerful force for world unity and a boon to any city that hosts them.

In 2016, the summer games will bring millions of dollars and the international spotlight to one of four world cities. Selected by the U.S. Olympic Committee from a broad field of candidate cities, Chicago is one of only four finalists for the 2016 Olympics, along with Madrid, Rio de Janeiro, and Tokyo. The International Olympic Committee will make their final selection this October.

We must work hard to bring the Olympic games back to the United States. There is no greater honor than representing your country on the world stage. I am convinced there is no greater city in the world than Chicago.

As President Obama and I can both attest, Chicago is a diverse and inclusive city. Situated on the banks of the beautiful Lake Michigan, it is the jewel of the Midwest. Chicago has always been a global leader in culture, art, architecture, commerce, sports, and even cuisine.

The Olympic spirit is alive and well in Chicago. The Chicago 2016 Olympic Committee recognizes the importance of the games and in renewing old friendships around the world, as well as establishing new ones. This ideal and the value of the "friendship through sports," is at the heart of the city's Olympic bid. It is a city I am proud to call home, and it showcases much of what makes this country so great. That is why it is the ideal site for the Olympic and the Paralympic games.

For the athletes, world-class training facilities and event locations would be very close together, allowing for convenience and ease. For visitors, out-

standing public transportation and modern infrastructure would make all events readily accessible and easy to attend. For residents of the city and people across the United States, Chicago would shine on the world stage, and millions of dollars would pour in from across the globe.

Especially if we pass S. 1023, promoting travel to the United States and relaying better information to visitors, Chicago will be the clear choice for the International Olympic Committee in October.

This important legislation, known as the Travel Promotion Act of 2009, would create a nonprofit corporation as well as a government Office of Travel Promotion. These organizations would work together to encourage business, leisure, and scholarly travel to the United States, restoring important components of our struggling economy.

Travel and tourism, which generates as much as \$1.3 trillion in the United States every year, has been on the decline since 2001, although the same industries have grown in many other countries. We must act swiftly to protect the 8.3 million American jobs that are directly related to travel and tourism. This means welcoming more overseas visitors each year—visitors who already spend \$142 billion inside the United States on an annual basis.

An increase in international tourism would increase the profile of the Chicago Olympic bid. The 2016 Olympics, in turn, would generate even more international tourism in Illinois and across the country. S. 1023 would help this massive influx of visitors travel into the United States with ease. This would create jobs, increase tax revenue, and build stronger friendships across the globe.

There are few international spectacles as singular and as inspiring as the Olympic and the Paralympic games. A force for unity in a world divided, these competitions have the power to bring us together as one people, celebrating the human spirit with one voice.

I urge my colleagues to join Senator DORGAN and Senator ENZI in supporting S. 1023. This legislation would help to bring visitors from all over the world to the United States and would also help bring the 2016 Olympics to Chicago, IL, because I have a special interest in bringing those Olympics to my hometown.

Thank you. I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. UDALL of Colorado. Mr. President, every year thousands of people travel to Colorado to enjoy some of the most exciting recreation opportunities

in the world. Although my home State is known for its skiing, we are a summertime destination with 4 national parks, 5 national monuments, and 41 State parks for travelers to enjoy. Visitors can go white-water rafting down the Colorado River or hike and climb in the magnificent Rockies. We have Wild West ghost towns, historic railroads, and American Indian cultural sites to visit.

Obviously, travel and tourism is an incredibly important sector of Colorado's economy. For every \$1 million spent in Colorado by domestic and international travelers, 11 jobs are created. Travel and tourism generated \$13.7 billion in revenue in 2007 in Colorado alone, and almost 150,000 Coloradans owe their jobs to that industry.

That is why today I rise to express my support for the Travel Promotion Act of 2009. I am a proud cosponsor of this bill, which has strong support from Members across the aisle, and I look forward to voting for its passage later this week.

While I have listed just the beginning of the numerous reasons to visit Colorado, the truth is that our tourism and travel industry has suffered in recent years. Many people do not realize it, but across our great country our tourism industry never fully recovered after September 11, particularly when it comes to travel from outside our country into the United States. That compares with this fact: Travel around the world has dramatically increased in the past decade while travel to the United States has dropped. In 2008, we welcomed fewer visitors to our country than we did in the year 2000. Why? Part of the problem is that visitors from overseas have been confused by the new procedures for entering our country. Foreign visitors also say they don't think we are making much of an effort to attract international travelers. That is costing communities across our country billions of dollars in lost revenue. In fact, one study suggested over \$182 billion has been lost since September 11, 2001.

In my State of Colorado, the travel and tourism industry is a strong economic engine. It is one we have to keep strong and in which we have to invest. Part of that is in changing the perception that the United States is not interested in hosting foreign tourists. That is the point of this legislation. The legislation before us would help revive international travel to the United States so we can get that economic engine revved up to its full capacity.

The purpose of the bill is to sell travel to the United States to overseas tourists, including areas that are not well-known destinations. Of course, the Presiding Officer's State is also a place where we want to attract people to its wonderful beaches and wonderful historical sites in the great State of Delaware.

Let me tell you quickly some of the details in this legislation. It would establish a Corporation for Travel Promotion which would be an independent,

nonprofit corporation governed by an 11-member board that the Secretary of Commerce would appoint. It would create an Office of Travel Promotion in the Department of Commerce to develop the programs to increase the number of international visitors to the United States. And it would set up a travel promotion fund which would be financed by private-public matching dollars. Much of the cost would be borne by international travelers who would pay a \$10 fee collected through the electronic system for travel authorization.

Other countries are spending billions of dollars on travel promotions. Those of us who sponsored this legislation and hopefully will vote for it overwhelmingly at the end of this week think we should stay competitive with other countries. The Travel Promotion Act would directly contribute to the economic recovery of our travel and tourism industry. It would spur job growth, and it would contribute to the tax base of local, regional, and State governments, many of which are forced to make, as we know all too well, drastic cuts in this tough economic time.

As well, before I close, I wish to mention that there are nonfinancial benefits to international travel as well. I wish to quote that great American Mark Twain. He said:

Travel is fatal to prejudice, bigotry, and narrow-mindedness.

America's image in the world, as we know, has suffered greatly over the past several years, but travel to our country, to America, is one of our most effective tools of public diplomacy. Studies have shown over and over that when people come to our country, they return home with a very positive view of not just our country as it is described in the books but the landscapes and the people and the way we live our lives. In addition to helping strengthen our economy, this bill would strengthen our place in the world.

I end by thanking and acknowledging the chairman of the Commerce Committee, Senator ROCKEFELLER, the ranking member, Senator HUTCHISON, and Senator DORGAN for quickly bringing this legislation to the floor. I look forward to the passage of the Travel Promotion Act so we can continue to get travel and tourism and, of course, our economy back on track.

(At the request of Mr. REID, the following statement was ordered to be printed in the RECORD.)

• Mr. ROCKEFELLER. Mr. President, once tourists come to West Virginia, they often return. From the Appalachian Trail to the Monongahela National Forest, the beauty of our State is unparalleled and our people are welcoming.

Tourism in West Virginia also creates jobs. As a result, our State spends money to promote West Virginia in the surrounding States as a tourist destination. But we surely would welcome more international tourists as well.

Increasing overseas travel and tourism is a shovel-ready economic stim-

ulus that will create thousands of jobs across the country—including West Virginia. With the dollar at a low compared to other currencies, America is a bargain. We are open and ready for business. Unfortunately, the rest of the world doesn't know it.

Compared to other countries, the United States fails to effectively advertise and promote itself overseas as a tourism destination. In 1992, the United States attracted 9.4 percent of all international tourists; in 2007, the United States attracted only 6.8 percent. Since 2000, the United States' share of international travelers has declined by 20 percent.

Meanwhile, the rest of the world is promoting itself—often employing the best Madison Avenue techniques used for marketing heart medications and luxury cars. We all see enticing television advertisements to visit Italy, Greece, Jamaica, Ireland, Canada, Australia and Brazil. But few residents of those countries see advertisements enticing them to come to the United States—and to spend their money in the United States.

If the United States had simply kept pace with global travel trends, 58 million more overseas travelers would have visited the United States between 2000 and 2008. Those travelers would have generated 245,000 tourism jobs in 2008 alone.

The average overseas visitor to the United States spends \$4,500 per visit. That means every 23,000 overseas visitors pump \$100 million into the U.S. economy.

We have spent billions of dollars to prevent the collapse of industries and billions of dollars to put people to work. But today, through the Travel Promotion Act of 2009, just \$10 million will plant the seeds for leveraging private sector investment to increase the number of U.S.-based tourism jobs.

Americans always have had a healthy skepticism about the role of government—what it should do and what it shouldn't do. To promote travel and tourism, we have long thought that the private sector—the companies that make money from tourism—should promote themselves. And some of the larger private sector players have promoted their specific interests overseas.

But a private sector effort to fund a general "Come to America" campaign targeting overseas travelers has never fully materialized. When a resort or theme park spends advertising money overseas, they want the viewers to visit their destination, not just the United States. Some of our larger States promote themselves overseas. But, as you would expect, the advertisements entice foreigners to visit their States.

As a result, potential tourists overseas may not be aware that the United States has far more to offer than California, New York, and Florida. They likely have never heard of hiking, rafting, or fishing in the mountains of West Virginia. For anyone who has not

enjoyed those activities in my State, you are really missing something special.

Because the hotels and tourist destinations of States like West Virginia cannot effectively launch their own international promotional campaigns, we must find a mechanism to pool and leverage resources so that these States become part of the international tourism economy.

After the terrorist attacks of 2001, the subsequent security measures deterred overseas tourists. Many of those entry problems have been corrected now. But the negative perception still remains. Potential foreign tourists still are reluctant to deal with what they believe will be a difficult time entering the United States. No private sector company—and certainly not the hotels and tourist destinations in the States I have mentioned—will spend their own money to promote the improved process for entering the United States. Only a national, coordinated campaign—with some help from the Federal Government—can accomplish that goal.

We have occasionally appropriated one-shot advertising campaigns to promote the United States overseas. But the Travel Promotion Act of 2009 will create a sustained and stable public-private sector partnership in which Federal seed money is leveraged to increase private investment to promote tourism overseas.

The bill would establish a travel promotion fund that is capitalized by a \$10 fee paid by foreign travelers from visa-waiver countries. The bill would require the travel industry to match those contributions—50 percent in 2011 and 100 percent thereafter. The fund would receive \$10 million in Federal seed money for 2010. The new fee for foreign travelers would cumulatively provide the means to lure them to the United States, but is too small to have any impact on an individual's decision whether to come to the United States.

The funds would be used for overseas advertising campaigns to promote travel to the United States, including to areas not traditionally visited by overseas tourists. More importantly, the advertising campaigns would educate potential foreign travelers about U.S. visa and entry policies. Removing fears about entering the United States would dramatically increase tourism among overseas residents who might consider a range of vacation choices. If foreign tourists better understand U.S. entry and visa policies, the more likely it is that they will come to the United States—and the more likely it is that they will spend their money here, creating the jobs we so desperately need.

Drug companies and luxury automakers spend billions of dollars on advertising for one reason: it works. The State of Florida estimates that its own State travel promotion campaign returns \$3 in increased sales tax revenue for every dollar spent on promotion. The countries advertising foreign tourist destinations on American television

every night would not spend the money to do it but for one reason: it works. The United States—with so many spectacular destinations—must embark on its own worldwide promotion program because it will work.

A sustained and stable tourism promotion program is a small investment that will generate huge dividends when foreign tourists spend their money in the United States, generating jobs and local revenue. Foreigners visiting the first time have the potential to become repeat visitors and will tell their friends to visit as well.

In addition to stimulating jobs, we will improve America's image around the world through tourism. People who visit the United States are more likely to have a favorable opinion of America when they return home. Developing that kind of good will in a changing world makes travel promotion worthwhile.

I would like to thank the sponsors of this bill: Senator DORGAN, Senator INOUE, Senator REID, Senator KLOBUCHAR, Senator BEGICH, Senator MIKULSKI, Senator BENNET, Senator UDALL of New Mexico, Senator UDALL of Colorado, Senator ENSIGN, Senator MARTINEZ, and Senator VITTER.

America is open for business. The people who work in our tourism industries are ready to work. Now we need to tell the world.●

VOTE EXPLANATION

Mr. DURBIN. Mr. President, on vote No. 208, had I been present for the vote, I would have voted aye on the motion to invoke cloture on the motion to proceed to the Travel Promotion Act of 2009, S. 1023.

JEFFERSON AWARD RECIPIENTS

Mr. KAUFMAN. Mr. President, I rise to honor this year's winners of the annual Jefferson Award for Public Service and particularly four winners from my home State of Delaware.

The Jefferson Awards were created in 1972 to serve as a kind of Nobel Prize for voluntarism and community service in America. Named for our third President, whose embodiment of our Nation's spirit of community and service continues to inspire, these awards are presented annually for both national and State winners.

The mission of the State Jefferson Awards is to recognize unsung heroes in our communities who give their time and their care in service to others. On the national level, Jefferson Awards are bestowed upon those who have contributed significantly to advancing these principles. Past winners include Colin Powell, Bill and Melinda Gates, Oprah Winfrey, and Sandra Day O'Connor.

This year, four outstanding Delawareans have won Jefferson Awards. They have contributed to voluntarism in the "First State" through innovative programs and a dedication to inspiring their fellow citizens to service.

Elaine Chester, of Wilmington, has won a Jefferson Award for creating a program through the Delaware Divi-

sion of Family Services to help low-income children receive new, wrapped holiday gifts. She matched local children in need with Delmarva Power employees interested in sending gifts.

Over the last few years, under Elaine's leadership, this program has expanded to become one of the largest corporate gift drives in Delaware. It benefits hundreds of children annually, including those who are terminally ill. Since its expansion to nursing homes, the elderly now receive gifts from Delmarva Power employees as well.

Leonard Young, also of Wilmington, earned his Jefferson Award for his tireless promotion of public health and wellness initiatives. His encouragement of others to get regular preventive health screenings has led many Delawareans to incorporate healthy living into their daily routines.

Leonard has spent a great number of hours educating youth about the dangers of substance abuse and how to prevent violent behavior in relationships. He is a leader in the community, and his involvement in various public health endeavors is far-reaching.

I am especially proud that this year's national winner of the Jefferson Award for Outstanding Service by a High School is the Salesianum School in Wilmington, DE. Its efforts were led by two seniors, Robert Liszkiewicz and Dominic Taglione.

The two led their classmates in an effort to increase youth voluntarism, and they gave their time to mentoring local students, volunteering with the Blue/Gold Foundation for Delawareans with intellectual disabilities, and helping at the local Ronald McDonald House for families with children undergoing medical treatment. The efforts of Robert, Dominic, and their fellow students at Salesianum have established a lasting program for youth voluntarism based on the principles of the Jefferson Awards.

I am privileged to have the opportunity to meet Elaine, Leonard, Robert, and Dominic at a Senate reception today honoring Jefferson Award winners from across the country. I hope my colleagues will join me in celebrating their achievements, their commitment to serving local communities, and their embodiment of that greatest American quality of service above self.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. CARDIN. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. KAUFMAN). Without objection, it is so ordered.

Mr. CARDIN. Mr. President, I ask unanimous consent that I be permitted to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

IRANIAN ELECTIONS

Mr. CARDIN. Mr. President, as Chairman of the U.S. Helsinki Commis-

sion, which has had decades of experience monitoring election and promoting democracy and human rights, I would like to take a moment to speak on a troubling matter that has filled headlines around the world in the last few days.

We have all seen the images. Violence and mass protests are erupting across Iran following the hasty vote count of a deeply flawed presidential election process in that country. Yet another unfortunate chapter is unfolding before our eyes that reinforces Iran's record as a police state and totalitarian regime more concerned with keeping its tight grip on power than yielding to the will of the people.

I stand with President Obama calling for the government to exercise restraint and the violence to end. Regrettably, at least seven people have been killed and countless others injured. We may never know the true results of this election, given the lack of international monitoring. But what we do know is that in the last few days we have witnessed tens of thousands of Iranians raise their voices in protest to ensure that their vote meant something.

On Friday, voters in Iran lined up in unprecedented numbers to choose their next president. I, like many others, was dismayed on Saturday to hear the ruling clerics rush to announce that Mahmoud Ahmadinejad had won reelection by a large margin. Regardless of the limited official scope of his duties, President Ahmadinejad's consistent pattern of noxious remarks and his belligerent attitude inject understandable tension around the Middle East and beyond. He has used the presidential podium to instigate conflict with the international community, pursue acquisition of nuclear weapons, and spew hatred and intolerance toward Israel and the United States.

I cannot say and will not say what could have been or should have been if any other candidate was elected, but there is no doubt whatsoever as to Ahmadinejad's unfitness as a leader.

Equally troubling were the almost immediate reports coming from Tehran and elsewhere around Iran that there were deep flaws in this election. Elections do not equal democracy, nor do they guarantee that the will of the people will be reflected in their government. But this was not a free and fair election from the start.

In Iranian Presidential elections, only a select group of candidates approved by a 12-person Council of Guardians are eligible to run. The Iranian regime, headed by Supreme Leader Ali Khamenei, continues to severely restrict civil liberties including freedom of speech, expression, assembly, and association. Freedom to discuss ideas without threat of oppression is a fundamental human right that is essential to a government truly reflecting the will of its people. This freedom is absent in Iran. Typically, Iranian elections and public expressions are

carefully monitored and manipulated by the ruling regime to prevent challenges to their authority.

The last few days seem somewhat different. The tens of thousands of people lining the streets of Tehran—in an incredible rebuttal to the ruling powers—want to know that the votes they did cast are counted properly. The deliberate lack of transparency in the vote tabulation and the blatant attempts to block mass communications among citizens, particularly youth, are too glaring to ignore. Even Supreme Leader Khamenei has been forced to backtrack on his immediate approval of the results and has called for at least the appearance of a recount in some disputed areas.

Americans know something about wanting to have their votes counted accurately. The difference between our two nations: when the results of a U.S. election were in dispute, the world spotlight shined bright on the process and the people involved in resolving the conflict—peacefully. Transparency and openness is not a hallmark of Iranian elections.

Even before the presidential election took place, Iran's totalitarian regime blocked personal communications like texting and access to the Internet. Media have been confined to Tehran, if they haven't been asked to leave the country. The regime's ongoing attempts to curtail communication and silence protests—often with brutal force—demonstrate the regime's fear of losing a grip on power.

Allegations of a fraudulent vote count are a symptom of a regime that has survived by an authoritarian power structure that oppresses its people. On June 12, the people of Iran did not vote for the Supreme Leader of their country. Under the current system, the Supreme Leader and his supporters will continue to dictate policy to the President of Iran, regardless of who that president is and whatever policy decisions the president is authorized to make.

The people of Iran want their voices to be heard and they should be assured that the world is listening. I urge those in power in Iran also to listen and implement the reforms necessary to allow the will of the people to be expressed.

I look forward to a future when the people of Iran have an opportunity for a free and fair election of leaders of their choosing. It is my sincere hope that one day this vision will be realized, and the voice of the Iranian people will truly be heard.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. SHAHEEN.) Without objection, it is so ordered.

MORNING BUSINESS

Mr. REID. I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

HAITI REFORESTATION ACT OF 2009

Mr. DURBIN. Madam President, in December 2008, Senator BINGAMAN, Congressman MEEK, and I visited Haiti. We went to see the public health, economic, environmental, and political situation in that impoverished Caribbean nation.

We traveled for hours into rural Haiti to the town of Cange to observe the incredible work being done by Partners in Health providing AIDS treatment and teaching mothers with newborns how to purify water.

We visited a school in Cite de Soleil—a teeming slum in the capital Port au Prince—where Father Hagan and the organization Hands Together is providing schooling and meals for some of Haiti's most vulnerable children.

Unfortunately, despite these programs and the efforts of U.N. peace-keeping forces to bring some measure of security, the living conditions for average Haitians remain desperate: It is the poorest country in the Western Hemisphere, with nearly 80 percent of its population out of work; one-half of its 8.2 million people live in extreme poverty; Haiti's infant mortality rate is the highest in our hemisphere; 1 in 10 children dies before the age of 5 due to malnutrition; the HIV/AIDS situation in Haiti is among the most frightening in the world; the average life expectancy of a citizen of Haiti is 61 years, the lowest in the region.

To add to these already desperate conditions, Haiti has been devastated in recent years by tropical storms and hurricanes. In 2004, Hurricane Jeanne struck Haiti, killing nearly 3,000 residents, and displacing over 200,000 more.

Last year, the island of Hispaniola, which Haiti shares with the Dominican Republic, was hit by four major storms. These storms caused massive flooding and landslides that cut off land routes and hampered the delivery of aid to its desperate citizens. Nearly 800 Haitians lost their lives and as many as 1 million were left homeless.

The world quickly responded to these catastrophes with millions of dollars worth of emergency food aid and disaster assistance. The United States alone provided \$29 million in aid. This assistance helped Haiti cope with these immediate challenges.

But one of the underlying causes of this devastation—and contributor to Haiti's larger challenge with poverty and disease—is the deforestation of the country's once plentiful tropical forests.

This satellite image provided by NASA shows the stark difference be-

tween the amount of forest cover in Haiti and the Dominican Republic—countries that share the same island.

The black line shows the border between the two nations. When you look at the lush green of the Dominican Republic and compare it to the stark desolation on Haiti's side of the border, it is easy to see why Haiti is so much more vulnerable than the Dominican Republic to the devastating effects of soil erosion, landslides, and flooding.

It was not always that way. In fact, 85 years ago Haiti's tropical forest covered 60 percent of the country. Today less than 2 percent of those forests remain. In the past 5 years, the deforestation rate has accelerated by more than 20 percent.

Some 30 million trees are cut down every year in Haiti. This staggering level of deforestation happens because 60 percent of the population of Haiti relies on charcoal produced from cutting down trees for cooking fuel and two-thirds rely on inefficient, small-scale subsistence farming for survival.

While understandable, this deforestation has had terrible, unintended consequences. The soil erosion that has resulted from cutting down all of these trees has had the perverse effect of substantially reducing Haiti's already scarce agricultural land and leaving what remains less productive.

This soil erosion also makes the island more vulnerable to floods and mudslides like the ones that devastated the country last year. The reality of this effect is that far more Haitians than Dominicans lost their lives and their homes during last year's storms.

Haiti's tropical forests, if protected and re-grown, would fight the destructive effects of soil erosion. Saving old and growing new tropical forests would help protect Haiti's freshwater sources from contaminants, safeguard Haiti's remaining irrigable land, and save lives during hurricane season. Helping Haiti deal with its deforestation is something we can help do.

Today, Senator BROWNBACK joins me in introducing the Haiti Reforestation Act of 2009 in an effort to attack this deforestation. The bill aims to end within 5 years deforestation in Haiti and restore within 30 years the extent of tropical forest cover in existence in Haiti in 1990.

While it is important to start putting trees in the ground, this bill is about more than just planting trees. Our government has tried that approach in the past and has failed miserably.

This bill brings the expertise of the both the US AID and the International Programs Office of the US Department of Agriculture's Forest Service to help Haiti manage in a measurable, verifiable, and reportable way its conservation and reforestation efforts. It does this in three ways.

First, the bill empowers these agencies to work with the Haitian Government to develop Haiti-appropriate forest-management ideas that can be implemented in an incremental way.

Second, the bill seeks to bring to Haiti market-based reforestation projects that have been successful in other regions of the world. These projects are successful because they share certain characteristics. They: secure the cooperation and engagement of local communities and organizations; provide incentives to protect trees through sustainable, yet income-generating growth; and provide hands-on management and oversight of re-planting efforts.

Conservation groups such as Planting Empowerment, which is doing just this type of work in Panama, provide a model of success and this bill will encourage such groups to bring their efforts to Haiti.

Third, the bill expands the ability of conservation groups to work with the Haitian Government and international creditors to trade Haiti's international debt for revenue in what are known as debt-for-nature swaps.

Groups such as Conservation International, World Wildlife Fund, and The Nature Conservancy have successfully used this mechanism globally to save other tropical forests—this bill will encourage such groups to bring their efforts to Haiti.

Preservation of what remains of Haiti's tropical forest, and helping re-grow some of what has been lost, has numerous benefits for all of us, not just for Haiti. Tropical forests: play a critical role as carbon sinks to reduce greenhouse gases in the atmosphere; harbor a major portion of the Earth's biological and terrestrial resources; and provide habitats for an estimated 10 to 30 million plant and animal species, including species essential to medical research and agricultural productivity.

But attacking the desperate effect of deforestation in Haiti is the main purpose of this bill. As Haiti's Prime Minister, Michèle Pierre-Louis, recently said:

The whole country is facing an ecological disaster. We cannot keep going on like this. We are going to disappear one day. There will not be 400, 500 or 1,000 deaths [from hurricanes]. There are going to be a million deaths.

We must act to ensure that that day never comes. I urge my colleagues to support the Haiti Reforestation Act of 2009.

234TH ANNIVERSARY OF THE U.S. ARMY

Mr. CHAMBLISS. Madam President, on June 14, we celebrate the 234th birthday of the U.S. Army. For more than two centuries, the Army has fought to preserve the principles of democracy both here in the United States and around the globe.

It was 234 years ago today that the U.S. Army was established to defend our Nation. From the Revolutionary War to operations in Afghanistan and Iraq, our soldiers have served with honor and a deep commitment to our Nation's core values and beliefs.

In 1946, during an Army Day speech in Chicago, GEN Dwight D. Eisenhower said:

This day of tribute to the men and women of the United States Army is a day of national rededication to the ideals they served so well. The Army believes in strength without arrogance; in firmness without discourtesy; in loyalty without servility. It lives with pride in its cherished traditions of service to our commander-in-chief and to the people to whom it belongs.

This quote is as true today as it was then. Our all-volunteer force has performed superbly during these challenging times and has lived up to and exceeded our greatest expectations.

This Army birthday is special because it is also the Year of the Non Commissioned Officer. Since 1775, the Army has set apart its NCOs from other enlisted soldiers by distinctive insignia of grade.

Throughout the Army's history, the noncommissioned officer corps has distinguished itself as the world's most accomplished group of military professionals. Historical and daily accounts of life as an NCO are exemplified by acts of courage and a dedication and a willingness to do whatever it takes to complete the mission.

I also pay tribute to the families of our Army soldiers who give so much of their lives for our Nation. The important role families play is vital to the Army's success. They have our Nation's deepest appreciation for the support and devotion they provide to our men and women in uniform.

Today I wish to celebrate the strength of our Nation and the strength of our Army by saluting our noncommissioned officer corps and the Army's soldiers, families and civilians by wishing them a happy 234th birthday!

THANKS TO BERMUDA

Mr. LEAHY. Madam President, last Thursday Bermuda welcomed to freedom four men who had been wrongly detained at Guantanamo Bay for more than 7 years. The men are ethnic Uighurs—a minority group from western China that has long suffered discrimination and oppression by China's Government. Their release is welcome news—our own Federal courts had cleared them for release, as did both the Bush and Obama administrations. Bermudian Prime Minister Dr. Ewart Brown and the Bermudian people have done a humanitarian service, and should be praised for it.

I strongly support President Obama's decision to close Guantanamo, which became a rallying cry for al-Qaida and other terrorist groups seeking recruits. I am disappointed that the United States did not find a way to resettle the Uighurs here, as there are Uighur communities in several States that would have welcomed them and helped them become productive members of society. It would also have been an important gesture to other countries that

we are asking to accept Guantanamo detainees. All the more reason that we should offer our sincere thanks to Bermuda for helping to put this sorry episode behind us.

ADDITIONAL STATEMENTS

COMMENDING THE GATTON ACADEMY OF MATH AND SCIENCE

• Mr. BUNNING. Madam President, I would like to take this time to congratulate the Gatton Academy of Math and Science in Bowling Green, KY.

Newsweek magazine recently published a list of schools recognized for challenging students. Separate from the top 1,500 public high schools in the country, Newsweek magazine published its list of 15 schools known as the Public Elites. The Gatton Academy of Math and Science was one of the distinguished 15 members of this list and marks the first time a school from Kentucky has earned a spot among the Public Elites.

The Gatton Academy of Math and Science is a selected group of high school juniors and seniors from around Kentucky who attend the Western Kentucky University. Their selection is based on test scores, grades, and submitted essays. Students in the program earn college credit at the Western Kentucky University in addition to completing their high school education.

As a supporter of education, I appreciate the opportunity to recognize the performance of this great educational facility.●

COMMENDING NORTH OLDHAM HIGH SCHOOL

• Mr. BUNNING. Madam President, I would like to take this time to congratulate North Oldham High School in Goshen, KY.

Newsweek magazine recently published a list of the top 1,500 public schools in the country. The 15 schools that made the list from Kentucky rank among the top 6 percent of public schools in the Nation. What is even more impressive is that Kentucky had three more schools ranked this year than in 2008, showing improvement in our State's schools. Placing as one of 15 schools from Kentucky on this list, North Oldham High School has earned national recognition for the fine performance of its students and faculty.

I am proud of the students of North Oldham High School. Their commitment to education is a fine example for the entire Commonwealth, and I take pride in recognizing them on the floor of the Senate.●

125TH ANNIVERSARY OF REVILLO, SOUTH DAKOTA

• Mr. THUNE. Madam President, today I recognize Revillo, SD. Founded in 1884, the town of Revillo will celebrate its 125th anniversary this year.

Located in Grant County, Revillo possesses the strong sense of community that makes South Dakota such an outstanding place to live and work. Throughout its rich history, Revillo has continued to be a strong reflection of South Dakota's greatest values and traditions. The city of Revillo has much to be proud of and I am confident that Revillo's success will continue well into the future.

The town of Revillo will commemorate the 125th anniversary of its founding with celebrations held on June 19 thru June 21. I would like to offer my congratulations to the citizens of Revillo on this milestone anniversary and wish them continued prosperity in the years to come.●

150TH ANNIVERSARY OF ELK POINT, SOUTH DAKOTA

● Mr. THUNE. Madam President, today I recognize Elk Point, SD. Founded in 1859, the city of Elk Point will celebrate its 150th anniversary this year.

Located in Union County, Elk Point serves as the county seat. The name Elk Point originates from the Lewis and Clark expedition campsite near present day Elk Point. As one of South Dakota's oldest communities, Elk Point possesses a rich history that continues to be a strong reflection of South Dakota's greatest values and traditions. The city of Elk Point has much to be proud of and I am confident that Elk Point's success will continue well into the future.

I would like to offer my congratulations to the citizens of Elk Point on this milestone anniversary and wish them continued prosperity in the years to come.●

100TH ANNIVERSARY OF McLAUGHLIN, SOUTH DAKOTA

● Mr. THUNE. Madam President, today I recognize McLaughlin, SD. Founded in 1909, the city of McLaughlin will celebrate its 100th anniversary this year.

Named after COL James McLaughlin, the city of McLaughlin is located in Corson County. McLaughlin possesses the strong sense of community that makes South Dakota a great place to work and live. Throughout its rich history, McLaughlin has continued to be a strong reflection of South Dakota's greatest values and traditions. The city of McLaughlin has much to be proud of and I am confident that McLaughlin's success will continue well into the future.

I would like to offer my congratulations to the citizens of McLaughlin on this milestone anniversary and wish them continued prosperity in the years to come.●

125TH ANNIVERSARY OF LEBANON, SOUTH DAKOTA

● Mr. THUNE. Madam President, today I recognize Lebanon, SD. Founded in

1884, the town of Lebanon will celebrate its 125th anniversary this year.

Located in Potter County, Lebanon possesses the strong sense of community that makes South Dakota such an outstanding place to live and work. Throughout its rich history, Lebanon has continued to be a strong reflection of South Dakota's greatest values and traditions. The city of Lebanon has much to be proud of and I am confident that Lebanon's success will continue well into the future.

The town of Lebanon will commemorate the 125th anniversary of its founding with celebrations held on June 20 and June 21. I would like to offer my congratulations to the citizens of Lebanon on this milestone anniversary and wish them continued prosperity in the years to come.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations and a treaty which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

ENROLLED BILL SIGNED

At 10:14 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 1256. An act to protect the public health by providing the Food and Drug Administration with certain authority to regulate tobacco products, to amend title 5, United States Code, to make certain modifications in the Thrift Savings Plan, the Civil Service Retirement System, and the Federal Employees' Retirement System, and for other purposes.

The enrolled bill was subsequently signed by the Acting President pro tempore (Mr. REID).

At 2:28 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 729. An act to help keep students safe on school-run, overnight, off-premises field trips.

H.R. 2325. An act to designate the facility of the United States Postal Service located at 1300 Matamoros Street in Laredo, Texas, as the "Laredo Veterans Post Office".

H.R. 2422. An act to designate the facility of the United States Postal Service located

at 2300 Scenic Drive in Georgetown, Texas, as the "Kile G. West Post Office Building".

H.R. 2661. An act to amend title 18, United States Code, to increase the penalty for violations of section 119 (relating to protection of individuals performing certain official duties), and for other purposes.

H.R. 2765. An act to amend title 28, United States Code, to prohibit recognition and enforcement of foreign defamation judgments and certain foreign judgments against the providers of interactive computer services.

The message also announced that the House has passed the following bill, without amendment:

S. 615. An act to provide additional personnel authorities for the Special Inspector General for Afghanistan Reconstruction.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 729. An act to help keep students safe on school-run, overnight, off-premises field trips; to the Committee on Health, Education, Labor, and Pensions.

H.R. 2325. An act to designate the facility of the United States Postal Service located at 1300 Matamoros Street in Laredo, Texas, as the "Laredo Veterans Post Office"; to the Committee on Homeland Security and Governmental Affairs.

H.R. 2422. To designate the facility of the United States Postal Service located at 2300 Scenic Drive in Georgetown, Texas, as the "Kile G. West Post Office Building"; to the Committee on Homeland Security and Governmental Affairs.

H. R. 2661. An act to amend title 18, United States Code, to increase the penalty for violations of section 119 (relating to protection of individuals performing certain official duties), and for other purposes; to the Committee on the Judiciary.

H.R. 2765. An act to amend title 28, United States Code, to prohibit recognition and enforcement of foreign defamation judgments and certain foreign judgments against the providers of interactive computer services; to the Committee on the Judiciary.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

P0M-47. A concurrent resolution adopted by the Senate of the State of Louisiana urging Congress to take such actions as are necessary to maintain the current incentives for the exploration and production of domestic oil and natural gas; to the Committee on Energy and Natural Resources.

SENATE CONCURRENT RESOLUTION NO. 15

Whereas, Louisiana is a key energy state where over three hundred twenty thousand Louisianians are employed in the energy sector, and these jobs support over twelve billion dollars a year in household income; and

Whereas, these jobs are from numerous small businesses and include welders, pipe fitters, barge workers, and engineers, and an estimated fifty thousand indirect workers support the energy sector; and

Whereas, the current federal budget proposal includes eight separate tax hikes on the energy economy totaling over thirty billion dollars, new fees on energy leases in the Gulf of Mexico, excise taxes on Gulf production, and also repeals several important tax incentives for Louisiana energy producers; and

Whereas, ninety percent of domestic oil and natural gas wells are developed by small, independent businesses that would encounter a devastating impact from any change in policy to reduce incentives; and

Whereas, these tax increases also reduce our nation's energy security by discouraging new investment in domestic oil and natural gas production and refining capacity and pushing those investments abroad; and

Whereas, a reduction in incentives would reduce the amount of domestically produced natural gas and deprive the American people of a clean energy source. Therefore, be it

Resolved, That the Legislature of Louisiana memorializes the Congress of the United States to take such actions as are necessary to maintain the current incentives for the exploration and production of domestic oil and natural gas. Be it further

Resolved, That a copy of this Resolution shall be transmitted to the secretary of the United States Senate and the clerk of the United States House of Representatives, and to each member of the Louisiana delegation to the United States Congress.

POM-48. A concurrent resolution adopted by the Senate of the State of Louisiana urging Congress to take such actions as are necessary to appropriate funds specifically for the storm-proofing of interior pump stations in the parishes of St. Bernard and Plaquemines; to the Committee on Energy and Natural Resources.

SENATE CONCURRENT RESOLUTION NO. 51

Whereas, in 2006, the United States Congress, under the Flood Control and Coastal Emergency Act, appropriated two hundred fifty million dollars for storm-proofing interior pump stations in the Greater New Orleans area in order to ensure the operability of the stations during hurricanes, storms, and high water events; and

Whereas, four years after hurricanes Katrina and Rita, only pump stations in the parishes of Jefferson and Orleans have been storm-proofed pursuant to this appropriation; and

Whereas, it is the belief of the public that the pump stations in the parishes of St. Bernard and Plaquemines have not been storm-proofed because the Corps of Engineers underestimated the cost of the storm-proofing and, therefore, interpreted the "Greater New Orleans area" to include only the parishes of Jefferson and Orleans; and

Whereas, storm-proofing interior pump stations in the parishes of St. Bernard and Plaquemines is desperately needed in order to ensure the operability of the stations as well as to provide safe housing for personnel required to remain on duty to operate the pump stations during hurricanes, storms, and high water events. Therefore, be it

Resolved, That the Legislature of Louisiana does hereby memorialize the United States Congress to take such actions as are necessary to appropriate funds specifically for the storm-proofing of interior pump stations in the parishes of St. Bernard and Plaquemines. Be it further

Resolved, That a copy of this Resolution be transmitted to the presiding officers of the Senate and the House of Representatives of the Congress of the United States of America and to each member of the Louisiana congressional delegation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. AKAKA, from the Committee on Veterans' Affairs, without amendment:

S. 669. A bill to amend title 38, United States Code, to clarify the conditions under

which certain persons may be treated as adjudicated mentally incompetent for certain purposes (Rept. No. 111-27).

By Mr. KERRY, from the Committee on Foreign Relations, without amendment and with a preamble:

S. Res. 153. A resolution expressing the sense of the Senate on the restitution of or compensation for property seized during the Nazi and Communist eras.

S. Res. 182. A resolution recognizing the democratic accomplishments of the people of Albania and expressing the hope that the parliamentary elections on June 28, 2009, maintain and improve the transparency and fairness of democracy in Albania.

S. Con. Res. 23. A concurrent resolution supporting the goals and objectives of the Prague Conference on Holocaust Era Assets.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. KERRY for the Committee on Foreign Relations.

*Andrew J. Shapiro, of New York, to be an Assistant Secretary of State (Political-Military Affairs).

*Eric P. Schwartz, of New York, to be an Assistant Secretary of State (Population, Refugees, and Migration).

*Bonnie D. Jenkins, of New York, for the rank of Ambassador during her tenure of service as Coordinator for Threat Reduction Programs.

*Ellen O. Tauscher, of California, to be Under Secretary of State for Arms Control and International Security.

*Kurt M. Campbell, of the District of Columbia, to be an Assistant Secretary of State (East Asian and Pacific Affairs).

*Eric P. Goosby, of California, to be Ambassador at Large and Coordinator of United States Government Activities to Combat HIV/AIDS Globally.

Nominee: Eric Paul Goosby.

The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.

Contributions, amount, date, and donee:

1. Self: Eric Goosby.

Spouse: Nancy Truelove.

US Congresswoman Barbara Lee, California: \$100 USD (2006) \$100 USD (2007) \$50 USD (2008) \$100 USD (2009)

Mayor Ron Dellums, Oakland, California: \$200 USD (2007)

Hillary R. Clinton Presidential Candidate: \$200 USD (2007-08) \$100 USD (2009—debt fund)

Barack Obama Presidential Candidate: \$300 USD (2008)

Woody Myers, MD Congressional Candidate, Indiana's 7th District: \$100 USD (2008)
US Congressman Jessie Jackson for Congress, Illinois: \$500 USD x 2 (est 2004-5)

2. Children: Eric N. Goosby; Zoe A. Goosby: no contributions.

3. Parents: Zuretti L. Goosby, Sr.: deceased 2000; no contributions.

Jackie I. Goosby—2005-2009 contributions: Jane Morrison for DCCC—\$100 USD (2005); Barack Obama—\$50 USD (2008); Eric Mar for San Francisco Supervisor—\$35 USD; Obama Victory Fund—\$250 USD (2008); San Francisco Democratic Party—\$100 USD (2006-07); Barbara Lee for Congress—\$100 USD (2007-08); John Burton Children Without Homes—\$50 USD (2005); Ursula Reed, San Leandro City Council—\$75 USD (2007); Washington DC, Martin Luther King Jr. National Memo-

rial; Project Foundation, Inc.—\$150 USD (2006-07); Friends of Barbara Boxer—\$200 USD (2008); Hillary R. Clinton Campaign—\$50 USD (2008); Nancy Pelosi—\$200 USD (2006-08); Maxwell for San Francisco Board of Supervisor—\$50 USD; Maxwell for San Francisco Board of Supervisors—\$50 USD; Jane Morrison for DCCC (SF City and County Community College Board—\$100 USD; San Francisco Democratic Party—\$135 USD; Dianne Feinstein (Senator, California)—\$100 USD; John Burton (California State Senator) Children Without Homes Fund—\$50 USD; Kamala Harris for San Francisco District Attorney—\$100 USD; Tom Ammi—\$50 USD; Nancy Pelosi, Congresswoman, San Francisco—\$300 USD; Hillary R. Clinton Debt Fund—\$50 USD; Obama Presidential Campaign—\$50 USD (2008); John Burton, Children Without Homes Fund—\$100 USD; Hillary R. Clinton Presidential Campaign—\$100 USD (2008).

Grandparents: maternal and paternal grandparents died: no contributions > 4 yrs. Paternal Grandfather: Felix Goosby, died 1966.

Paternal Grandmother: Eva Goosby, died 1978.

Maternal Grandmother: Nola Smith, died 1988 (est).

Maternal Grandfather: not known, died 1962 (est).

5. Brothers and Spouses: Kevin R. Goosby: No contributions > 4 yrs; Zuretti L. Goosby; Brenda Goosby (wife).

Obama Presidential Campaign < \$2Q0.00, estimate (2008); (they are on extended travel for the next 3 weeks and I am unable to confirm, but I do not think it is above \$200 USD going back to 2004)

6. Sisters: None

Mr. KERRY. Mr. President, for the Committee on Foreign Relations I report favorably the following nomination list which was printed in the RECORD on the date indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that this nomination lie at the Secretary's desk for the information of Senators.

The PRESIDING OFFICER. Without objection, it is so ordered.

Foreign Service nominations beginning with Marvin F. Burgos and ending with Stephen Alan Cristina, which nominations were received by the Senate and appeared in the Congressional Record on April 20, 2009. (minus 1 nominee: Terence Jones)

By Mr. LIEBERMAN for the Committee on Homeland Security and Governmental Affairs.

*Jeffrey D. Zients, of the District of Columbia, to be Deputy Director for Management, Office of Management and Budget.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. MENENDEZ (for himself and Mr. CASEY):

S. 1267. A bill to amend title V of the Social Security Act to provide grants to establish or expand quality programs providing home visitation for low-income pregnant women and low-income families with young children, and for other purposes; to the Committee on Finance.

By Mr. BAYH (for himself, Mr. MARTINEZ, Mr. SCHUMER, Mrs. GILLIBRAND, Ms. STABENOW, and Mr. LAUTENBERG):

S. 1268. A bill to amend the Internal Revenue Code of 1986 to permanently extend and expand the additional standard deduction for real property taxes for nonitemizers; to the Committee on Finance.

By Ms. KLOBUCHAR (for herself, Mr. CHAMBLISS, and Mr. DURBIN):

S. 1269. A bill to provide for enhanced foodborne illness surveillance and food safety capacity, to establish regional food safety centers of excellence, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. WYDEN (for himself and Mr. MERKLEY):

S. 1270. A bill to modify the boundary of the Oregon Caves National Monument, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. WYDEN:

S. 1271. A bill to amend the Wild and Scenic Rivers Act to add certain segments to the Rogue River designation, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. WYDEN (for himself and Mr. MERKLEY):

S. 1272. A bill to provide for the designation of the Devil's Staircase Wilderness Area in the State of Oregon, to designate segments of Wasson and Franklin Creeks in the State of Oregon as wild or recreation rivers, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. DORGAN (for himself, Ms. STABENOW, Mr. UDALL of Colorado, and Mr. ISAKSON):

S. 1273. A bill to amend the Public Health Service Act to provide for the establishment of permanent national surveillance systems for multiple sclerosis, Parkinson's disease, and other neurological diseases and disorders; to the Committee on Health, Education, Labor, and Pensions.

By Mr. ROCKEFELLER:

S. 1274. A bill to amend title 46, United States Code, to ensure that the prohibition on disclosure of maritime transportation security information is not used inappropriately to shield certain other information from public disclosure, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. WARNER:

S. 1275. A bill to establish a National Foundation on Physical Fitness and Sports to carry out activities to support and supplement the mission of the President's Council on Physical Fitness and Sports; to the Committee on Health, Education, Labor, and Pensions.

By Mr. REED:

S. 1276. A bill to require investment advisers to private funds, including hedge funds, private equity funds, venture capital funds, and others to register with the Securities and Exchange Commission, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. WARNER:

S. Res. 185. A resolution supporting the goals and ideals of National Alzheimer's Disease Awareness Month and National Memory Screening Day, including the development of a national health policy on dementia screening and care; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. LINCOLN (for herself, Mr. PRYOR, and Mr. LIEBERMAN):

S. Res. 186. A resolution condemning the murder of Army Private William Andrew "Andy" Long and the wounding of Army Private Quinton Ezeagwula, who were shot outside the Army-Navy Career Center in Little Rock, Arkansas on June 1, 2009; considered and agreed to.

By Mr. NELSON of Nebraska (for himself and Mrs. FEINSTEIN):

S. Con. Res. 28. A concurrent resolution supporting the goals of Smart Irrigation Month, which recognizes the advances in irrigation technology and practices that help raise healthy plants and increase crop yields while using water resources more efficiently and encourages the adoption of smart irrigation practices throughout the United States to further improve water-use efficiency in agricultural, residential, and commercial activities; to the Committee on Energy and Natural Resources.

By Mr. MCCAIN (for himself, Mr. LEAHY, and Mr. BROWNBACK):

S. Con. Res. 29. A concurrent resolution expressing the sense of the Congress that John Arthur "Jack" Johnson should receive a posthumous pardon for the racially motivated conviction in 1913 that diminished the athletic, cultural, and historic significance of Jack Johnson and unduly tarnished his reputation; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 148

At the request of Mr. KOHL, the name of the Senator from Delaware (Mr. KAUFMAN) was added as a cosponsor of S. 148, a bill to restore the rule that agreements between manufacturers and retailers, distributors, or wholesalers to set the minimum price below which the manufacturer's product or service cannot be sold violates the Sherman Act.

S. 211

At the request of Mrs. GILLIBRAND, her name was added as a cosponsor of S. 211, a bill to facilitate nationwide availability of 2-1-1 telephone service for information and referral on human services and volunteer services, and for other purposes.

S. 244

At the request of Mr. BOND, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 244, a bill to expand programs of early childhood home visitation that increase school readiness, child abuse and neglect prevention, and early identification of developmental and health delays, including potential mental health concerns, and for other purposes.

S. 482

At the request of Mr. FEINGOLD, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 482, a bill to require Senate candidates to file designations,

statements, and reports in electronic form.

S. 497

At the request of Mr. DURBIN, the names of the Senator from Oregon (Mr. MERKLEY) and the Senator from New York (Mrs. GILLIBRAND) were added as cosponsors of S. 497, a bill to amend the Public Health Service Act to authorize capitation grants to increase the number of nursing faculty and students, and for other purposes.

S. 534

At the request of Mr. NELSON of Florida, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 534, a bill to amend title XVIII of the Social Security Act to reduce cost-sharing under part D of such title for certain non-institutionalized full-benefit dual eligible individuals.

S. 604

At the request of Mr. SANDERS, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. 604, a bill to amend title 31, United States Code, to reform the manner in which the Board of Governors of the Federal Reserve System is audited by the Comptroller General of the United States and the manner in which such audits are reported, and for other purposes.

S. 653

At the request of Mr. CARDIN, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 653, a bill to require the Secretary of the Treasury to mint coins in commemoration of the bicentennial of the writing of the Star-Spangled Banner, and for other purposes.

S. 662

At the request of Mr. CONRAD, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 662, a bill to amend title XVIII of the Social Security Act to provide for reimbursement of certified midwife services and to provide for more equitable reimbursement rates for certified nurse-midwife services.

S. 663

At the request of Mr. NELSON of Nebraska, the names of the Senator from Alaska (Mr. BEGICH), the Senator from Colorado (Mr. UDALL) and the Senator from Washington (Ms. CANTWELL) were added as cosponsors of S. 663, a bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to establish the Merchant Mariner Equity Compensation Fund to provide benefits to certain individuals who served in the United States merchant marine (including the Army Transport Service and the Naval Transport Service) during World War II.

S. 686

At the request of Ms. MIKULSKI, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 686, a bill to establish the Social Work Reinvestment Commission to advise Congress and the Secretary of

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

Health and Human Services on policy issues associated with the profession of social work, to authorize the Secretary to make grants to support recruitment for, and retention, research, and reinvestment in, the profession, and for other purposes.

S. 750

At the request of Mrs. BOXER, the name of the Senator from Massachusetts (Mr. KENNEDY) was added as a cosponsor of S. 750, a bill to amend the Public Health Service Act to attract and retain trained health care professionals and direct care workers dedicated to providing quality care to the growing population of older Americans.

S. 756

At the request of Mrs. BOXER, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 756, a bill to provide for prostate cancer imaging research and education.

S. 795

At the request of Mrs. LINCOLN, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 795, a bill to amend the Social Security Act to enhance the social security of the Nation by ensuring adequate public-private infrastructure and to resolve to prevent, detect, treat, intervene in, and prosecute elder abuse, neglect, and exploitation, and for other purposes.

S. 812

At the request of Mr. BAUCUS, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 812, a bill to amend the Internal Revenue Code of 1986 to make permanent the special rule for contributions of qualified conservation contributions.

S. 823

At the request of Ms. SNOWE, the names of the Senator from Texas (Mr. CORNYN), the Senator from Ohio (Mr. BROWN) and the Senator from Texas (Mrs. HUTCHISON) were added as cosponsors of S. 823, a bill to amend the Internal Revenue Code of 1986 to allow a 5-year carryback of operating losses, and for other purposes.

S. 846

At the request of Mr. DURBIN, the name of the Senator from North Dakota (Mr. CONRAD) was added as a cosponsor of S. 846, a bill to award a congressional gold medal to Dr. Muhammad Yunus, in recognition of his contributions to the fight against global poverty.

S. 908

At the request of Mr. BAYH, the name of the Senator from North Dakota (Mr. CONRAD) was added as a cosponsor of S. 908, a bill to amend the Iran Sanctions Act of 1996 to enhance United States diplomatic efforts with respect to Iran by expanding economic sanctions against Iran.

S. 962

At the request of Mr. KERRY, the names of the Senator from New York

(Mrs. GILLIBRAND) and the Senator from New Hampshire (Mrs. SHAHEEN) were added as cosponsors of S. 962, a bill to authorize appropriations for fiscal years 2009 through 2013 to promote an enhanced strategic partnership with Pakistan and its people, and for other purposes.

S. 984

At the request of Mrs. BOXER, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 984, a bill to amend the Public Health Service Act to provide for arthritis research and public health, and for other purposes.

S. 987

At the request of Mr. DURBIN, the name of the Senator from Massachusetts (Mr. KENNEDY) was added as a cosponsor of S. 987, a bill to protect girls in developing countries through the prevention of child marriage, and for other purposes.

S. 1023

At the request of Mr. DORGAN, the names of the Senator from Tennessee (Mr. ALEXANDER), the Senator from Massachusetts (Mr. KENNEDY) and the Senator from Michigan (Mr. LEVIN) were added as cosponsors of S. 1023, a bill to establish a non-profit corporation to communicate United States entry policies and otherwise promote leisure, business, and scholarly travel to the United States.

S. 1026

At the request of Mr. CORNYN, the name of the Senator from South Carolina (Mr. DEMINT) was added as a cosponsor of S. 1026, a bill to amend the Uniformed and Overseas Citizens Absentee Voting Act to improve procedures for the collection and delivery of marked absentee ballots of absent overseas uniformed service voters, and for other purposes.

S. 1052

At the request of Mr. CONRAD, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 1052, a bill to amend the small, rural school achievement program and the rural and low-income school program under part B of title VI of the Elementary and Secondary Education Act of 1965.

S. 1073

At the request of Mr. REED, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 1073, a bill to provide for credit rating reforms, and for other purposes.

S. 1111

At the request of Mr. ROCKEFELLER, the name of the Senator from Hawaii (Mr. AKAKA) was added as a cosponsor of S. 1111, a bill to require the Secretary of Health and Human Services to enter into agreements with States to resolve outstanding claims for reimbursement under the Medicare program relating to the Special Disability Workload project.

S. 1121

At the request of Mr. HARKIN, the name of the Senator from Connecticut

(Mr. DODD) was added as a cosponsor of S. 1121, a bill to amend part D of title V of the Elementary and Secondary Education Act of 1965 to provide grants for the repair, renovation, and construction of elementary and secondary schools, including early learning facilities at the elementary schools.

S. 1131

At the request of Mr. WYDEN, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 1131, a bill to amend title XVIII of the Social Security Act to provide certain high cost Medicare beneficiaries suffering from multiple chronic conditions with access to coordinated, primary care medical services in lower cost treatment settings, such as their residences, under a plan of care developed by a team of qualified and experienced health care professionals.

S. 1135

At the request of Ms. STABENOW, the name of the Senator from Missouri (Mr. BOND) was added as a cosponsor of S. 1135, a bill to establish a voluntary program in the National Highway Traffic Safety Administration to encourage consumers to trade-in older vehicles for more fuel efficient vehicles, and for other purposes.

S. 1144

At the request of Mr. JOHNSON, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 1144, a bill to improve transit services, including in rural States.

S. 1150

At the request of Mr. ROCKEFELLER, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 1150, a bill to improve end-of-life care.

S. 1153

At the request of Mr. SCHUMER, the names of the Senator from Rhode Island (Mr. WHITEHOUSE) and the Senator from Vermont (Mr. LEAHY) were added as cosponsors of S. 1153, a bill to amend the Internal Revenue Code of 1986 to extend the exclusion from gross income for employer-provided health coverage for employees' spouses and dependent children to coverage provided to other eligible designated beneficiaries of employees.

S. 1155

At the request of Ms. COLLINS, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 1155, a bill to amend title 38, United States Code, to establish the position of Director of Physician Assistant Services within the office of the Under Secretary of Veterans Affairs for health.

S. 1157

At the request of Mr. CONRAD, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 1157, a bill to amend title XVIII of the Social Security Act to protect and preserve access of Medicare beneficiaries in rural areas to health care providers under the Medicare program, and for other purposes.

S. 1168

At the request of Mr. SCHUMER, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 1168, a bill to authorize the acquisition and protection of nationally significant battlefields and associated sites of the Revolutionary War and the War of 1812 under the American Battlefield Protection Program.

S. 1230

At the request of Mr. ISAKSON, the name of the Senator from Tennessee (Mr. CORKER) was added as a cosponsor of S. 1230, a bill to amend the Internal Revenue Code of 1986 to provide a Federal income tax credit for certain home purchases.

S. 1235

At the request of Ms. LANDRIEU, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 1235, a bill to amend the Public Health Act, the Employee Retirement Income Security Act of 1974, and the Internal Revenue Code of 1986 to require that group and individual health insurance coverage and group health plans provide coverage for treatment of a minor child's congenital or developmental deformity or disorder due to trauma, infection, tumor, or disease.

S. 1242

At the request of Mr. THUNE, the name of the Senator from Arizona (Mr. MCCAIN) was added as a cosponsor of S. 1242, a bill to prohibit the Federal Government from holding ownership interests, and for other purposes.

S. 1244

At the request of Mr. MERKLEY, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1244, a bill to amend the Civil Rights Act of 1964 to protect breastfeeding by new mothers, to provide for a performance standard for breast pumps, and to provide tax incentives to encourage breastfeeding.

S. 1254

At the request of Mr. SCHUMER, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 1254, a bill to provide for identification of misaligned currency, require action to correct the misalignment, and for other purposes.

S. 1259

At the request of Mr. KYL, the names of the Senator from Louisiana (Mr. VITTER), the Senator from Oklahoma (Mr. COBURN) and the Senator from Nebraska (Mr. JOHANN) were added as cosponsors of S. 1259, a bill to protect all patients by prohibiting the use of data obtained from comparative effectiveness research to deny coverage of items or services under Federal health care programs and to ensure that comparative effectiveness research accounts for advancements in personalized medicine and differences in patient treatment response.

S. 1265

At the request of Mr. CORNYN, the names of the Senator from Nebraska

(Mr. JOHANN) and the Senator from Oklahoma (Mr. COBURN) were added as cosponsors of S. 1265, a bill to amend the National Voter Registration Act of 1993 to provide members of the Armed Forces and their family members equal access to voter registration assistance, and for other purposes.

S.J. RES. 17

At the request of Mr. MCCONNELL, the names of the Senator from Nevada (Mr. ENSIGN), the Senator from Maine (Ms. SNOWE) and the Senator from Ohio (Mr. VOINOVICH) were added as cosponsors of S.J. Res. 17, a joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003, and for other purposes.

S. CON. RES. 11

At the request of Ms. COLLINS, the name of the Senator from Nebraska (Mr. JOHANN) was added as a cosponsor of S. Con. Res. 11, a concurrent resolution condemning all forms of anti-Semitism and reaffirming the support of Congress for the mandate of the Special Envoy to Monitor and Combat Anti-Semitism, and for other purposes.

S. CON. RES. 23

At the request of Mr. KERRY, his name was added as a cosponsor of S. Con. Res. 23, a concurrent resolution supporting the goals and objectives of the Prague Conference on Holocaust Era Assets.

At the request of Mrs. GILLIBRAND, her name was added as a cosponsor of S. Con. Res. 23, *supra*.

At the request of Mr. CARDIN, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. Con. Res. 23, *supra*.

S. CON. RES. 24

At the request of Mrs. LINCOLN, the names of the Senator from Nevada (Mr. REID) and the Senator from Pennsylvania (Mr. SPECTER) were added as cosponsors of S. Con. Res. 24, a concurrent resolution to direct the Architect of the Capitol to place a marker in Emancipation Hall in the Capitol Visitor Center which acknowledges the role that slave labor played in the construction of the United States Capitol, and for other purposes.

S. CON. RES. 25

At the request of Mr. MENENDEZ, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. Con. Res. 25, a concurrent resolution recognizing the value and benefits that community health centers provide as health care homes for over 18,000,000 individuals, and the importance of enabling health centers and other safety net providers to continue to offer accessible, affordable, and continuous care to their current patients and to every American who lacks access to preventive and primary care services.

S. CON. RES. 26

At the request of Mr. HARKIN, the names of the Senator from New York (Mr. SCHUMER), the Senator from Louisiana (Ms. LANDRIEU), the Senator from Alaska (Mr. BEGICH), the Senator

from Florida (Mr. NELSON), the Senator from Pennsylvania (Mr. CASEY), the Senator from Delaware (Mr. CARPER), the Senator from Arkansas (Mrs. LINCOLN) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of S. Con. Res. 26, a concurrent resolution apologizing for the enslavement and racial segregation of African Americans.

S. RES. 153

At the request of Mr. NELSON of Florida, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. Res. 153, a resolution expressing the sense of the Senate on the restitution of or compensation for property seized during the Nazi and Communist eras.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. WYDEN (for himself and Mr. MERKLEY):

S. 1270. A bill to modify the boundary of the Oregon Caves National Monument, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. WYDEN. Mr. President, part of my job as a Senator from a beautiful State like Oregon is to keep that beauty protected for the next generation of Oregonians. Today it is my pleasure to introduce three bills to add environmental protections for three of Oregon's special natural resources. I have introduced two of these bills before. The Oregon Caves National Monument Boundary Adjustment Act of 2009 and the Lower Rogue Wild and Scenic Rivers Act of 2009 were introduced in 2008 but unfortunately there was not an opportunity to move them beyond the Energy Committee. This year, I look forward to moving these two bills forward to final passage, along with a third bill, the Devil's Staircase Wilderness Act of 2009. I am pleased to introduce two of these bills with my colleague from Oregon, Senator MERKLEY. My colleague in the House of Representatives, Representative DEFAZIO, will also be introducing companion legislation today, joined by Representatives Blumenauer and Wu.

The first bill I am introducing, S. 1270, the Oregon Caves National Monument Boundary Adjustment Act of 2009, will expand the boundary of the National Park Service land to create the Oregon Caves National Monument and Preserve. Under this bill, the stunning majesty of both the underground and the above-ground treasures found at this National Monument site will be protected for future generations.

Established by a Presidential Proclamation in 1909, the Oregon Caves National Monument is a 480-acre natural wonder located in the botanically-rich Siskiyou Mountains. It was originally set aside because of its unusual scientific interest and importance. Oregon Caves has a unique geologic history and is particularly known as the longest marble cave open to the public west of the Continental Divide.

A perennial stream, the “River Styx”—an underground portion of Cave Creek—flows through part of the cave and is one of the dynamic natural forces at work in the National Monument. The cave ecosystem provides habitat for numerous plants and animals, including some state-sensitive species such as Townsend’s big-eared bats and several cave-adapted species of arthropods found only in only one place on Earth: the Oregon Caves. The caves possess a significant collection of Pleistocene aged fossils, including jaguar and grizzly bear. In 1995, grizzly bear bones found in the cave were estimated to be at least 50,000 years old, the oldest known from either North or South America.

Today, I am proposing legislation that will enhance the protection for treasures such as these found within the Oregon Caves National Monument and that will increase public recreation opportunities by adding surrounding lands to the National Park Service site. My bill would expand the park site by 4,084 acres to include the entire Cave Creek Watershed, and transfer management of the land from the U.S. Forest Service to the National Park Service. The newly acquired lands will be designated as a Preserve so that hunters can still use them. In addition, my legislation would designate at least 9.6 miles of rivers and tributaries as Wild, Scenic, or Recreational, under the federal Wild and Scenic Rivers Act, including the first subterranean Wild and Scenic River, the River Styx. This bill would also authorize the retirement of existing grazing allotments.

When the Oregon Caves National Monument was established in 1909, the focus was on the unique subsurface resources, and the small rectangular boundary was thought to be adequate to protect the cave. Through the years, however, scientific research and technology have provided new information about the cave’s ecology, and the impacts from the surface environment and the related hydrological processes. The current 480-acre boundary simply cannot adequately protect this cave system. The National Park Service has formally proposed a boundary modification numerous times, first in 1939, again in 1949, and most recently in 2000. Today, I am happy to again propose legislation to enact that boundary adjustment into law.

The Oregon Caves National Monument makes a unique contribution to Southern Oregon’s economy and to the national heritage. The Monument receives over 80,000 visitors annually and a larger Monument boundary will help showcase more fully the recreational opportunities on the above-ground lands within the proposed Monument boundary. The Monument’s above-ground lands in the Siskiyou Mountains possess a beauty and diversity that is unique in America, and indeed the world. The Oregon Caves National Monument’s approximately 500 plants, 5,000 animals, 2,000 fungi, and over a

million bacteria per acre that make the spot have one of the highest concentrations of biological diversity anywhere.

Expanding the Monument’s boundary will also preserve the caves’ resources by protecting the water that enters the cave. By granting the National Park Service the ability to safeguard these resources, and by providing for a voluntary donation of grazing permits, my legislation will be able to better protect these resources. Over the decades, the number of allowed livestock has diminished, but the livestock still has an impact on the drinking water supply and the water quality of this natural gem. The current grazing permittee, Phil Krouse’s family, has had the Big Grayback Grazing Allotment, 19,703 acres, since 1937. Mr. Krouse has publicly stated that he would look favorably upon retirement with private compensation for his allotment, which my legislation will allow to proceed.

The second bill I am introducing is, 1271, the Lower Rogue Wild and Scenic Rivers Act of 2009, which expands the Wild and Scenic River protections to Oregon’s iconic Rogue River and its tributaries.

The Rogue River is one of our nation’s premier recreation destinations, famous for its free flowing waters and the many rafting and fishing opportunities it offers. The headwaters of this great river start in one of Oregon’s other great gems—Crater Lake National Park—and ultimately empty into the Pacific Ocean near Gold Beach on the southwest Oregon coast. Along that stretch, the Rogue River flows through one of the most spectacular canyons and diverse natural areas in the U.S. The river is home to runs of coho, spring and fall chinook, winter and summer steelhead, and has the special distinction of being one of only a few rivers in the country with runs of green sturgeon.

The Rogue River received its first protections in the original Wild and Scenic Rivers Act in 1968. A narrow stretch of land was protected along the river banks. Since that time, a great deal has been learned about the importance of protecting the tributaries that feed into the main stem of the Rogue. Protecting the Wild and Scenic tributaries to the Rogue River is essential to protecting the backbone of one of Oregon’s most important sport and commercial fisheries.

In 2008, American Rivers named the Rogue and its tributaries as the second most endangered river in the U.S. I’m hoping to change that today by introducing legislation to protect 143 miles of Wild and Scenic tributaries that feed the Rogue River with cold clean water. The protected tributaries would include Galice Creek, Little Windy Creek, Jenny Creek, Long Gulch—and 36 other tributaries of the Rogue.

By protecting the tributaries that feed this mighty river, I hope that future generations can enjoy the Rogue River as Oregonians and visitors to our State do today.

The third bill I am introducing is, 1272, the Devil’s Staircase Wilderness Act of 2009, which designates approximately 29,650 acres surrounding the Wasson Creek area as Wilderness.

Devil’s Staircase personifies what Wilderness in Oregon is all about. It is rugged, wild, pristine and remote. So rugged, in fact, that land managers have repeatedly withdrawn this landslide-prone forest from all timbering activity and intrepid hikers must follow elk and deer trails and keep a sharp eye on a compass. The proposed Devil’s Staircase Wilderness is the finest old-growth forest remaining in Oregon’s Coast Range, boasting huge Douglas fir, cedar and hemlock and a wealth of threatened and endangered species. Wildlife include threatened marbled murrelets and the highest density of Northern Spotted Owls in the coastal mountains.

My proposal would not only protect the forests surrounding Wasson Creek but would also designate approximately 4.5 miles of Franklin Creek and approximately 10.1 miles of Wasson Creek as Wild and Scenic Rivers. Franklin Creek, a critically important tributary to the Umpqua River, is one of the best examples of pristine salmon habitat left in Oregon. Together with Wasson Creek, these two streams in the Devil’s Staircase area deserve Wild and Scenic River designation by Congress.

The ecological significance of this treasure is apparent. The land is protected as a Late-Successional Reserve by the Northwest Forest Plan, as critical habitat for the northern spotted owl, and as an Area of Critical Environmental Concern by the Bureau of Land Management. Preserving these majestic forests as Wilderness for their wildlife and spectacular scenery matches the goals of the existing land management plans. I look forward to protecting this gem for future generations.

Finally, I want to express my thanks to the conservation, recreation and business communities of southern and coastal Oregon, and Phil Krouse for his strong conservation ethic. All of them have worked diligently to protect these special places. I look forward to working with Senator MERKLEY, Representative DEFazio, and my House colleagues and the bill’s other supporters to keep up the fight for these unique places in Oregon and get these pieces of legislation to the President’s desk for his signature.

By Mr. REED:

S. 1276. A bill to require investment advisers to private funds, including hedge funds, private equity funds, venture capital funds, and others to register with the Securities and Exchange Commission, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Mr. REED. Mr. President, today I introduce the Private Fund Transparency Act of 2009, which requires investment advisers to private funds, including hedge funds, private equity funds, venture capital funds, and others, to register with the Securities and Exchange Commission, SEC.

The current financial crisis has reinvanized my long-held concern that the regulation of hedge funds and other pooled investment vehicles should be improved to provide more information to regulators to help them address fraud and prevent systemic risk in our capital markets.

Hedge funds and other private investment funds generally operate under exemptions in federal securities laws that recognize that not all investment pools require the same close scrutiny demanded of retail investment products like mutual funds. Hedge funds generally cater to more sophisticated investors who are responsible for ensuring the integrity of their own investments, and as a result are permitted to pursue somewhat riskier investment strategies. Indeed, these funds play an important role in enhancing liquidity and efficiency in the market, and subjecting them to fewer limitations on their activities has been and continues to be a reasonable policy choice.

However, the existing regulatory regime for these funds has enabled them to operate largely outside the framework of the financial regulatory system even as they have become increasingly interwoven with the rest of the country's financial markets. As a result, there is no data on the number and nature of these firms or ability to calculate the risks they pose to America's broader economy. Over the past decade the SEC has recognized there are risks to our capital markets posed by some of these entities, and it has attempted to require at a minimum that advisers to these funds register under the Investment Advisers Act so that SEC staff can collect basic information from and examine these private pools of capital. The SEC's rulemaking in this area, however, was rejected by a federal court in 2006. As a result, without statutory changes, the SEC is currently unable to examine private funds' books and records or to take sufficient action when it suspects fraud. In addition, no regulator is currently able to collect information on the size and nature of hedge funds or other funds to identify and act on systemic risks that may be created by these pools of capital.

The bill I introduce today is crafted carefully to eliminate these regulatory gaps without unnecessarily limiting the beneficial aspects of such pools. It would require all hedge fund and other investment pool advisers that manage more than \$30 million in assets to register as investment advisers with the SEC. It would also provide the SEC with the authority to collect information from these entities, including information about the risks they may

pose to the financial system. Finally, it authorizes the SEC to require hedge funds and other investment pools to maintain and share with other Federal agencies any information necessary for the calculation of systemic risk.

The financial crisis is a stark reminder that transparency and disclosure are essential in today's marketplace. Improving oversight of hedge funds and other private funds is vital to their sustainability and to our economy's stability. These statutory changes will help modernize our outdated financial regulatory system, protect investors, and prevent fraud. I hope my colleagues will join me in improving the oversight of hedge funds and other private pools of capital by cosponsoring this legislation and supporting its passage.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1276

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Private Fund Transparency Act of 2009".

SEC. 2. DEFINITION OF FOREIGN PRIVATE ADVISERS.

Section 202(a) of the Investment Advisers Act of 1940 (15 U.S.C. 80b-2(a)) is amended by adding at the end the following:

"(29) The term 'foreign private adviser' means any investment adviser who—

"(A) has no place of business in the United States;

"(B) during the preceding 12 months has had—

"(i) fewer than 15 clients in the United States; and

"(ii) assets under management attributable to clients in the United States of less than \$25,000,000, or such higher amount as the Commission may, by rule, deem appropriate in accordance with the purposes of this title; and

"(C) neither holds itself out generally to the public in the United States as an investment adviser, nor acts as an investment adviser to any investment company registered under the Investment Company Act of 1940, or a company which has elected to be a business development company pursuant to section 54 of the Investment Company Act of 1940, and has not withdrawn its election."

SEC. 3. ELIMINATION OF PRIVATE ADVISER EXEMPTION; LIMITED EXEMPTION FOR FOREIGN PRIVATE ADVISERS.

Section 203(b)(3) of the Investment Advisers Act of 1940 (15 U.S.C. 80b-3(b)(3)) is amended to read as follows:

"(3) any investment adviser that is a foreign private adviser;"

SEC. 4. COLLECTION OF SYSTEMIC RISK DATA; ANNUAL AND OTHER REPORTS.

Section 204 of the Investment Advisers Act of 1940 (15 U.S.C. 80b-4) is amended—

(1) in subsection (a), by adding at the end the following: "The Commission is authorized to require any investment adviser registered under this title to maintain such records and submit such reports as are necessary or appropriate in the public interest for the supervision of systemic risk by any Federal department or agency, and to provide or make available to such department

or agency those reports or records or the information contained therein. The records of any company that, but for section 3(c)(1) or 3(c)(7) of the Investment Company Act of 1940, would be an investment company, to which any such investment adviser provides investment advice, shall be deemed to be the records of the investment adviser if such company is sponsored by the investment adviser or any affiliated person of the investment adviser or the investment adviser or any affiliated person of the investment adviser acts as underwriter, distributor, placement agent, finder, or in a similar capacity for such company."; and

(2) adding at the end the following:

"(d) CONFIDENTIALITY OF REPORTS.—Notwithstanding any other provision of law, the Commission shall not be compelled to disclose any supervisory report or information contained therein required to be filed with the Commission under subsection (a). Nothing in this subsection shall authorize the Commission to withhold information from Congress or prevent the Commission from complying with a request for information from any other Federal department or agency or any self-regulatory organization requesting the report or information for purposes within the scope of its jurisdiction, or complying with an order of a court of the United States in an action brought by the United States or the Commission. For purposes of section 552 of title 5, United States Code, this subsection shall be considered a statute described in subsection (b)(3)(B) of such section 552."

SEC. 5. ELIMINATION OF PROVISION.

Section 210 of the Investment Advisers Act of 1940 (15 U.S.C. 80b-10) is amended by striking subsection (c).

SEC. 6. CLARIFICATION OF RULEMAKING AUTHORITY.

Section 211(a) of the Investment Advisers Act of 1940 (15 U.S.C. 80b-11) is amended—

(1) by striking the second sentence; and

(2) by striking the period at the end of the first sentence and inserting the following: "including rules and regulations defining technical, trade, and other terms used in this title. For the purposes of its rules and regulations, the Commission may—

"(1) classify persons and matters within its jurisdiction and prescribe different requirements for different classes of persons or matters; and

"(2) ascribe different meanings to terms (including the term 'client') used in different sections of this title as the Commission determines necessary to effect the purposes of this title."

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 185—SUPPORTING THE GOALS AND IDEALS OF NATIONAL ALZHEIMER'S DISEASE AWARENESS MONTH AND NATIONAL MEMORY SCREENING DAY, INCLUDING THE DEVELOPMENT OF A NATIONAL HEALTH POLICY ON DEMENTIA SCREENING AND CARE

Mr. WARNER submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 185

Whereas Alzheimer's disease is a slow, progressive disorder of the brain that results in loss of memory and other cognitive function and, eventually, death;

Whereas Alzheimer's disease is the sixth leading cause of death in the United States and currently affects an estimated 2,400,000 to 4,500,000 people in the United States;

Whereas the stigma associated with the disease results in a delay of diagnosis, in some cases up to 6 years;

Whereas Alzheimer's disease takes an enormous toll on family members, with an estimated 1 in 4 people in the United States acting as caregivers for each individual with the disease;

Whereas caregivers for individuals with Alzheimer's disease suffer more stress, depression, and health problems than caregivers of people with other illnesses;

Whereas recent advancements in scientific research have demonstrated the benefits of early medical treatment for individuals with Alzheimer's disease, as well as the benefits of early access to counseling and other support services for their caregivers;

Whereas with early diagnosis, individuals with the disease can avoid or correct contributing medical problems, commence available therapy, organize current and future care, and enhance self-determination, and caregivers can identify and embrace community support services;

Whereas in direct response to research breakthroughs, National Memory Screening Day was established by the Alzheimer's Foundation of America ("AFA") as a collaborative effort with local organizations and health care professionals across the country to promote awareness, early detection, and early diagnosis of memory impairment, so that individuals can obtain proper medical treatment, social services, and other resources related to their condition;

Whereas National Memory Screening Day is held by AFA each November in recognition of National Alzheimer's Disease Awareness Month and on this day, qualified health care professionals administer free, confidential, face-to-face memory screenings at thousands of sites throughout the United States;

Whereas memory screening is not used to diagnose any illness but is used as an indicator to determine whether a person might benefit from further examination by a qualified health care provider;

Whereas memory screenings are a safe and cost-effective intervention to direct at-risk individuals to appropriate clinical resources, thus reducing the costs of long-term care or hospitalization resulting from undiagnosed complications; and

Whereas screenings also greatly benefit those with normal scores, by checking their memory, allaying fears, and promoting chronic disease prevention and successful aging; Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the seriousness of Alzheimer's disease and the toll it takes on individuals with the disease and their caregivers;

(2) acknowledges that more outreach and education is needed to eliminate the stigma associated with the disease and assist individuals and their caregivers in identifying available screenings, treatments and support;

(3) encourages all people in the United States with memory concerns or who want to check their memory to have annual memory screenings at National Memory Screening Day sites or by other qualified health care professionals;

(4) congratulates State and local organizations representing individuals with memory problems, caregivers, and health care professionals for their commitment to improve the quality of life of individuals and families confronting dementia by providing optimal care and services; and

(5) supports the goals and ideals of National Alzheimer's Disease Awareness Month

and National Memory Screening Day, including the development of a national health policy on dementia screening and care.

Mr. WARNER. Mr. President, I rise today to introduce a resolution in support of the goals and ideals of National Alzheimer's Disease Awareness Month and National Memory Screening Day, including the development of a national health policy on dementia screening and care.

As co-chair of the bipartisan Congressional Task Force on Alzheimer's Disease, and as someone with a mother who has been diagnosed with disease, I strongly believe that our health care system needs to do a much better job of promoting early detection of dementia and other memory problems. Events such as National Memory Screening Day are a meaningful step in raising the awareness needed to move us in that direction.

The National Institute on Aging, NIA, estimates that between 2.4 million and 4.5 million Americans have Alzheimer's disease—a progressive degenerative disorder that attacks the brain's nerve cells, resulting in loss of memory, thinking and language skill, behavioral changes, and ultimately, death. Alzheimer's disease is not a normal part of aging; however, age is the greatest known risk factor with the incidence doubling for every, 5 year interval beyond age 65.

Alzheimer's disease exacts a huge toll on caregivers. Nearly 60 percent of individuals with the disease live at home under the care of family members. Caregivers of individuals with Alzheimer's disease face a variety of challenges and spend more time providing assistance than caregivers of people with other types of diseases, from helping loved ones with bathing and dressing to managing their legal and financial affairs.

Alzheimer's disease drains more than \$148 billion from the nation's economy each year. If the prevalence of Alzheimer's disease continues to increase as expected, the \$91 billion spent in 2005 on Medicare costs for care of individuals with Alzheimer's disease and dementia patients is projected to increase to \$189 billion by 2015.

There are serious deficiencies in our current healthcare system related to diagnosis of Alzheimer's disease and related dementias. A 2006 editorial in the *Journal of the American Geriatric Society* estimated that missed diagnoses represent greater than 25 percent of the dementia cases and may be as high as 90 percent. This precludes many from getting early treatment which most researchers agree leads to optimal therapy with available and emerging medications.

Screening is a simple and safe evaluation tool that assesses memory and other intellectual functions to determine whether additional testing is necessary. Memory screening can be done in a medical environment, e.g. dementia clinic, physician's office, or in a community setting, e.g. senior center,

pharmacy. Such screenings are not a diagnosis, but can indicate whether a complete medical evaluation would be beneficial. Memory can be affected by a number of factors, ranging from stress, lack of sleep, vitamin deficiencies, depression and thyroid problems, to such illnesses as Alzheimer's disease and vascular dementia. In general, the earlier the diagnosis, the easier it is to treat these conditions.

Memory screenings are one of the major focal points of the Alzheimer's Foundation of America's, AFA, national initiatives. Since 2003, AFA has sponsored National Memory Screening Day, NMSD, annually in collaboration with community organizations to promote early detection of memory problems as well as Alzheimer's disease and related illnesses, and encourage appropriate intervention. It has been held each November to coincide with National Alzheimer's Disease Awareness Month. On November 18, 2008, qualified health care professionals at nearly 2,200 sites nationwide offered free confidential memory screenings to an estimated 54,000 participants, as well as follow-up resources and educational materials about dementia and successful aging. In 2009, AFA will hold National Memory Screening Day on November 17.

Most people are not inclined to discuss memory concerns with their health care providers. A survey conducted during AFA's 2007 National Memory Screening Day found that 68 percent of respondents had concerns about their memory. However, while more than 44 percent had visited their primary care physician within the last 6 months, fewer than one in four of those with self-identified memory problems had discussed the issue with their physician. Primary care providers might be more likely to recommend further evaluation if individuals presented their abnormal memory screening results from events like National Memory Screening Day. Community screenings such as National Memory Screening Day generally educate participants about questions to ask their health care providers and empower them to begin a dialogue.

With this resolution I hope we can draw attention to these efforts and further this important cause. I urge my colleagues to join me in support of National Alzheimer's Disease Awareness Month and National Memory Screening Day by cosponsoring this measure.

SENATE RESOLUTION 186—CONDEMNING THE MURDER OF ARMY PRIVATE WILLIAM ANDREW "ANDY" LONG AND THE WOUNDING OF ARMY PRIVATE QUINTON EZEAGWULA, WHO WERE SHOT OUTSIDE THE ARMY-NAVY CAREER CENTER IN LITTLE ROCK, ARKANSAS ON JUNE 1, 2009

Mrs. LINCOLN (for herself, Mr. PRYOR, and Mr. LIEBERMAN) submitted

the following resolution; which was considered and agreed to:

S. RES. 186

Whereas on June 1, 2009, Private William Andrew "Andy" Long, aged 23, of Conway, Arkansas, was murdered outside the Army-Navy Career Center in Little Rock, Arkansas;

Whereas on June 1, 2009, Private Quinton Ezeagwula, aged 18, of Jacksonville, Arkansas, was wounded by gunfire outside the Army-Navy Career Center in Little Rock, Arkansas;

Whereas there are more than 1,400,000 active component and more than 1,200,000 reserve component members of the Armed Forces protecting the United States;

Whereas there are more than 8,000 Army and Army Reserve recruiters and more than 7,000 Navy recruiters serving at more than 1,500 military recruiting stations and centers in United States, Guam, Puerto Rico, and Europe;

Whereas the men and women of the Armed Forces risk their lives every day to preserve the freedoms cherished by people in the United States;

Whereas service in the Armed Forces demands extraordinary sacrifices from service members and their families and often places service members in harm's way;

Whereas members of the Armed Forces are the targets of violence not only abroad but in the United States as well; and

Whereas such violence is reprehensible and must not be tolerated: Now, therefore, be it *Resolved*, That the Senate—

(1) offers its condolences to the family of Private William Andrew "Andy" Long;

(2) hopes for a full recovery for Private Quinton Ezeagwula;

(3) urges swift prosecution to the fullest extent of the law of the perpetrator or perpetrators of this senseless shooting;

(4) urges the people of the United States to join the Senate in condemning acts of violence; and

(5) honors the service and sacrifice of all men and women in the Armed Services who protect and defend our freedom every day.

SENATE CONCURRENT RESOLUTION 28—SUPPORTING THE GOALS OF SMART IRRIGATION MONTH, WHICH RECOGNIZES THE ADVANCES IN IRRIGATION TECHNOLOGY AND PRACTICES THAT HELP RAISE HEALTHY PLANTS AND INCREASE CROP YIELDS WHILE USING WATER RESOURCES MORE EFFICIENTLY AND ENCOURAGES THE ADOPTION OF SMART IRRIGATION PRACTICES THROUGHOUT THE UNITED STATES TO FURTHER IMPROVE WATER-USE EFFICIENCY IN AGRICULTURAL, RESIDENTIAL, AND COMMERCIAL ACTIVITIES

Mr. NELSON of Nebraska (for himself and Mrs. FEINSTEIN) submitted the following concurrent resolution; which was referred to the Committee on Energy and Natural Resources:

S. CON. RES. 28

Whereas water is a finite resource that is vital to human life;

Whereas growing populations and changing climate mean increased pressure on limited water supplies;

Whereas well-maintained green spaces are important to the health and well-being of communities and individuals;

Whereas abundant supplies of affordable food and fiber raise the standard of living for all people of the United States;

Whereas appropriate irrigation technology, combined with best practices, can significantly improve water-use efficiency and reduce runoff while achieving greater agricultural yields per acre-foot of water used;

Whereas appropriate irrigation technology, combined with best practices, can significantly reduce water usage and runoff while creating healthy lawns, landscaping, and sports turf; and

Whereas because July is a peak month for the use of water for irrigation, July has been selected as Smart Irrigation Month: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That Congress supports the goals of Smart Irrigation Month, which are—

(1) to recognize the advances in irrigation technology and practices that help raise healthy plants and increase crop yields while using water resources more efficiently; and

(2) to encourage the adoption of smart irrigation practices throughout the United States to further improve water-use efficiency in agricultural, residential, and commercial activities.

SENATE CONCURRENT RESOLUTION 29—EXPRESSING THE SENSE OF THE CONGRESS THAT JOHN ARTHUR "JACK" JOHNSON SHOULD RECEIVE A POSTHUMOUS PARDON FOR THE RACIALLY MOTIVATED CONVICTION IN 1913 THAT DIMINISHED THE ATHLETIC, CULTURAL, AND HISTORIC SIGNIFICANCE OF JACK JOHNSON AND UNDULY TARNISHED HIS REPUTATION

Mr. MCCAIN (for himself, Mr. LEAHY, and Mr. BROWNBACK) submitted the following concurrent resolution; which was referred to the Committee on the Judiciary:

S. CON. RES. 29

Whereas John Arthur "Jack" Johnson was a flamboyant, defiant, and controversial figure in the history of the United States who challenged racial biases;

Whereas Jack Johnson was born in Galveston, Texas, in 1878 to parents who were former slaves;

Whereas Jack Johnson became a professional boxer and traveled throughout the United States, fighting white and African American heavyweights;

Whereas, after being denied (on purely racial grounds) the opportunity to fight 2 white champions, in 1908, Jack Johnson was granted an opportunity by an Australian promoter to fight the reigning white titleholder, Tommy Burns;

Whereas Jack Johnson defeated Tommy Burns to become the first African American to hold the title of Heavyweight Champion of the World;

Whereas, the victory by Jack Johnson over Tommy Burns prompted a search for a white boxer who could beat Jack Johnson, a recruitment effort that was dubbed the search for the "great white hope";

Whereas, in 1910, a white former champion named Jim Jeffries left retirement to fight Jack Johnson in Reno, Nevada;

Whereas Jim Jeffries lost to Jack Johnson in what was deemed the "Battle of the Century";

Whereas the defeat of Jim Jeffries by Jack Johnson led to rioting, aggression against African Americans, and the racially-moti-

vated murder of African Americans nationwide;

Whereas the relationships of Jack Johnson with white women compounded the resentment felt toward him by many whites;

Whereas, between 1901 and 1910, 754 African Americans were lynched, some for simply for being "too familiar" with white women;

Whereas, in 1910, Congress passed the Act of June 25, 1910 (commonly known as the "White Slave Traffic Act" or the "Mann Act") (18 U.S.C. 2421 et seq.), which outlawed the transportation of women in interstate or foreign commerce "for the purpose of prostitution or debauchery, or for any other immoral purpose";

Whereas, in October 1912, Jack Johnson became involved with a white woman whose mother disapproved of their relationship and sought action from the Department of Justice, claiming that Jack Johnson had abducted her daughter;

Whereas Jack Johnson was arrested by Federal marshals on October 18, 1912, for transporting the woman across State lines for an "immoral purpose" in violation of the Mann Act;

Whereas the Mann Act charges against Jack Johnson were dropped when the woman refused to cooperate with Federal authorities, and then married Jack Johnson;

Whereas, Federal authorities persisted and summoned a white woman named Belle Schreiber, who testified that Jack Johnson had transported her across State lines for the purpose of "prostitution and debauchery";

Whereas, in 1913, Jack Johnson was convicted of violating the Mann Act and sentenced to 1 year and 1 day in Federal prison;

Whereas Jack Johnson fled the United States to Canada and various European and South American countries;

Whereas Jack Johnson lost the Heavyweight Championship title to Jess Willard in Cuba in 1915;

Whereas Jack Johnson returned to the United States in July 1920, surrendered to authorities, and served nearly a year in the Federal penitentiary at Leavenworth, Kansas;

Whereas Jack Johnson subsequently fought in boxing matches, but never regained the Heavyweight Championship title;

Whereas Jack Johnson served his country during World War II by encouraging citizens to buy war bonds and participating in exhibition boxing matches to promote the war bond cause;

Whereas Jack Johnson died in an automobile accident in 1946; and

Whereas, in 1954, Jack Johnson was inducted into the Boxing Hall of Fame: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of Congress that Jack Johnson should receive a posthumous pardon—

(1) to expunge a racially motivated abuse of the prosecutorial authority of the Federal Government from the annals of criminal justice in the United States; and

(2) in recognition of the athletic and cultural contributions of Jack Johnson to society.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1303. Ms. LANDRIEU (for herself and Ms. SNOWE) submitted an amendment intended to be proposed by her to the bill S. 1023, to establish a non-profit corporation to communicate United States entry policies and otherwise promote leisure, business, and scholarly travel to the United States.; which was ordered to lie on the table.

SA 1304. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill S. 1023, supra; which was ordered to lie on the table.

SA 1305. Mr. JOHANNIS submitted an amendment intended to be proposed by him to the bill S. 1023, supra; which was ordered to lie on the table.

SA 1306. Mr. CORKER (for himself, Mr. NELSON, of Florida, and Ms. SNOWE) submitted an amendment intended to be proposed by him to the bill S. 1023, supra; which was ordered to lie on the table.

SA 1307. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 1023, supra; which was ordered to lie on the table.

SA 1308. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 1023, supra; which was ordered to lie on the table.

SA 1309. Mr. LIEBERMAN submitted an amendment intended to be proposed by him to the bill S. 1023, supra; which was ordered to lie on the table.

SA 1310. Mr. LIEBERMAN submitted an amendment intended to be proposed by him to the bill S. 1023, supra; which was ordered to lie on the table.

SA 1311. Mr. LIEBERMAN submitted an amendment intended to be proposed by him to the bill S. 1023, supra; which was ordered to lie on the table.

SA 1312. Mr. SANDERS (for himself, Mrs. GILLIBRAND, and Mr. CASEY) submitted an amendment intended to be proposed by him to the bill S. 1023, supra; which was ordered to lie on the table.

SA 1313. Mr. ALEXANDER (for himself, Mr. BENNETT, Mr. VITTER, Mr. CORNYN, Mr. ISAKSON, Mr. ROBERTS, Mr. KYL, and Mr. BURR) submitted an amendment intended to be proposed by him to the bill S. 1023, supra; which was ordered to lie on the table.

SA 1314. Mr. FEINGOLD submitted an amendment intended to be proposed by him to the bill S. 1023, supra; which was ordered to lie on the table.

SA 1315. Mr. LIEBERMAN (for himself and Mr. GRAHAM) submitted an amendment intended to be proposed by him to the bill S. 1023, supra; which was ordered to lie on the table.

SA 1316. Mr. CORKER submitted an amendment intended to be proposed by him to the bill S. 1023, supra; which was ordered to lie on the table.

SA 1317. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 1023, supra; which was ordered to lie on the table.

SA 1318. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 1023, supra; which was ordered to lie on the table.

SA 1319. Mr. VOINOVICH (for himself, Ms. KLOBUCHAR, Mr. TESTER, Ms. COLLINS, Mr. BINGAMAN, and Ms. MURKOWSKI) submitted an amendment intended to be proposed by him to the bill S. 1023, supra; which was ordered to lie on the table.

SA 1320. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 1023, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 1303. Ms. LANDRIEU (for herself and Ms. SNOWE) submitted an amendment intended to be proposed by her to the bill S. 1023, to establish a non-profit corporation to communicate United States entry policies and otherwise promote leisure, business, and scholarly travel to the United States; which

was ordered to lie on the table; as follows:

On page 26, between lines 16 and 17, insert the following:

“(b) REPORT ON TOURISM AND RURAL COMMUNITIES.—

“(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Director of the Office of Travel and Tourism Industries, in consultation with the Administrator of the Small Business Administration and the Secretary of Agriculture, shall report to the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Agriculture, Nutrition, and Forestry of the Senate, and the Committee on Small Business and Entrepreneurship of the Senate, the Committee on Energy and Commerce of the House of Representatives, the Committee on Agriculture of the House of Representatives, and the Committee on Small Business of the House of Representatives on developing the tourism potential of rural communities.

“(2) CONTENT OF THE REPORT.—The report required by paragraph (1) shall—

“(A) identify existing Federal programs that provide assistance to rural small businesses in developing tourism marketing and promotion plans relating to tourism in rural areas;

“(B) identify existing Federal programs that assist rural small business concerns in obtaining capital for starting or expanding businesses primarily serving tourists; and

“(C) include recommendations, if any, for improving existing programs or creating new Federal programs that may benefit tourism in rural communities.

SA 1304. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill S. 1023, to establish a non-profit corporation to communicate United States entry policies and otherwise promote leisure, business, and scholarly travel to the United States; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ ENERGY MARKET MANIPULATION PREVENTION.

(a) FINDINGS.—Congress finds that—

(1) in 1974, the Commodity Futures Trading Commission (referred to in this Act as the “Commission”) was established as an independent agency with a mandate—

(A) to enforce and administer the Commodity Exchange Act (7 U.S.C. 1 et seq.);

(B) to ensure market integrity;

(C) to protect market users from fraud and abusive trading practices; and

(D) to prevent and prosecute manipulation of the price of any covered commodity in interstate commerce;

(2) Congress has given the Commission authority under the Commodity Exchange Act (7 U.S.C. 1 et seq.) to take necessary actions to address market emergencies;

(3) the Commission may use the emergency authority of the Commission with respect to any major market disturbance that prevents the market from accurately reflecting the forces of supply and demand for a covered commodity;

(4) in section 4a(a) of the Commodity Exchange Act (7 U.S.C. 6a(a)), Congress has declared that excessive speculation imposes an undue and unnecessary burden on interstate commerce;

(5) in May 2009, crude oil inventories in the United States were at the highest level of crude oil inventories on record;

(6) in May 2009, demand for oil in the United States dropped to the lowest level of demand in more than a decade;

(7) the national average price of a gallon of gasoline has jumped from \$1.64 per gallon in late December of 2008 to over \$2.61 per gallon as of June 8, 2009;

(8) crude oil prices have increased by over 70 percent since the middle of January 2009; and

(9) in May 2009, the International Energy Agency predicted that global demand for oil will decrease in 2009 to the lowest level of demand since 1981.

(b) DUTIES OF COMMISSION.—The Commission shall use the authority of the Commission, including the emergency authority of the Commission—

(1) to curb immediately the role of excessive speculation in any contract market—

(A) that is within the jurisdiction and control of the Commission; and

(B) on or through which energy futures or swaps are traded;

(2) to eliminate excessive speculation, price distortion, sudden or unreasonable fluctuations or unwarranted changes in prices, or other unlawful activity that causes major market disturbances that prevent the market from accurately reflecting the forces of supply and demand for energy commodities;

(3) to classify immediately each bank holding company that engages in energy futures trading as a noncommercial participant, and subject the bank holding company to strict position limits;

(4) to require immediately that each hedge fund engaged in the trading of energy futures for the hedge fund, or on behalf of a client of the hedge fund—

(A) to register with the Commission as a noncommercial participant; and

(B) to be subject to strict speculation limits;

(5) to eliminate conflicts of interest that may arise in situations during which 1 entity owns or controls a unit that is—

(A) designed to predict the future price of oil;

(B) engaged in the operations of oil assets, including pipelines and storage facilities; and

(C) engaged in the buying or selling of energy derivatives for the unit, or on behalf of a client of the unit; and

(6) to revoke immediately each staff no-action letter that covers a foreign board of trade that has established trading terminals in the United States for the purpose of trading United States commodities to United States investors.

SA 1305. Mr. JOHANNIS submitted an amendment intended to be proposed by him to the bill S. 1023, to establish a non-profit corporation to communicate United States entry policies and otherwise promote leisure, business, and scholarly travel to the United States; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ CONGRESSIONAL APPROVAL OF CERTAIN TARP EXPENDITURES.

Notwithstanding any other provision of law, including any provision of the Emergency Economic Stabilization Act of 2008, on and after May 29, 2009, no funds may be disbursed or otherwise obligated under that Act to any entity, if such disbursement would result in the Federal Government acquiring any ownership of the common or preferred stock of the entity receiving such funds, unless the Congress first approves of such disbursement or obligation.

SA 1306. Mr. CORKER (for himself, Mr. NELSON of Florida, and Ms. SNOWE)

submitted an amendment intended to be proposed by him to the bill S. 1023, to establish a non-profit corporation to communicate United States entry policies and otherwise promote leisure, business, and scholarly travel to the United States; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ REIMBURSEMENT OF AUTOMOBILE DISTRIBUTORS.

(a) IN GENERAL.—Notwithstanding any other provision of law, any funds provided by the United States Government, or any agency, department, or subdivision thereof, to an automobile manufacturer or a distributor thereof as credit, loans, financing, advances, or by any other agreement in connection with such automobile manufacturer's or distributor's proceeding as a debtor under title 11, United States Code, shall be conditioned upon use of such funds to fully reimburse all dealers of such automobile manufacturer or manufacturer's distributor for—

(1) the cost incurred by such dealers during the 9-month period preceding the date on which the proceeding under title 11, United States Code, by or against the automobile manufacturer or manufacturer's distributor is commenced, in acquisition of all parts and inventory in the dealer's possession on the same basis as if the dealers were terminating pursuant to existing franchise agreements or dealer agreements; and

(2) all other obligations owed by such automobile manufacturer or manufacturer's distributor under any other agreement between the dealers and the automobile manufacturer or manufacturer's distributor arising during that 9-month period, including, without limitation, franchise agreement or dealer agreements.

(b) INCLUSION IN TERMS.—Any note, security agreement, loan agreement, or other agreement between an automobile manufacturer or manufacturer's distributor and the Government (or any agency, department, or subdivision thereof) shall expressly provide for the use of such funds as required by this section. A bankruptcy court may not authorize the automobile manufacturer or manufacturer's distributor to obtain credit under section 364 of title 11, United States Code, unless the credit agreement or agreements expressly provided for the use of funds as required by this section.

(c) EFFECTIVENESS OF REJECTION.—Notwithstanding any other provision of law, any rejection by an automobile manufacturer or manufacturer's distributor that is a debtor in a proceeding under title 11, United States Code, of a franchise agreement or dealer agreement pursuant to section 365 of that title, shall not be effective until at least 180 days after the date on which such rejection is otherwise approved by a bankruptcy court.

SA 1307. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 1023, to establish a non-profit corporation to communicate United States entry policies and otherwise promote leisure, business, and scholarly travel to the United States; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 9. EXTENSION OF PILOT PROGRAMS FOR EMPLOYMENT ELIGIBILITY CONFIRMATION FOR ALIENS.

Subsection (b) of section 401 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (division C of Public Law 104-208; 8 U.S.C. 1324a note) is amended by striking “11-year” and inserting “17-year”.

SA 1308. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 1023, to establish a non-profit corporation to communicate United States entry policies and otherwise promote leisure, business, and scholarly travel to the United States; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 9. EMPLOYMENT ELIGIBILITY CONFIRMATION FOR ALIENS.

(a) SHORT TITLE.—This section may be cited as the “Protecting American Workers Act of 2009”.

(b) PILOT PROGRAMS FOR EMPLOYMENT ELIGIBILITY CONFIRMATION.—Subsection (b) of section 401 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (division C of Public Law 104-208; 8 U.S.C. 1324a note) is amended by striking “Unless” and all that follows.

(c) RESTRICTION ON USE OF FUNDS.—None of the funds made available in the Emergency Economic Stabilization Act of 2008 (division A of Public Law 110-343; 122 Stat. 3765) or the American Recovery and Reinvestment Act of 2009 (Public Law 111-5; 123 Stat. 115) may be used to enter into a contract with a person that does not participate in the pilot program described in section 404 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (division C of Public Law 104-208; 8 U.S.C. 1324a note).

(d) REQUIRED PARTICIPATION BY UNITED STATES CONTRACTORS.—The head of each agency or department of the United States that enters into a contract shall require, as a condition of the contract, that the contractor participate in the pilot program described in 404 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (division C of Public Law 104-209; 8 U.S.C. 1324a note) to verify the employment eligibility of—

(1) all individuals hired during the term of the contract by the contractor to perform employment duties within the United States; and

(2) all individuals assigned by the contractor to perform work within the United States the under such contract.

(e) REDESIGNATION OF BASIC PILOT PROGRAM.—

(1) REDESIGNATION.—

(A) IN GENERAL.—Sections 401(c)(1), 403(a), 403(b)(1), 403(c)(1), and 405(b)(2) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (division C of Public Law 104-208; 8 U.S.C. 1324a note) are amended by striking “basic pilot program” each place that term appears and inserting “E-Verify Program”.

(B) TECHNICAL AMENDMENT.—Subsection (a) of section 403 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (division C of Public Law 104-208; 8 U.S.C. 1324a note) is amended in the heading by striking “BASIC PILOT” and inserting “E-VERIFY”.

(2) CONFORMING AMENDMENT.—Paragraph (1) of section 404(h) of the Illegal Immigration Reform and Immigration Responsibility Act of 1996 (division C of Public Law 104-208; 8 U.S.C. 1324a note) is amended by striking “under a pilot program” and inserting “under this subtitle”.

(f) CHECKING THE IMMIGRATION STATUS OF EMPLOYEES.—Subparagraph (A) of section 403(a)(3) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (division C of Public Law 104-208; 8 U.S.C. 1324a note) is amended—

(1) by striking “The person” and inserting the following:

“(i) UPON HIRING.—The person”; and

(2) by adding at the end the following:

“(ii) EXISTING EMPLOYEES.—An employer that elects to verify the employment eligibility of existing employees shall verify the employment eligibility of all such employees not later than 10 days after notifying the Secretary of Homeland Security of such election.

“(iii) REQUIRED PARTICIPATION.—The Secretary of Homeland Security may require any employer or class of employers to participate in the E-Verify Program with respect to individuals employed as of, or hired after, the date of the enactment of the Protecting American Workers Act of 2009 if the Secretary has reasonable cause to believe that the employer has engaged in material violations of section 274A of the Immigration and Nationality Act (8 U.S.C. 1324a).”.

(g) REVERIFICATION.—Subsection (a) of section 403 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (division C of Public Law 104-08; 8 U.S.C. 1324a note) is amended by adding at the end the following:

“(5) REVERIFICATION.—Each employer participating in the E-Verify Program shall use the confirmation system to reverify the work authorization of any individual not later than 3 days after the date on which such individual's employment authorization is scheduled to expire, as indicated by the documents that the individual provided to the employer pursuant to section 274A(b) of the Immigration and Nationality Act (8 U.S.C. 1324a(b)), in accordance with the procedures otherwise applicable to the verification of a newly hired employee under this subsection.”.

SA 1309. Mr. LIEBERMAN submitted an amendment intended to be proposed by him to the bill S. 1023, to establish a non-profit corporation to communicate United States entry policies and otherwise promote leisure, business, and scholarly travel to the United States; which was ordered to lie on the table; as follows:

On page 19, strike line 13 and all that follows through page 25, line 10, and insert the following:

SEC. 5. ELECTRONIC SYSTEM FOR TRAVEL AUTHORIZATION.

(a) TRAVEL PROMOTION FUND FEES.—Section 217(h)(3)(B) of the Immigration and Nationality Act (8 U.S.C. 1187(h)(3)(B)) is amended to read as follows:

“(B) FEES.—

“(i) IN GENERAL.—No later than September 30, 2009, the Secretary of Homeland Security shall establish a fee for the use of the System and begin assessment and collection of that fee. The initial fee shall be the sum of—

“(I) \$10 per travel authorization; and

“(II) an amount that will at least ensure recovery of the full costs of providing and administering the System, as determined by the Secretary.

“(ii) DISPOSITION OF AMOUNTS COLLECTED.—From the amounts collected under clause (i)(I), \$100,000,000 shall be credited to the Travel Promotion Fund established under section 4 of the Travel Promotion Act of 2009, and any additional amounts shall be used by the Secretary for travel security programs authorized under section 217 of the Immigration and Nationality Act (8 U.S.C. 1187), including the Electronic System for Travel Authorization (ESTA) and the United States Visitor and Immigrant Status Indicator Technology (US-VISIT). Amounts collected under clause (i)(II) shall be transferred to the general fund of the Treasury and made available to pay the costs incurred to administer the System.

“(iii) SUNSET OF TRAVEL PROMOTION FUND FEE.—The Secretary may not collect the fee authorized by clause (i)(I) for fiscal years beginning after September 30, 2014.”.

(b) STRATEGIC PLAN.—

(1) IN GENERAL.—Section 217(h)(3) of the Immigration and Nationality Act (8 U.S.C. 1187(h)(3)) is amended by adding at the end the following:

“(E) STRATEGIC PLAN.—

“(i) SUBMISSION.—Not later than 180 days after the date of the enactment of the Travel Promotion Act of 2009, the Secretary of Homeland Security shall prepare and submit a strategic plan to the recipients listed under clause (ii) that describes how the full implementation of the System will ensure that all individuals traveling by airplane to the United States from a program country have their travel authorization verified before boarding the airplane.

“(ii) RECIPIENTS.—The strategic plan prepared under clause (i) shall be submitted to—

“(I) the Committee on Appropriations of the Senate;

“(II) the Committee on Homeland Security and Governmental Affairs of the Senate;

“(III) the Committee on the Judiciary of the Senate

“(IV) the Committee on Appropriations of the House of Representatives;

“(V) the Committee on Homeland Security of the House of Representatives;

“(VI) the Committee on the Judiciary of the House of Representatives; and

“(VII) the Comptroller General of the United States.

“(iii) MILESTONES.—The strategic plan prepared under clause (i) shall include a detailed timeline that describes the specific actions that will be taken to achieve the following milestones:

“(I) Enrollment of all travelers from program countries into the System.

“(II) Incorporation of the airlines into the System.

“(III) Deployment of the technology of the System in all airports located in program countries, either through the use of stand-alone kiosks or through the participation of the airlines.

“(IV) Verification of travel authorizations of all aliens described in subsection (a) before they board an airplane bound for the United States.

“(V) Administration of the System solely with fees collected under subparagraph (B)(i)(II).

“(iv) COMMUNICATIONS STRATEGY.—The strategic plan prepared under clause (i) shall include—

“(I) an analysis of the System’s communications strategy; and

“(II) recommendation for improving the communications strategy to ensure that all travelers to the United States from program countries are informed of the requirements under this section.”.

(2) GAO REVIEW.—Not later than 90 days after receiving a copy of the strategic plan under section 217(h)(3)(E) of the Immigration and Nationality Act, as added by paragraph (1), the Comptroller General shall complete a review of the plan to determine whether the plan addresses the main security risks associated with the Electronic System for Travel Authorization in an efficient, cost effective, and timely manner.

(c) FUNDING LIMITATION.—None of the amounts made available to the Secretary of Homeland Security under section 217(h)(3)(B)(i)(II) of the Immigration and Nationality Act, as added by subsection (a), to carry out the Electronic System for Travel Authorization authorized under section 217(h)(3) of such Act may be expended until the Secretary submits the strategic plan required by section 217(h)(3)(E) of such Act.

SEC. 6. ASSESSMENT AUTHORITY.

(a) IN GENERAL.—Except as otherwise provided in this section, the Corporation may impose an annual assessment on United States members of the international travel and tourism industry (other than those described in section 2(b)(1)(C) or (H)) represented on the Board in proportion to their share of the aggregate international travel and tourism revenue of the industry. The Corporation shall be responsible for verifying, implementing, and collecting the assessment authorized by this section.

(b) INITIAL ASSESSMENT LIMITED.—The Corporation may establish the initial assessment after the date of enactment of the Travel and Tourism Promotion Act at no greater, in the aggregate, than \$20,000,000.

(c) REFERENDA.—

(1) IN GENERAL.—The Corporation may not impose an annual assessment unless—

(A) the Corporation submits the proposed annual assessment to members of the industry in a referendum; and

(B) the assessment is approved by a majority of those voting in the referendum.

(2) PROCEDURAL REQUIREMENTS.—In conducting a referendum under this subsection, the Corporation shall—

(A) provide written or electronic notice not less than 60 days before the date of the referendum;

(B) describe the proposed assessment or increase and explain the reasons for the referendum in the notice; and

(C) determine the results of the referendum on the basis of weighted voting apportioned according to each business entity’s relative share of the aggregate annual United States international travel and tourism revenue for the industry per business entity, treating all related entities as a single entity.

(d) COLLECTION.—

(1) IN GENERAL.—The Corporation shall establish a means of collecting the assessment that it finds to be efficient and effective. The Corporation may establish a late payment charge and rate of interest to be imposed on any person who fails to remit or pay to the Corporation any amount assessed by the Corporation under this Act.

(2) ENFORCEMENT.—The Corporation may bring suit in Federal court to compel compliance with an assessment levied by the Corporation under this Act.

(e) INVESTMENT OF FUNDS.—Pending disbursement pursuant to a program, plan, or project, the Corporation may invest funds collected through assessments, and any other funds received by the Corporation, only in obligations of the United States or any agency thereof, in general obligations of any State or any political subdivision thereof, in any interest-bearing account or certificate of deposit of a bank that is a member of the Federal Reserve System, or in obligations fully guaranteed as to principal and interest by the United States.

SEC. 7. OFFICE OF TRAVEL PROMOTION.

Title II of the International Travel Act of 1961 (22 U.S.C. 2121 et seq.) is amended by inserting after section 201 the following:

“SEC. 202. OFFICE OF TRAVEL PROMOTION.

“(a) OFFICE ESTABLISHED.—There is established within the Department of Commerce an office to be known as the Office of Travel Promotion.

“(b) DIRECTOR.—

“(1) APPOINTMENT.—The Office shall be headed by a Director who shall be appointed by the Secretary.

“(2) QUALIFICATIONS.—The Director shall be a citizen of the United States and have experience in a field directly related to the promotion of travel to and within the United States.

“(3) DUTIES.—The Director shall—

“(A) report to the Secretary;

“(B) ensure that the Office is effectively carrying out its functions; and

“(C) perform a purely advisory role relating to any responsibilities described in subsection (c) that are related to functions carried out by the Department of Homeland Security or the Department of State.

“(4) RULE OF CONSTRUCTION.—Nothing in this section may be construed to override the preeminent role of the Secretary of Homeland Security in setting policies relating to the Nation’s ports of entry and the processes through which individuals are admitted into the United States.

“(c) FUNCTIONS.—The Office shall—

“(1) serve as liaison to the Corporation for Travel Promotion established by section 2 of the Travel Promotion Act of 2009 and support and encourage the development of programs to increase the number of international visitors to the United States for business, leisure, educational, medical, exchange, and other purposes;

“(2) work with the Corporation, the Secretary of State and the Secretary of Homeland Security—

“(A) to disseminate information more effectively to potential international visitors about documentation and procedures required for admission to the United States as a visitor;

“(B) to advise the Secretary of Homeland Security on ways to improve the experience of incoming international passengers and to provide these passengers with more accurate information;

“(C) to collect accurate data on the total number of international visitors that visit each State; and

“(D) to advise the Secretary of Homeland Security on ways to enhance the entry and departure experience for international visitors through the use of advertising, signage, and customer service; and

“(3) support State, regional, and private sector initiatives to promote travel to and within the United States.

“(d) REPORTS TO CONGRESS.—Not later than 1 year after the date of the enactment of the Travel Promotion Act of 2009, and periodically thereafter, as appropriate, the Secretary shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Foreign Relations of the Senate, the Committee on Energy and Commerce of the House of Representatives, the Committee on Homeland Security of the House of Representatives, and the Committee on Foreign Affairs of the House of Representatives, which describes the Office’s work with the Corporation, the Secretary of State, and the Secretary of Homeland Security to carry out subsection (c)(2).”.

SA 1310. Mr. LIEBERMAN submitted an amendment intended to be proposed by him to the bill S. 1023, to establish a non-profit corporation to communicate United States entry policies and otherwise promote leisure, business, and scholarly travel to the United States; which was ordered to lie on the table; as follows:

On page 20, strike line 3 and all that follows through page 25, line 10, and insert the following:

“(ii) DISPOSITION OF AMOUNTS COLLECTED.—From the amounts collected under clause (i)(I), \$100,000,000 shall be credited to the

Travel Promotion Fund established under section 4 of the Travel Promotion Act of 2009, and any additional amounts shall be used by the Secretary for travel security programs authorized under section 217 of the Immigration and Nationality Act (8 U.S.C. 1187), including the Electronic System for Travel Authorization (ESTA) and the United States Visitor and Immigrant Status Indicator Technology (US-VISIT). Amounts collected under clause (i)(II) shall be transferred to the general fund of the Treasury and made available to pay the costs incurred to administer the System.

“(iii) SUNSET OF TRAVEL PROMOTION FUND FEE.—The Secretary may not collect the fee authorized by clause (i)(I) for fiscal years beginning after September 30, 2014.”.

SEC. 6. ASSESSMENT AUTHORITY.

(a) IN GENERAL.—Except as otherwise provided in this section, the Corporation may impose an annual assessment on United States members of the international travel and tourism industry (other than those described in section 2(b)(1)(C) or (H)) represented on the Board in proportion to their share of the aggregate international travel and tourism revenue of the industry. The Corporation shall be responsible for verifying, implementing, and collecting the assessment authorized by this section.

(b) INITIAL ASSESSMENT LIMITED.—The Corporation may establish the initial assessment after the date of enactment of the Travel and Tourism Promotion Act at no greater, in the aggregate, than \$20,000,000.

(c) REFERENDA.—

(1) IN GENERAL.—The Corporation may not impose an annual assessment unless—

(A) the Corporation submits the proposed annual assessment to members of the industry in a referendum; and

(B) the assessment is approved by a majority of those voting in the referendum.

(2) PROCEDURAL REQUIREMENTS.—In conducting a referendum under this subsection, the Corporation shall—

(A) provide written or electronic notice not less than 60 days before the date of the referendum;

(B) describe the proposed assessment or increase and explain the reasons for the referendum in the notice; and

(C) determine the results of the referendum on the basis of weighted voting apportioned according to each business entity's relative share of the aggregate annual United States international travel and tourism revenue for the industry per business entity, treating all related entities as a single entity.

(d) COLLECTION.—

(1) IN GENERAL.—The Corporation shall establish a means of collecting the assessment that it finds to be efficient and effective. The Corporation may establish a late payment charge and rate of interest to be imposed on any person who fails to remit or pay to the Corporation any amount assessed by the Corporation under this Act.

(2) ENFORCEMENT.—The Corporation may bring suit in Federal court to compel compliance with an assessment levied by the Corporation under this Act.

(e) INVESTMENT OF FUNDS.—Pending disbursement pursuant to a program, plan, or project, the Corporation may invest funds collected through assessments, and any other funds received by the Corporation, only in obligations of the United States or any agency thereof, in general obligations of any State or any political subdivision thereof, in any interest-bearing account or certificate of deposit of a bank that is a member of the Federal Reserve System, or in obligations fully guaranteed as to principal and interest by the United States.

SEC. 7. OFFICE OF TRAVEL PROMOTION.

Title II of the International Travel Act of 1961 (22 U.S.C. 2121 et seq.) is amended by inserting after section 201 the following:

“SEC. 202. OFFICE OF TRAVEL PROMOTION.

“(a) OFFICE ESTABLISHED.—There is established within the Department of Commerce an office to be known as the Office of Travel Promotion.

“(b) DIRECTOR.—

“(1) APPOINTMENT.—The Office shall be headed by a Director who shall be appointed by the Secretary.

“(2) QUALIFICATIONS.—The Director shall be a citizen of the United States and have experience in a field directly related to the promotion of travel to and within the United States.

“(3) DUTIES.—The Director shall—

“(A) report to the Secretary;

“(B) ensure that the Office is effectively carrying out its functions; and

“(C) perform a purely advisory role relating to any responsibilities described in subsection (c) that are related to functions carried out by the Department of Homeland Security or the Department of State.

“(4) RULE OF CONSTRUCTION.—Nothing in this section may be construed to override the preeminent role of the Secretary of Homeland Security in setting policies relating to the Nation's ports of entry and the processes through which individuals are admitted into the United States.

“(c) FUNCTIONS.—The Office shall—

“(1) serve as liaison to the Corporation for Travel Promotion established by section 2 of the Travel Promotion Act of 2009 and support and encourage the development of programs to increase the number of international visitors to the United States for business, leisure, educational, medical, exchange, and other purposes;

“(2) work with the Corporation, the Secretary of State and the Secretary of Homeland Security—

“(A) to disseminate information more effectively to potential international visitors about documentation and procedures required for admission to the United States as a visitor;

“(B) to advise the Secretary of Homeland Security on ways to improve the experience of incoming international passengers and to provide these passengers with more accurate information;

“(C) to collect accurate data on the total number of international visitors that visit each State; and

“(D) to advise the Secretary of Homeland Security on ways to enhance the entry and departure experience for international visitors through the use of advertising, signage, and customer service; and

“(3) support State, regional, and private sector initiatives to promote travel to and within the United States.

“(d) REPORTS TO CONGRESS.—Not later than 1 year after the date of the enactment of the Travel Promotion Act of 2009, and periodically thereafter, as appropriate, the Secretary shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Foreign Relations of the Senate, the Committee on Energy and Commerce of the House of Representatives, the Committee on Homeland Security of the House of Representatives, and the Committee on Foreign Affairs of the House of Representatives, which describes the Office's work with the Corporation, the Secretary of State, and the Secretary of Homeland Security to carry out subsection (c)(2).”.

SA 1311. Mr. LIEBERMAN submitted an amendment intended to be proposed by him to the bill S. 1023, to establish a non-profit corporation to communicate United States entry policies and otherwise promote leisure, business, and scholarly travel to the United States; which was ordered to lie on the table; as follows:

On page 10, between lines 10 and 11, insert the following:

(4) REVIEW OF INFORMATION.—

(A) SUBMISSION.—The Corporation shall submit all information relating to United States Government travel and visa requirements proposed to be disseminated to foreign travelers under paragraphs (1)(A) and (3) to the Secretary of State and Secretary of Homeland Security for review in order to ensure that the travel promotion campaigns funded through the Travel Promotion Fund are factually accurate.

(B) REVIEW AND FEEDBACK.—Not later than 10 business days after receiving information from the Corporation under subparagraph (A), the Secretary of State and the Secretary of Homeland Security shall each—

(i) complete a review of the factual content of the information submitted by the Corporation under subparagraph (A); and

(ii) correct any factual errors discovered in such information.

(C) LIMITATION.—The Secretary of State and the Secretary of Homeland Security shall limit their review under this paragraph to the factual content of the information that the Corporation is proposing to disseminate.

(D) CHANGES.—The Corporation shall make all reasonable changes to the factual content of the information it proposes to disseminate to foreign travelers based on the feedback received from the Secretary of State and the Secretary of Homeland Security to ensure that such information is accurate.

(E) EFFECT OF FAILURE TO RESPOND.—If the Corporation does not receive a response from the Secretary of State or the Secretary of Homeland Security within 10 business days after the receipt of the information submitted under subparagraph (A), the factual content of the proposed information campaign shall be deemed to have been authorized by the Secretary of State and the Secretary of Homeland Security.

SA 1312. Mr. SANDERS (for himself, Mrs. GILLIBRAND, and Mr. CASEY) submitted an amendment intended to be proposed by him to the bill S. 1023, to establish a non-profit corporation to communicate United States entry policies and otherwise promote leisure, business, and scholarly travel to the United States; which was ordered to lie on the table; as follows:

Beginning on page 2, strike line 20, and all that follows through page 3, line 7, and insert the following:

(1) IN GENERAL.—The Corporation shall have a board of directors of 12 members with knowledge of international travel promotion and marketing, broadly representing various regions of the United States, who are United States citizens. Members of the board shall be appointed by the Secretary of Commerce (after consultation with the Secretary of Homeland Security and the Secretary of State), as follows:

(A) 1 shall have appropriate expertise and experience in the agritourism sector;

SA 1313. Mr. ALEXANDER (for himself, Mr. BENNETT, Mr. VITTER, Mr. CORNYN, Mr. ISAKSON, Mr. ROBERTS,

Mr. KYL, and Mr. BURR) submitted an amendment intended to be proposed by him to the bill S. 1023, to establish a non-profit corporation to communicate United States entry policies and otherwise promote leisure, business, and scholarly travel to the United States; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. —. RESTRICTIONS ON TARP EXPENDITURES FOR AUTOMOBILE MANUFACTURERS; FIDUCIARY DUTY TO TAXPAYERS; REQUIRED ISSUANCE OF COMMON STOCK TO TAXPAYERS.

(a) **SHORT TITLE.**—This section may be cited as the “Auto Stock for Every Taxpayer Act”.

(b) **PROHIBITION ON FURTHER TARP FUNDS.**—Notwithstanding any provision of the Emergency Economic Stabilization Act of 2008 (Public Law 110-343), or any other provision of law, the Secretary may not expend or obligate any funds made available under that Act on or after the date of enactment of this Act with respect to any designated automobile manufacturer.

(c) **FIDUCIARY DUTY TO SHAREHOLDERS.**—With respect to any designated automobile manufacturer, the Secretary, and the designee of the Secretary who is responsible for the exercise of shareholder voting rights with respect to a designated automobile manufacturer pursuant to assistance provided under the Emergency Economic Stabilization Act of 2008, shall have a fiduciary duty to the American taxpayer for the maximization of the return on the investment of the taxpayer under that Act, in the same manner, and to the same extent that any director of an issuer of securities has with respect to its shareholders under the securities laws and all applicable provisions of State law.

(d) **REQUIRED ISSUANCE OF COMMON STOCK TO ELIGIBLE TAXPAYERS.**—Not later than 1 year after the emergence of any designated automobile manufacturer from bankruptcy protection described in subsection (f)(1)(B), the Secretary shall direct the designated automobile manufacturer to issue through the Secretary a certificate of common stock to each eligible taxpayer, which shall represent such taxpayer's per capita share of the aggregate common stock holdings of the United States Government in the designated automobile manufacturer on such date.

(e) **CIVIL ACTIONS AUTHORIZED.**—A person who is aggrieved of a violation of the fiduciary duty established under subsection (c) may bring a civil action in an appropriate United States district court to obtain injunctive or other equitable relief relating to the violation.

(f) **DEFINITIONS.**—As used in this section—

(1) the term “designated automobile manufacturer” means an entity organized under the laws of a State, the primary business of which is the manufacture of automobiles, and any affiliate thereof, if such automobile manufacturer—

(A) has received funds under the Emergency Economic Stabilization Act of 2008 (Public Law 110-343), or funds were obligated under that Act, before the date of enactment of this Act; and

(B) has filed for bankruptcy protection under chapter 11 of title 11, United States Code, during the 90-day period preceding the date of enactment of this Act;

(2) the term “eligible taxpayer” means any individual taxpayer who filed a Federal taxable return for taxable year 2008 (including any joint return) not later than the due date for such return (including any extension);

(3) the term “Secretary” means the Secretary of the Treasury or the designee of the Secretary; and

(4) the terms “director”, “issuer”, “securities”, and “securities laws” have the same meanings as in section 3 of the Securities Exchange Act of 1934 (15 U.S.C. 78c).

SA 1314. Mr. FEINGOLD submitted an amendment intended to be proposed by him to the bill S. 1023, to establish a non-profit corporation to communicate United States entry policies and otherwise promote leisure, business, and scholarly travel to the United States; which was ordered to lie on the table; as follows:

At the end of the bill, add the following:

TITLE I—COMMISSIONS ON WARTIME TREATMENT

SEC. 101. SHORT TITLE.

This title may be cited as the “Wartime Treatment Study Act”.

SEC. 102. FINDINGS.

Congress makes the following findings:

(1) During World War II, the United States Government deemed as “enemy aliens” more than 600,000 Italian-born and 300,000 German-born United States resident aliens and their families, requiring them to carry Certificates of Identification and limiting their travel and personal property rights. At that time, these groups were the two largest foreign-born groups in the United States.

(2) During World War II, the United States Government arrested, interned, or otherwise detained thousands of European Americans, some remaining in custody for years after cessation of World War II hostilities, and repatriated, exchanged, or deported European Americans, including American-born children, to European Axis nations, many to be exchanged for Americans held in those nations.

(3) Pursuant to a policy coordinated by the United States with Latin American nations, thousands of European Latin Americans, including German and Austrian Jews, were arrested, relocated to the United States, and interned. Many were later repatriated or deported to European Axis nations during World War II and exchanged for Americans and Latin Americans held in those nations.

(4) Millions of European Americans served in the Armed Forces and thousands sacrificed their lives in defense of the United States.

(5) The wartime policies of the United States Government were devastating to the German American and Italian American communities, individuals, and their families. The detrimental effects are still being experienced.

(6) Prior to and during World War II, the United States restricted the entry of Jewish refugees who were fleeing persecution or genocide and sought safety in the United States. During the 1930s and 1940s, the quota system, immigration regulations, visa requirements, and the time required to process visa applications affected the number of Jewish refugees, particularly those from Germany and Austria, who could gain admittance to the United States.

(7) The United States Government should conduct an independent review to fully assess and acknowledge these actions. Congress has previously reviewed the United States Government's wartime treatment of Japanese Americans through the Commission on Wartime Relocation and Internment of Civilians. An independent review of the treatment of German Americans and Italian Americans and of Jewish refugees fleeing persecution and genocide has not yet been undertaken.

(8) Time is of the essence for the establishment of commissions, because of the increasing danger of destruction and loss of relevant documents, the advanced age of potential witnesses and, most importantly, the advanced age of those affected by the United States Government's policies. Many who suffered have already passed away and will never know of this effort.

SEC. 103. DEFINITIONS.

In this title:

(1) **DURING WORLD WAR II.**—The term “during World War II” refers to the period between September 1, 1939, through December 31, 1948.

(2) **EUROPEAN AMERICANS.**—

(A) **IN GENERAL.**—The term “European Americans” refers to United States citizens and resident aliens of European ancestry, including Italian Americans, German Americans, Hungarian Americans, Romanian Americans, and Bulgarian Americans.

(B) **GERMAN AMERICANS.**—The term “German Americans” refers to United States citizens and resident aliens of German ancestry.

(C) **ITALIAN AMERICANS.**—The term “Italian Americans” refers to United States citizens and resident aliens of Italian ancestry.

(3) **EUROPEAN LATIN AMERICANS.**—The term “European Latin Americans” refers to persons of European ancestry, including German or Italian ancestry, residing in a Latin American nation during World War II.

(4) **LATIN AMERICAN NATION.**—The term “Latin American nation” refers to any nation in Central America, South America, or the Caribbean.

Subtitle A—Commission on Wartime Treatment of European Americans

SEC. 111. ESTABLISHMENT OF COMMISSION ON WARTIME TREATMENT OF EUROPEAN AMERICANS.

(a) **IN GENERAL.**—There is established the Commission on Wartime Treatment of European Americans (referred to in this subtitle as the “European American Commission”).

(b) **MEMBERSHIP.**—The European American Commission shall be composed of 7 members, who shall be appointed not later than 90 days after the date of enactment of this Act as follows:

(1) Three members shall be appointed by the President.

(2) Two members shall be appointed by the Speaker of the House of Representatives, in consultation with the minority leader.

(3) Two members shall be appointed by the majority leader of the Senate, in consultation with the minority leader.

(c) **TERMS.**—The term of office for members shall be for the life of the European American Commission. A vacancy in the European American Commission shall not affect its powers, and shall be filled in the same manner in which the original appointment was made.

(d) **REPRESENTATION.**—The European American Commission shall include 2 members representing the interests of Italian Americans and two members representing the interests of German Americans.

(e) **MEETINGS.**—The President shall call the first meeting of the European American Commission not later than 120 days after the date of enactment of this Act.

(f) **QUORUM.**—Four members of the European American Commission shall constitute a quorum, but a lesser number may hold hearings.

(g) **CHAIRMAN.**—The European American Commission shall elect a Chairman and Vice Chairman from among its members. The term of office of each shall be for the life of the European American Commission.

(h) **COMPENSATION.**—

(1) **IN GENERAL.**—Members of the European American Commission shall serve without pay.

(2) REIMBURSEMENT OF EXPENSES.—All members of the European American Commission shall be reimbursed for reasonable travel and subsistence, and other reasonable and necessary expenses incurred by them in the performance of their duties.

SEC. 112. DUTIES OF THE EUROPEAN AMERICAN COMMISSION.

(a) IN GENERAL.—It shall be the duty of the European American Commission to review the United States Government's wartime treatment of European Americans and European Latin Americans as provided in subsection (b).

(b) SCOPE OF REVIEW.—The European American Commission's review shall include the following:

(1) A comprehensive review of the facts and circumstances surrounding United States Government action during World War II with respect to European Americans and European Latin Americans pursuant to United States laws and directives, including the Alien Enemies Acts (50 U.S.C. 21 et seq.), Presidential Proclamations 2526, 2527, 2655, 2662, and 2685, Executive Orders 9066 and 9095, and any directive of the United States Government pursuant to these and other pertinent laws, proclamations, or executive orders, including registration requirements, travel and property restrictions, establishment of restricted areas, raids, arrests, internment, exclusion, policies relating to the families and property that excludees and internees were forced to abandon, internee employment by American companies (including a list of such companies and the terms and type of employment), exchange, repatriation, and deportation, and the immediate and long-term effect of such actions, particularly internment, on the lives of those affected. This review shall also include a list of—

(A) all temporary detention and long-term internment facilities in the United States and Latin American nations that were used to detain or intern European Americans and European Latin Americans during World War II (in this paragraph referred to as "World War II detention facilities");

(B) the names of European Americans and European Latin Americans who died while in World War II detention facilities and where they were buried;

(C) the names of children of European Americans and European Latin Americans who were born in World War II detention facilities and where they were born; and

(D) the nations from which European Latin Americans were brought to the United States, the ships that transported them to the United States and their departure and disembarkation ports, the locations where European Americans and European Latin Americans were exchanged for persons held in European Axis nations, and the ships that transported them to Europe and their departure and disembarkation ports.

(2) An assessment of the underlying rationale of the decision of the United States Government to develop the programs and policies described in paragraph (1), the information the United States Government received or acquired suggesting these programs and policies were necessary, the perceived benefit of enacting such programs and policies, and the immediate and long-term impact of such programs and policies on European Americans and European Latin Americans and their communities.

(3) A brief review of the participation by European Americans in the United States Armed Forces, including the participation of European Americans whose families were excluded, interned, repatriated, or exchanged.

(4) A recommendation of appropriate remedies, including public education programs and the creation of a comprehensive online

database by the National Archives and Records Administration of documents related to the United States Government's wartime treatment of European Americans and European Latin Americans during World War II.

(c) FIELD HEARINGS.—The European American Commission shall hold public hearings in such cities of the United States as it deems appropriate.

(d) REPORT.—The European American Commission shall submit a written report of its findings and recommendations to Congress not later than 18 months after the date of the first meeting called pursuant to section 111(e).

SEC. 113. POWERS OF THE EUROPEAN AMERICAN COMMISSION.

(a) IN GENERAL.—The European American Commission or, on the authorization of the Commission, any subcommittee or member thereof, may, for the purpose of carrying out the provisions of this subtitle, hold such hearings and sit and act at such times and places, and request the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandum, papers, and documents as the Commission or such subcommittee or member may deem advisable. The European American Commission may request the Attorney General to invoke the aid of an appropriate United States district court to require, by subpoena or otherwise, such attendance, testimony, or production.

(b) GOVERNMENT INFORMATION AND CO-OPERATION.—The European American Commission may acquire directly from the head of any department, agency, independent instrumentality, or other authority of the executive branch of the Government, available information that the European American Commission considers useful in the discharge of its duties. All departments, agencies, and independent instrumentalities, or other authorities of the executive branch of the Government shall cooperate with the European American Commission and furnish all information requested by the European American Commission to the extent permitted by law, including information collected under the Commission on Wartime and Internment of Civilians Act (Public Law 96-317; 50 U.S.C. App. 1981 note) and the Wartime Violation of Italian Americans Civil Liberties Act (Public Law 106-451; 50 U.S.C. App. 1981 note). For purposes of section 552a(b)(9) of title 5, United States Code (commonly known as the "Privacy Act of 1974"), the European American Commission shall be deemed to be a committee of jurisdiction.

SEC. 114. ADMINISTRATIVE PROVISIONS.

The European American Commission is authorized to—

(1) appoint and fix the compensation of such personnel as may be necessary, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, except that the compensation of any employee of the Commission may not exceed a rate equivalent to the rate payable under GS-15 of the General Schedule under section 5332 of such title;

(2) obtain the services of experts and consultants in accordance with the provisions of section 3109 of such title;

(3) obtain the detail of any Federal Government employee, and such detail shall be without reimbursement or interruption or loss of civil service status or privilege;

(4) enter into agreements with the Administrator of General Services for procurement of necessary financial and administrative

services, for which payment shall be made by reimbursement from funds of the Commission in such amounts as may be agreed upon by the Chairman of the Commission and the Administrator;

(5) procure supplies, services, and property by contract in accordance with applicable laws and regulations and to the extent or in such amounts as are provided in appropriation Acts; and

(6) enter into contracts with Federal or State agencies, private firms, institutions, and agencies for the conduct of research or surveys, the preparation of reports, and other activities necessary to the discharge of the duties of the Commission, to the extent or in such amounts as are provided in appropriation Acts.

SEC. 115. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated \$600,000 to carry out this subtitle.

SEC. 116. SUNSET.

The European American Commission shall terminate 60 days after it submits its report to Congress.

Subtitle B—Commission on Wartime Treatment of Jewish Refugees

SEC. 121. ESTABLISHMENT OF COMMISSION ON WARTIME TREATMENT OF JEWISH REFUGEES.

(a) IN GENERAL.—There is established the Commission on Wartime Treatment of Jewish Refugees (referred to in this subtitle as the "Jewish Refugee Commission").

(b) MEMBERSHIP.—The Jewish Refugee Commission shall be composed of 7 members, who shall be appointed not later than 90 days after the date of enactment of this Act as follows:

(1) Three members shall be appointed by the President.

(2) Two members shall be appointed by the Speaker of the House of Representatives, in consultation with the minority leader.

(3) Two members shall be appointed by the majority leader of the Senate, in consultation with the minority leader.

(c) TERMS.—The term of office for members shall be for the life of the Jewish Refugee Commission. A vacancy in the Jewish Refugee Commission shall not affect its powers, and shall be filled in the same manner in which the original appointment was made.

(d) REPRESENTATION.—The Jewish Refugee Commission shall include two members representing the interests of Jewish refugees.

(e) MEETINGS.—The President shall call the first meeting of the Jewish Refugee Commission not later than 120 days after the date of enactment of this Act.

(f) QUORUM.—Four members of the Jewish Refugee Commission shall constitute a quorum, but a lesser number may hold hearings.

(g) CHAIRMAN.—The Jewish Refugee Commission shall elect a Chairman and Vice Chairman from among its members. The term of office of each shall be for the life of the Jewish Refugee Commission.

(h) COMPENSATION.—

(1) IN GENERAL.—Members of the Jewish Refugee Commission shall serve without pay.

(2) REIMBURSEMENT OF EXPENSES.—All members of the Jewish Refugee Commission shall be reimbursed for reasonable travel and subsistence, and other reasonable and necessary expenses incurred by them in the performance of their duties.

SEC. 122. DUTIES OF THE JEWISH REFUGEE COMMISSION.

(a) IN GENERAL.—It shall be the duty of the Jewish Refugee Commission to review the United States Government's refusal to allow Jewish and other refugees fleeing persecution or genocide in Europe entry to the United States as provided in subsection (b).

(b) SCOPE OF REVIEW.—The Jewish Refugee Commission's review shall cover the period

between January 1, 1933, through December 31, 1945, and shall include, to the greatest extent practicable, the following:

(1) A review of the United States Government's decision to deny Jewish and other refugees fleeing persecution or genocide entry to the United States, including a review of the underlying rationale of the United States Government's decision to refuse the Jewish and other refugees entry, the information the United States Government received or acquired suggesting such refusal was necessary, the perceived benefit of such refusal, and the impact of such refusal on the refugees.

(2) A review of Federal refugee law and policy relating to those fleeing persecution or genocide, including recommendations for making it easier in the future for victims of persecution or genocide to obtain refuge in the United States.

(c) **FIELD HEARINGS.**—The Jewish Refugee Commission shall hold public hearings in such cities of the United States as it deems appropriate.

(d) **REPORT.**—The Jewish Refugee Commission shall submit a written report of its findings and recommendations to Congress not later than 18 months after the date of the first meeting called pursuant to section 121(e).

SEC. 123. POWERS OF THE JEWISH REFUGEE COMMISSION.

(a) **IN GENERAL.**—The Jewish Refugee Commission or, on the authorization of the Commission, any subcommittee or member thereof, may, for the purpose of carrying out the provisions of this subtitle, hold such hearings and sit and act at such times and places, and request the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandum, papers, and documents as the Commission or such subcommittee or member may deem advisable. The Jewish Refugee Commission may request the Attorney General to invoke the aid of an appropriate United States district court to require, by subpoena or otherwise, such attendance, testimony, or production.

(b) **GOVERNMENT INFORMATION AND CO-OPERATION.**—The Jewish Refugee Commission may acquire directly from the head of any department, agency, independent instrumentality, or other authority of the executive branch of the Government, available information that the Jewish Refugee Commission considers useful in the discharge of its duties. All departments, agencies, and independent instrumentalities, or other authorities of the executive branch of the Government shall cooperate with the Jewish Refugee Commission and furnish all information requested by the Jewish Refugee Commission to the extent permitted by law. For purposes of section 552a(b)(9) of title 5, United States Code (commonly known as the "Privacy Act of 1974"), the Jewish Refugee Commission shall be deemed to be a committee of jurisdiction.

SEC. 124. ADMINISTRATIVE PROVISIONS.

The Jewish Refugee Commission is authorized to—

(1) appoint and fix the compensation of such personnel as may be necessary, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, except that the compensation of any employee of the Commission may not exceed a rate equivalent to the rate payable under GS-15 of the General Schedule under section 5332 of such title;

(2) obtain the services of experts and consultants in accordance with the provisions of section 3109 of such title;

(3) obtain the detail of any Federal Government employee, and such detail shall be without reimbursement or interruption or loss of civil service status or privilege;

(4) enter into agreements with the Administrator of General Services for procurement of necessary financial and administrative services, for which payment shall be made by reimbursement from funds of the Commission in such amounts as may be agreed upon by the Chairman of the Commission and the Administrator;

(5) procure supplies, services, and property by contract in accordance with applicable laws and regulations and to the extent or in such amounts as are provided in appropriation Acts; and

(6) enter into contracts with Federal or State agencies, private firms, institutions, and agencies for the conduct of research or surveys, the preparation of reports, and other activities necessary to the discharge of the duties of the Commission, to the extent or in such amounts as are provided in appropriation Acts.

SEC. 125. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated \$600,000 to carry out this subtitle.

SEC. 126. SUNSET.

The Jewish Refugee Commission shall terminate 60 days after it submits its report to Congress.

Subtitle C—Funding Source

SEC. 131. FUNDING SOURCE.

Of the funds made available for the Department of Justice by the Consolidated Security, Disaster Assistance, and Continuing Appropriations Act, 2009 (Public Law 110-329), \$1,200,000 is hereby rescinded.

SA 1315. Mr. LIEBERMAN (for himself and Mr. GRAHAM) submitted an amendment intended to be proposed by him to the bill S. 1023, to establish a non-profit corporation to communicate United States entry policies and otherwise promote leisure, business, and scholarly travel to the United States; which was ordered to lie on the table; as follows:

On page 26, after line 20, add the following:

SEC. 9. DETAINEE PHOTOGRAPHIC RECORDS PROTECTION.

(a) **SHORT TITLE.**—This section may be cited as the "Detainee Photographic Records Protection Act of 2009".

(b) **DEFINITIONS.**—In this section:

(1) **COVERED RECORD.**—The term "covered record" means any record—

(A) that is a photograph that—

(i) was taken during the period beginning on September 11, 2001, through January 22, 2009; and

(ii) relates to the treatment of individuals engaged, captured, or detained after September 11, 2001, by the Armed Forces of the United States in operations outside of the United States; and

(B) for which a certification by the Secretary of Defense under subsection (c) is in effect.

(2) **PHOTOGRAPH.**—The term "photograph" encompasses all photographic images, whether originals or copies, including still photographs, negatives, digital images, films, video tapes, and motion pictures.

(c) **CERTIFICATION.**—

(1) **IN GENERAL.**—For any photograph described under subsection (b)(1)(A), the Secretary of Defense shall submit a certification to the President, if the Secretary of Defense, in consultation with the Chairman of the Joint Chiefs of Staff, determines that the disclosure of that photograph would endanger—

(A) citizens of the United States; or

(B) members of the Armed Forces or employees of the United States Government deployed outside the United States.

(2) **CERTIFICATION EXPIRATION.**—A certification submitted under paragraph (1) and a renewal of a certification submitted under paragraph (3) shall expire 3 years after the date on which the certification or renewal, as the case may be, is submitted to the President.

(3) **CERTIFICATION RENEWAL.**—The Secretary of Defense may submit to the President—

(A) a renewal of a certification in accordance with paragraph (1) at any time; and

(B) more than 1 renewal of a certification.

(4) **NOTICE TO CONGRESS.**—A timely notice of the Secretary's certification shall be submitted to Congress.

(d) **NONDISCLOSURE OF DETAINEE RECORDS.**—A covered record shall not be subject to—

(1) disclosure under section 552 of title 5, United States Code (commonly referred to as the Freedom of Information Act); or

(2) disclosure under any proceeding under that section.

(e) **RULE OF CONSTRUCTION.**—Nothing in this section shall be construed to preclude the voluntary disclosure of a covered record.

(f) **EFFECTIVE DATE.**—This section shall take effect on the date of enactment of this Act and apply to any photograph created before, on, or after that date that is a covered record.

SA 1316. Mr. CORKER submitted an amendment intended to be proposed by him to the bill S. 1023, to establish a non-profit corporation to communicate United States entry policies and otherwise promote leisure, business, and scholarly travel to the United States; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . REPEAL OF AUTHORITY TO EXTEND THE TROUBLED ASSET RELIEF PROGRAM.

Section 120 of the Emergency Economic Stabilization Act of 2008 (12 U.S.C. 5230) is amended—

(1) by striking subsection (b); and

(2) by striking "(a) TERMINATION.—".

SA 1317. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 1023, to establish a non-profit corporation to communicate United States entry policies and otherwise promote leisure, business, and scholarly travel to the United States; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 9. TERMINATION OF TARP.

Section 120(b) of the Emergency Economic Stabilization Act of 2008 (12 U.S.C. 5230(b)) is amended—

(1) by striking "The Secretary" and inserting the following:

"(1) **IN GENERAL.**—The Secretary";

(2) by inserting before the first period the following: " , unless there is enacted by Congress, not later than 15 days after the date of receipt of such certification, a joint resolution of disapproval, as described in paragraph (2)"; and

(3) by adding at the end the following:

"(2) **JOINT RESOLUTION.**—For purposes of this subsection, the term 'joint resolution' means only a joint resolution—

"(A) that is introduced not later than 3 calendar days after the date on which the

certification of the Secretary referred to in paragraph (1) is received by Congress;

“(B) which does not have a preamble;

“(C) the title of which is as follows: ‘Joint resolution relating to the disapproval of the extension of authority under the Emergency Economic Stabilization Act of 2008’; and

“(D) the matter after the resolving clause of which is as follows: ‘That Congress disapproves of the extension of the authorities described in section 120(a) of the Emergency Economic Stabilization Act of 2008.’.

“(3) FAST TRACK.—The provisions of subsections (d) through (f) of section 115 shall apply to a resolution of disapproval for purposes of this subsection.”.

SA 1318. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 1023, to establish a non-profit corporation to communicate United States entry policies and otherwise promote leisure, business, and scholarly travel to the United States; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. . . . TERMINATION OF TARP.

Section 120 of the Emergency Economic Stabilization Act of 2008 (12 U.S.C. 5230) is amended—

- (1) by striking subsection (b); and
- (2) by striking “(a) TERMINATION.—”.

SA 1319. Mr. VOINOVICH (for himself, Ms. KLOBUCHAR, Mr. TESTER, Ms. COLLINS, Mr. BINGAMAN, and Ms. MURKOWSKI) submitted an amendment intended to be proposed by him to the bill S. 1023, to establish a non-profit corporation to communicate United States entry policies and otherwise promote leisure, business, and scholarly travel to the United States; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 9. PASSPORT CARD TRAVEL ENHANCEMENT.

(a) PASSPORT CARD DEFINED.—In this section, the term “passport card” means the document—

- (1) known as a passport card that is issued to a national of the United States on the same basis as a regular passport; and
- (2) that the Secretary of State began issuing during 2008.

(b) PASSPORT CARDS FOR AIR TRAVEL.—

(1) REQUIREMENT TO ACCEPT PASSPORT CARDS FOR AIR TRAVEL.—Notwithstanding any regulation issued by the Secretary of Homeland Security or the Secretary of State, the Secretary of Homeland Security and the Secretary of State shall permit a passport card issued to a national of the United States to serve as proof of identity and citizenship of such national if such national is departing from or entering the United States through an air port of entry for travel that terminates or originates in—

- (A) Bermuda;
- (B) Canada;
- (C) a foreign country located in the Caribbean; or
- (D) Mexico.

(2) FEES FOR PASSPORT CARDS.—Neither the Secretary of State or the Secretary of Homeland Security may increase, or propose an increase to, the fee for issuance of a passport card as a result of the requirements of paragraph (1).

(3) REGULATIONS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State and the Secretary of Homeland shall issue final regulations to implement this section.

SA 1320. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 1023, to establish a non-profit corporation to communicate United States entry policies and otherwise promote leisure, business, and scholarly travel to the United States; which was ordered to lie on the table; as follows:

On page 3, strike lines 12 through 14 and insert the following:

(C) 1 shall have appropriate expertise and experience—

- (i) with small business concerns (as that term is used in section 3 of the Small Business Act (15 U.S.C. 632)) or associations that represent small business concerns; and
- (ii) in the retail sector or in associations representing that sector;

NOTICES OF HEARINGS

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Senate Committee on Energy and Natural Resources. The hearing will be held on Tuesday, July 14, 2009, at 10 a.m., in room SD-366 of the Dirksen Senate Office Building.

The purpose of the hearing is to receive testimony on S. 796, Hardrock Mining and Reclamation Act of 2009 and S. 140, Abandoned Mine Reclamation Act of 2009.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record may do so by sending it to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510-6150, or by e-mail to Gina_Weinstock@energy.senate.gov.

For further information, please contact Patty Beneke at (202) 224-5451 or Gina Weinstock at (202) 224-5684.

SUBCOMMITTEE ON PUBLIC LANDS AND FORESTS

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Subcommittee on Public Lands and Forests. The hearing will be held on Wednesday, June 17, 2009, at 1:30 p.m., in room SD-366 of the Dirksen Senate Office Building.

The purpose of the hearing is to receive testimony on the following bills: S. 409, to secure Federal ownership and management of significant natural, scenic, and recreational resources; S. 782, to provide for the establishment of the National Volcano Early Warning and Monitoring System; S. 874, to establish El Rio Grande Del Norte National Conservation Area in the State of New Mexico; S. 1139, to require the Secretary of Agriculture to enter into a property conveyance with the city of Wallowa, Oregon; and S. 1140, to direct the Secretary of the Interior to convey certain Federal land to Deschutes County, Oregon.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record may do so by sending it to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510-6150, or by e-mail to Anna_fox@energy.senate.gov.

For further information, please contact David Brooks at (202) 224-9863 or Anna Fox at (202) 224-1219.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. MERKLEY. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on Tuesday, June 16, 2009, at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. MERKLEY. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on June 16, 2009, at 9:30 a.m., to conduct a hearing entitled “Greener Communities, Greater Opportunities: New Ideas for Sustainable Development and Economic Growth.”

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. MERKLEY. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on Tuesday, June 16, 2009, at 10:30 a.m. in room 253 of the Russell Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. MERKLEY. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on Tuesday, June 16, 2009, at 2:30 p.m. in room 253 of the Russell Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. MERKLEY. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on Tuesday, June 16, 2009, from 10:15-11 a.m. in room SD-366 of the Dirksen Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. MERKLEY. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on Tuesday, June 16, 2009, at 2:30 p.m. in room 406 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mr. MERKLEY. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on Tuesday, June 16, 2009, at 10 a.m. in room 215 of the Dirksen Senate Office Building, to conduct a hearing entitled "Climate Change Legislation: Tax Considerations."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. MERKLEY. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Tuesday, June 16, 2009, at 2:15 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. MERKLEY. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on Tuesday, June 16, 2009.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. MERKLEY. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on Tuesday, June 16, 2009, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON AIRLAND

Mr. MERKLEY. Mr. President, I ask unanimous consent that the Subcommittee on Airland of the Committee on Armed Services be authorized to meet during the session of the Senate on Tuesday, June 16, 2009, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON ANTITRUST, COMPETITION POLICY AND CONSUMER RIGHTS

Mr. MERKLEY. Mr. President, I ask unanimous consent that the Committee on the Judiciary, Subcommittee on Antitrust, Competition Policy, and Consumer Rights, be authorized to meet during the session of the Senate on Tuesday, June 16, 2009, at 2:30 p.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled "Cell Phone Text Messaging Rate Increases and the State of Competition in the Wireless Market."

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON OVERSIGHT OF GOVERNMENT MANAGEMENT, THE FEDERAL WORKFORCE, AND THE DISTRICT OF COLUMBIA

Mr. MERKLEY. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs' Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia be authorized to meet during the session of the Senate on Tuesday, June 16, 2009 at 10 a.m. to conduct a hearing entitled, "Protecting Our Employees: Pandemic Influenza Preparedness and the Federal Workforce."

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON SEAPOWERS

Mr. MERKLEY. Mr. President, I ask unanimous consent that the Subcommittee on Seapower of the Committee on Armed Services be authorized to meet during the session of the Senate on Tuesday, June 16, 2009 at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON NATIONAL PARKS

Mr. MERKLEY. Mr. President, I ask unanimous consent that the Subcommittee on National Parks, be authorized to meet during the session of the Senate to conduct a hearing on Tuesday, June 16, 2009, at 2:30 p.m., in room SD-366 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mrs. BOXER. Mr. President, I ask unanimous consent that Jonathan Kolikant and Matthew Long of Senator BINGAMAN's office be granted the privilege of the floor for the pendency of the Travel Promotion bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONDEMNING THE MURDER OF PRIVATE WILLIAM ANDREW "ANDY" LONG AND THE WOUNDING OF PRIVATE QUINTON EZEAGWULA

Mr. REID. I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 186 submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 186) condemning the murder of Army Private William Andrew "Andy" Long and the wounding of Army Private Quinton Ezeagwula, who were shot outside the Army-Navy Career Center in Little Rock, Arkansas on June 1, 2009.

There being no objection, the Senate proceeded to consider the resolution.

Mrs. LINCOLN. Madam President, I rise today to pay tribute to a young man, Army PVT William Andrew Long, of Conway, AR. Last week, he was laid

to rest at the Arkansas Veterans Cemetery in North Little Rock. He was buried with full military honors and was awarded the Army Commendation Medal and the Army Good Conduct Medal.

Private Long was a loving son, brother, and friend whose life was tragically cut short on June 1 in a senseless attack outside of an Army-Navy Career Center in Little Rock, AR. PVT Quinton Ezeagwula was also injured in the attack. Our thoughts and prayers are with him, and we hope he makes a very speedy recovery.

Private Long had recently finished Army training and was set to deploy to South Korea. He had been appointed to the Army's Hometown Recruiter Assistance Program in Little Rock and was at the Army recruiting office on that fateful day because he had volunteered to tell others about his experience in the U.S. military.

Known to his friends and family as Andy, Private Long will always be remembered by all of us and all of them for his boundless energy, his keen intelligence, his infectious smile, and his great sense of humor. His country and all Arkansans will remember him as a hero with the courage to serve his Nation during a time of war. He will also be remembered as a young man whose life was ended way too soon.

Private Long hailed from a fiercely patriotic family, with four generations of uniformed service to the United States. Andy's great grandfather and grandfather served. Both of his parents served, and his brother, PFC Triston Long, continues to serve today and will be deployed to Iraq later this summer. On behalf of my colleagues in the Senate and the people of Arkansas, I wish to take this moment to thank the Long family for their extraordinary dedication and service to our Nation.

On that tragic day, Andy was targeted in what I view as an act of terrorism because of the uniform he wore—a uniform that stands as a symbol of this great country.

Ours is a nation where we resolve our differences through debate and democratic elections, not through violence. This is a country where freedom is cherished and liberty is recognized as an inalienable right for all people.

Terrorism has absolutely no place in this country, and as elected representatives of the people, it is our duty to ensure we are doing everything we can to combat terrorism, bring justice to its perpetrators, and protect our communities and our families. That is why I stand here today to put forth a resolution condemning the murder of Private Long and condemning the use of violence to achieve political ends. Additionally, I call for the swift prosecution, to the fullest extent of the law, of the perpetrators of this senseless shooting.

The men and women of the U.S. Armed Forces risk their lives every day, both overseas and here on our own soil in the United States. Let it be

known that their resolve will not and cannot be shattered. The ideals represented by the uniform worn by Andy Long, his parents, and the generations of brave American men and women before them, still serve to represent liberty and justice for all, and no act of terrorism can diminish that. It can only strengthen our resolve and reaffirm our commitment to America's most basic ideals and values.

Our country owes a great debt to Private Long for his service, as well as to the brave men and women in the Armed Forces who protect and defend the freedoms we cherish as Americans each and every day. Our thoughts and prayers go out to Private Long's family and to all of those who knew and loved him. We are a grateful nation for incredible individuals like Private Andy Long.

Mr. President, I yield the floor.

Mr. REID. I ask unanimous consent the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table with no intervening action or debate, and any statements be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 186) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 186

Whereas on June 1, 2009, Private William Andrew "Andy" Long, aged 23, of Conway, Arkansas, was murdered outside the Army-Navy Career Center in Little Rock, Arkansas;

Whereas on June 1, 2009, Private Quinton Ezeagwula, aged 18, of Jacksonville, Arkansas, was wounded by gunfire outside the Army-Navy Career Center in Little Rock, Arkansas;

Whereas there are more than 1,400,000 active component and more than 1,200,000 reserve component members of the Armed Forces protecting the United States;

Whereas there are more than 8,000 Army and Army Reserve recruiters and more than 7,000 Navy recruiters serving at more than 1,500 military recruiting stations and centers in United States, Guam, Puerto Rico, and Europe;

Whereas the men and women of the Armed Forces risk their lives every day to preserve the freedoms cherished by people in the United States;

Whereas service in the Armed Forces demands extraordinary sacrifices from service members and their families and often places service members in harm's way;

Whereas members of the Armed Forces are the targets of violence not only abroad but in the United States as well; and

Whereas such violence is reprehensible and must not be tolerated: Now, therefore, be it Resolved, That the Senate—

(1) offers its condolences to the family of Private William Andrew "Andy" Long;

(2) hopes for a full recovery for Private Quinton Ezeagwula;

(3) urges swift prosecution to the fullest extent of the law of the perpetrator or perpetrators of this senseless shooting;

(4) urges the people of the United States to join the Senate in condemning acts of violence; and

(5) honors the service and sacrifice of all men and women in the Armed Services who protect and defend our freedom every day.

REMOVAL OF INJUNCTION OF SECRECY—TREATY DOCUMENT NO. 111-3

Mr. REID. Madam President, as in executive session, I ask unanimous consent that the injunction of secrecy be removed from the following treaty transmitted to the Senate on June 16, 2009, by the President of the United States:

Protocol Amending the Tax Convention with New Zealand, Treaty Document 111-3.

I further ask that the treaty be considered as having been read the first time; it be referred, with accompanying papers, to the Committee on Foreign Relations and ordered to be printed; and that the President's message be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The message of the President is as follows:

To the Senate of the United States:

I transmit herewith, for the advice and consent of the Senate to its ratification, the Protocol Amending the Convention between the United States of America and New Zealand for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion With Respect to Taxes on Income, signed on December 1, 2008, at Washington (the "proposed Protocol"). I also transmit for the information of the Senate the report of the Department of State, which includes an Overview of the proposed Protocol.

The proposed Protocol provides for the elimination of withholding taxes on certain cross-border direct dividend payments and on cross-border interest payments to certain financial enterprises. The proposed Protocol reduces the existing Convention's 10-percent limit on withholding taxes on cross-border payments of royalties to 5 percent.

The proposed Protocol contains a comprehensive provision designed to prevent "treaty shopping," which is the inappropriate use of a tax treaty by third-country residents. The proposed Protocol also provides for the exchange of information between tax authorities of the two countries to facilitate the administration of each country's tax laws.

I recommend that the Senate give early and favorable consideration to the proposed Protocol and give its advice and consent to ratification.

BARACK OBAMA.

THE WHITE HOUSE, June 16, 2009.

ORDERS FOR WEDNESDAY, JUNE 17, 2009

Mr. REID. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until tomorrow, Wednesday, June 17, at 9:30 a.m.; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the

time for the two leaders be reserved for their use later in the day, and there be a period of morning business for up to 1 hour, with the time equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first half and the majority controlling the second half, with Senators permitted to speak for up to 10 minutes each.

Further, I ask that following morning business, the Senate resume consideration of the motion to proceed to S. 1023, the Travel Promotion Act of 2009, and that the time during any adjournment or period of morning business count postcloture.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. REID. If we are required to use the full 30 hours of postcloture debate time, the Senate would proceed to the bill at approximately 6:15 tomorrow evening. As I have stated previously, we expect to turn to the consideration of the supplemental conference report when it becomes available.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. REID. If there is no further business to come before the Senate, I ask unanimous consent it stand adjourned under the previous order.

Thereupon, the Senate, at 6:02 p.m., adjourned until Wednesday, June 17, 2009, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF STATE

NICOLE A. AVANT, OF CALIFORNIA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE COMMONWEALTH OF THE BAHAMAS.

HOWARD W. GUTMAN, OF MARYLAND, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO BELGIUM.

IN THE COAST GUARD

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT AS A PERMANENT COMMISSIONED REGULAR OFFICER IN THE UNITED STATES COAST GUARD IN THE GRADE INDICATED UNDER TITLE 14, U.S.C., SECTION 211(A)(3):

To be lieutenant

CHRISTOPHER G. BUCKLEY

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531:

To be major

IRA S. EADIE

THE FOLLOWING NAMED OFFICER FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531:

To be lieutenant colonel

JAMES C. EWALD

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

PHILIP M. CHANDLER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY

MEDICAL SERVICE CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be lieutenant colonel

ALAN K. UEOKA

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be major

MARTIN W. KINNISON

IN THE NAVY

THE FOLLOWING NAMED OFFICERS FOR TEMPORARY APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 5721:

To be lieutenant commander

MATTHEW J. BELLAIR
JAY D. BIJEAU
DANIEL E. CHARLTON
JOSHUA A. CHISHOLM
BRYAN J. CHRISTIANSEN
ERIK D. COPLIN
ROBERT P. CROCETTA II
JASON N. GLAB
JOSHUA A. HOOPS
EVAN J. LAFRANCE
KIMBERLY E. LEONARD
JESSE H. NICE
TIMOTHY M. PRATT
DAVID J. RUSSELL
MICHAEL K. SIMS
JOSEPH D. SINGER
DAVID J. TULOWIECKI
JUSTIN W. WESTFALL

DISCHARGED NOMINATION

The Senate Committee on Environment and Public Works was discharged from further consideration of the following nomination pursuant to an order of the Senate of 03/10/2005 and the nomination was placed on the Executive Calendar:

*JO-ELLEN DARCY, OF MARYLAND, TO BE AN ASSISTANT SECRETARY OF THE ARMY.

*Nominee has committed to respond to requests to appear and testify before any duly constituted committee of the Senate.