United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 111th CONGRESS, FIRST SESSION

Vol. 155 WASHINGTON, MONDAY, JUNE 1, 2009 No. 80

House of Representatives

The House was not in session today. Its next meeting will be held on Tuesday, June 2, 2009, at 2 p.m.

Senate

MONDAY, JUNE 1, 2009

The Senate met at 2 p.m. and was called to order by the Honorable MARK R. WARNER, a Senator from the Commonwealth of Virginia.

PRAYER

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

Let us pray.

Our God and Creator, You brought order out of chaos. We marvel at the balance in nature and the orderly succession of the seasons.

Bring order and harmony to this legislative body. Lord, remind our lawmakers that far more will be accomplished through unity than can ever be achieved through partisan divisions. Help them to listen to one another and to respect the wisdom that may come from someone with a different political label. May the strengthening of their relationship with You improve their ability to cooperate in their human interactions as Your spirit unites them for the common good.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable MARK R. WARNER 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 1, 2009.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable MARK R. WARNER, a Senator from the Commonwealth of Virginia, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

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

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 President, I ask unanimous consent that the order for the quorum call be rescinded.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

RECOGNITION OF THE MAJORITY LEADER

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

UPCOMING CHALLENGES

Mr. REID. Mr. President, at the beginning of each of this year's work periods, we have returned to the Capitol from all corners of the country reminded of the serious nature of the challenges we face. American families are looking up from the deepest ditch in generations—a hole we all inherited and one from which we are committed to climb out. Like Americans who worry about how they will pay their bills, send their kids to school, and afford to stay healthy, getting our economy back on track is the first thing we think about in the morning and the last thing we think about at night. We also know we are headed in the right direction.

Nellis Air Force Base in Nevada is home to the largest solar array of its kind in the Western Hemisphere. Last week, President Obama and I toured the Nellis solar array and met the people who benefit from the tens of thousands of solar panels that help power that base. It is a huge base; 12,000 people are fixed on that base. But the solar panels provide 30 percent of the electricity for that electric-hungry base. It is an example of exactly the kind of project that creates jobs, moves America toward energy independence, and makes the air we breathe cleaner. Because of the economic recovery plan we passed earlier this year, we are investing in projects such as this one at Nellis to put America on a path to prosperity.

During the past few weeks, we have seen the good that can happen when we look out for Main Street, not just Wall Street.

There is no reason the next work period should be any different. Similar to the earlier months of this year, the next one presents a long list of priorities.

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

Printed on recycled paper.

Before the July 4 holiday, we will do everything we can to help stop kids from smoking before they start, make tobacco products less toxic, and make sure tobacco companies are honest with the American people about the dangers of smoking.

We will pass the conference report of the supplemental appropriations bill we passed last month—a bill that gives our brave troops the resources they need to do their jobs and return home safely.

Both the HELP and Finance Committees will continue to work on health care reform legislation, the top priority of President Obama and millions of Americans. Both committees hope to report out legislation before our July 4 recess.

We will begin work on a number of appropriations bills and, with Republican cooperation, we would like to finish work on some of those. I spoke to the Republican leader a few minutes ago, and we will have a plan to move forward on some of those appropriations bills.

We will continue working to confirm President Obama's many nominees for critical positions. Those who have chosen to serve our country must be able to get to work without delay.

We will begin the process of reviewing the most high-profile nomination of all, which is President Obama's outstanding pick for the Supreme Court. Judge Sotomayor's record and qualifications are terrific and tremendous. In fact, if she is confirmed, she will bring to the bench more judicial experience than any sitting justice had when they joined the Court.

Judge Sotomayor's experience comes not only from the legal world but the real world as well. Her understanding of the law is grounded not only in theory but also practice.

Several Senators will have the pleasure of meeting with Judge Sotomayor this week, and I know they will be impressed. She deserves a fair and respectful hearing, and I know she will get that. I will do all I can to ensure she gets that and that Senators get what they require as quickly as possible. I wish to make sure she is ready to go when the new term starts.

SCHEDULE

Mr. REID. Mr. President, we are going to be in a period of morning business for a while today. We have a matter that is on the calendar dealing with railroad antitrust. It is pretty clear most Senators agree there is a compromise that has been worked on, on a bipartisan basis. We will see if we can have a vote on cloture vitiated, and we will go directly to the matter.

I have spoken to the Republican leader on how we are going to proceed on the tobacco legislation. It is not quite clear yet. We need to move forward and protect the ability to offer amendments. If consent is granted on the railroad bill, we would extend morning business throughout the day.

There will be no votes today. Senators should expect one tomorrow around 11 a.m.

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

READY TO GO

Mr. MCCONNELL. Mr. President, let me say to the distinguished majority leader welcome back from the recess. It is good to see him. We are ready to get to work.

NOMINATION OF JUDGE SONIA SOTOMAYOR

Mr. MCCONNELL. Mr. President, on the matter of the Supreme Court, I note that I spoke with the President's nominee, Judge Sotomayor, over the recess, and I assured her she would be treated fairly and respectfully during the confirmation process. I will deliver the same message when the two of us have a chance to sit down and talk later this week.

Republicans take very seriously our obligation to review anyone who is nominated to a lifetime position on our Nation's highest Court. The Senate will therefore thoroughly review Judge Sotomayor's judicial record to ensure a full and informed debate over her qualifications to become one of the chief guardians of our Nation's Constitution and its laws. We believe the American people expect nothing less.

Judge Sotomayor is no stranger to the process. This will be the third time she has come before the Senate for confirmation to the Federal bench. In considering her for a seat on the Supreme Court, the standards for review become understandably more rigorous, as the Vice President observed when he chaired the Judiciary Committee. Yet the basic qualities we look for in our justices are the same qualities we look for in any Federal judge: superb legal ability, personal integrity, sound temperament, and, most importantly, a commitment to read the law evenhandedly.

In this last respect, some of Judge Sotomayor's past statements and decisions have raised some understandable questions and concerns. One of these is a statement she made a few years back that the Court of Appeals is, ''Where policy is made.'' I think that is a tough statement to square with Article III of the U.S. Constitution, which clearly contemplates a far more limited role for Federal judges, and I suspect that a number of us over here in the legislative branch will want to ask Judge Sotomayor questions about that statement.

The reason is simple. I think most Americans would agree that the courtroom is not an appropriate place to exercise one's political beliefs or personal preferences. As far as most of us are concerned, politics ends at the courthouse door. The courtroom is where you go to get a fair and evenhanded reading of the law, regardless of who you are or where you came from or who you voted for. Legislators make the laws, not judges. Most people understand that and place a high value on it. And the last time Judge Sotomayor came before the Senate for confirmation, I voted against her nomination precisely out of a concern that she would bring pre-existing personal and political beliefs into the courtroom.

Many of the same concerns I had about Judge Sotomayor 11 years ago persist. But a fresh review of her record has now begun and, as I said, Republicans will insist that the confirmation process for Judge Sotomayor is conducted in a fair and professional manner. This is the way Republicans have treated judicial nominees in the past, and this is the way we will continue to treat them: with respect.

But respectful doesn't mean rushed. Judge Sotomayor has a long record, and it will take a long time to get through it. She has served 17 years on both the trial and the appellate court. She has been involved in more than 3,600 cases since becoming a judge. In order to conduct a thorough examination of all these cases, it is vital that the Senate have sufficient time to do so.

During the last three Supreme Court confirmations, the average amount of time the Senate had to prepare for a hearing was more than 60 days. For Justice Alito, the Senate had 70 days to prepare for an informed hearing. And like Judge Sotomayor, Justice Alito had thousands of cases for Senators to review. Our Democrat colleagues who were in the minority during the Alito nomination appreciated the fairness they were afforded; both the senior Senator from Vermont and the senior Senator from New York noted at the time that in handling the Alito nomination it was important to do it right, not quick.

This time around, our friend Senator SCHUMER notes that Judge Sotomayor has a very ''extensive'' record, and we certainly have a ''right'' to ''scrutinize'' it. So in considering this nomination I am confident our Democratic colleagues will treat us fairly and allow us to do it ''right.''

Throughout this process, Republicans will be guided by a few simple principles. But perhaps the most important ones are these: Americans expect and should receive equal treatment under the law, and Americans want judges who understand their role is to interpret the law, not write it. As Chief Justice Roberts put it during his confirmation hearing, the American people expect a judge to be like an umpire—someone who applies the rules but doesn't make them. No one ever went to a ballgame, as he put it, to watch the umpire.

Lawmakers make law, and they have to answer for those laws every 2 or 6 years to the voters. Federal judges, on the other hand, never have to face the voters, and thus aren't supposed to

make policy. Lifetime appointments are a serious matter, and voting on a Supreme Court Justice is one of the most important decisions a Senator will ever make. Republicans approach this nomination with a clear set of guiding principles, and we will make every effort to determine whether Judge Sotomayor shares them.

HEALTH CARE

Mr. MCCONNELL. Mr. President, we're all interested in reforming health care. And while this debate has yet to fully play out, we already know one thing for sure: any action we take on this issue will affect every single American.

There is no doubt Americans are frustrated with the increasing cost of health care and that many are worried about losing the health care they have. Many Americans can't afford health care or have to choose between basic necessities and medical care they need. This is what is wrong with the current system, and we need to fix it.

Yet it is also true that many Americans are satisfied with the care they have. They like being able to see their doctor and being able to get the care they need, when they need it. These are the things that are right about patient-focused American-style healthcare, and that we wouldn't want to sacrifice.

So while both parties recognize that serious reform of our health care system is needed, we must also recognize the importance of getting it right. Americans want reform. The question is what kind of reform. Reform is necessary, but not all so-called reforms are necessarily good.

Based on some of the things we have been hearing out of Democrats in Washington in recent weeks, Americans have good reason to be concerned about what the future holds for health care.

The biggest concern is the talk of a Government takeover of health care. Americans suspect that what's being sold as a Government ''option'' would soon become the only option.

Those who like the care they have don't particularly like the idea of the people who brought us the Department of Motor Vehicles handling life or death health care decisions, like whether or not they are eligible for surgery or whether they qualify for a certain medicine according to some impersonal Government board in Washington. They don't want to rely on bureaucrats in Washington to get their phone calls returned or their office visits covered. But the prospect of a Government takeover of health care is becoming more and more real.

Democrats in the Senate want Government to play a dominant role in health care delivery. Both the chairmen of the Senate Finance and HELP Committees have said they want to produce legislation that relies on a Government-run plan. And nearly half of Senate Democrats have endorsed a resolution stating that any health care reform must include a Government-run plan.

Democrats in the House of Representatives are circulating an outline of how they would like to change American health care. Their plan would create a Government-run insurance model that could limit patient choices. Americans who want to keep their health insurance plan should be allowed to do so. Yet one respected study showed that 118 million Americans could lose their current private insurance and end up in a Government plan if this proposal was enacted. The House Democrats' plan could also lead to the creation of a Government board that would determine what benefits and drugs are available to patients and what prices would be charged.

The administration also wants the Government to take a leading role in health care. During the campaign, the President said that if he were designing a system from scratch, he would probably ''go ahead'' with a single-payer system. The Secretary of Health and Human Services shares the President's belief that any reform must guarantee the inclusion of a Government plan.

The American people want health care decisions left up to families and doctors, not bureaucrats in Washington. They don't want a Government takeover that denies or delays the care they need, and they don't want politicians telling them how much or what kind they can have.

That is why many of us who recognize the need for reform will insist on making health care more affordable and accessible, while protecting the doctor-patient relationship and ensuring every American can get the care they need, when they need it. This is the kind of health care reform that Americans want, and this is the reform we will support.

I yield the floor.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period of morning business until 3 p.m., with Senators permitted to speak therein for up to 10 minutes each.

RESERVATION OF LEADER TIME

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

The Senator from Alaska is recognized.

Ms. MURKOWSKI. Mr. President, I recognize that the order is for Senators to speak for up to 10 minutes. I ask unanimous consent at this time to speak for 15 minutes.

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

NUCLEAR ENERGY

Ms. MURKOWSKI. Mr. President, several years back—actually, it was further than several years, it was in the early 1990s—there was a popular culture sensation in kids' books. The books were entitled, ''Where's Waldo.'' Those with kids probably remember the books. It was a great way to test your kids' eyes and areas of identification. This was crafted by a gentleman by the name of Martin Hansford. You try to find Waldo with his glasses and his red-and-white striped hat. He would be tucked in on the page somewhere, filled with lots of other colors, and you would have to hunt through the page. More often than not, Waldo was tucked in behind similar looking characters who would attract your attention. They played a central role in the overall picture but ultimately were not Waldo. I see the young pages nodding. They have all seen the ''Where's Waldo?'' books.

I do not want to take time this afternoon talking about the ''Where's Waldo.'' books, but I will tell you I am concerned and the point of my comments today is the concern I have that the Obama administration has engaged in a new game of ''Where's Waldo'' and doing so with our energy policies, only this time instead of ''Where's Waldo'' it is ''Where's Nuclear.'' We will need to search carefully to find where the administration has hidden the resurgence of nuclear energy.

The confluence of high oil prices this past summer and the desire to reduce harmful greenhouse gas emissions has certainly and justifiably promoted the interest in and development of renewable and alternative forms of energy, from more mature technologies, such as wind and solar, to greater awareness of the potential for geothermal, biomass, ocean tidal energy, along with greater energy efficiency and conservation measures.

Congress in both the Bush administration and now the Obama administration was active in promoting these fields, in extending the tax breaks, mandating levels of ethanol to be used, updating our energy efficiency standards, and providing for incentives for energy conservation measures.

We are expecting to tackle a climate change bill at some point this Congress. In what shape or form certainly remains to be seen at this point in time, but we know that we must work to slow and reduce our carbon emissions. There is certainly a role for all of these technologies and increased energy efficiency to play in our energy future. But ultimately, as the new administration lays out its energy policy priorities, I have to ask the question: Where is nuclear?

In an interview with ''U.S. News & World Report,'' Secretary of Energy Steven Chu says:

> [t]he biggest gains, in terms of decreasing the country's energy bill, the amount of carbon dioxide we put into the atmosphere, and our dependency on foreign oil, will come from energy efficiency and conservation in the next 20 years.

Our Energy Secretary, Secretary Chu, has basically said that when it

comes to making reductions in emissions, it is going to come from energy efficiency and conservation.

I am absolutely all for conservation, but, once again, nuclear power, the one energy source that currently provides emissions-free, stable, baseload power, along with large-scale, high-paying job creation across the United States, seems to be missing from the Obama administration's energy plans.

What is the current state of play when it comes to nuclear? The map behind me indicates where we have nuclear facilities throughout the Nation. The different colors are based on years of operation. The blue triangles are nuclear facilities that have been in operation from between 30 and 39 years. That is the majority of the reactors. We have 52 that have been in operation for about a 40-year period, 42 for a 20 to 29-year period.

What this map demonstrates quite clearly is not only where in the country our nuclear facilities lie, but the fact that we simply do not have any new nuclear plants that have been ordered in this country since 1978. We have 104 operating nuclear powerplants across the country that are providing right around 20 percent of our electric power and approximately 75 percent of our carbon-free power.

Again, no new nuclear plants have been ordered in this country since 1978. But we have seen a resurgence of interest that has led to license applications for 26 new reactors at 17 sites. These applications have all been docketed by the Nuclear Regulatory Commission with construction on the first plant expected to begin in the year 2012. This is a very welcome revival. This comes at a time when we know our economy is suffering.

At a recent Senate Energy and Natural Resources hearing, the president and CEO of the Nuclear Energy Institute, Mr. Marvin Fertel, noted that to date, investment in new nuclear energy plants over the past 2 to 3 years has created 15,000 jobs. If all 26 new reactors currently in the licensing process are built, that would result in an annual average of over 100,000 new jobs, according to a recent study by Oxford Economics. Over 20,000 long-term jobs would be generated to operate those plants. Those new jobs would allow nuclear energy to continue to make the contribution that it does today as our energy needs grow.

We know that nuclear plants also play a key role in reducing our carbon emissions and meeting our climate change goals, while also helping to mitigate economic harm. In 2007 alone, nuclear power resulted in the avoidance of almost 700 million metric tons of carbon emissions.

How much is 700 million metric tons of carbon emissions? It is more carbon than Canada collectively emits each year. It is roughly twice the amount of carbon emitted by all privately owned vehicles in the United States on an annual basis. It is safe to say that nuclear power avoids a significant amount of carbon emissions, and it brings our expenses down as well.

An EIA analysis of last year's Lieberman-Warner climate change legislation showed that a new nuclear plant construction would reduce carbon prices in 2030 by 33 percent, residential electricity prices by 20 percent, and residential natural gas prices by 19 percent compared to a scenario where new nuclear construction is limited.

Not only is nuclear emission free, nuclear also provides a constant reliable source of baseload power. This is an issue we hear time and again in the Energy Committee, an issue that renewable and alternative energy sources, as much as we like them, struggle with this reality of reliable baseload. After all, we certainly know, regardless what part of the country you are from, the Sun does not always shine, and the wind does not always blow. On the other hand, in 2008, the average operating capacity for the 104 nuclear plants in the United States was over 90 percent—well above that of coal-fired power generation.

If we look at the chart, in terms of the capacity factor and what nuclear can provide on a sustainable, reliable basis, we have nuclear and then coal coming in a good second. But as we look to wind, hydro, solar, even oil and gas, if what we are looking for is a level of reliability, the answer is nuclear. It is the type of dependable power that our utilities need to operate efficiently and effectively.

This year's Gallup Environmental poll shows 59 percent of Americans support the use of nuclear power, which is a new high, but support for nuclear is nothing new in the international community. Since 1978, when the last nuclear reactor was ordered in the United States, over 250 new reactors were constructed overseas. Japan intends to increase the amount of electricity it gets from nuclear from where they are today at 30 percent to over 40 percent by the year 2020. France already gets 75 percent of its electricity from nuclear.

I think the American people get it and the international community certainly gets it. Nuclear power is a broadly accepted form of safe energy, and it is time that we in Washington understood this as well.

It is clear that nuclear provides good-paying jobs at home, reduces our carbon emissions, provides reliable baseload power, and it is supported by the American people. So what is not clear is where the new administration is on nuclear. While there has been some mention of nuclear energy being part of the overall energy strategy, the actions of the administration do not support the claim.

So far, the administration has sought to kill Yucca Mountain as a long-term repository for spent fuel. They have shown an unwillingness to increase the loan guarantee program and the funding levels to support construction of new nuclear plants, and they have focused on renewable and alternative fuel developments to reduce our carbon emissions without any mention of nuclear energy. So where nuclear energy truly stands with the current administration is a bit of a mystery to me. Let's talk about Yucca Mountain.

The administration seems to view Yucca Mountain in the same vein as the Guantanamo Bay prison. Both are politically uncomfortable solutions to a toxic problem, and they are going to be shut down, never mind that we do not have an alternative plan for either one of them. So what are we going to do with the thousands of tons of spent nuclear fuel and defense-related, high-level waste that is spread out all across the country?

That map we saw earlier with all of those dots all across the country is where we are keeping the nuclear waste. It is sitting right there spread out across this country.

How many tens of billions of dollars in liability will the American taxpayers be on the hook for when the administration finally abandons all hope of fulfilling the Nuclear Waste Policy Act's already well past 1998 deadline for a permanent repository?

Billions of dollars have been spent over the last 25 years in characterization and engineering development for the Yucca Mountain license. It is hard to imagine a better understood piece of real estate on the planet. Onsite dry cask storage is a safe but a temporary solution, and it does not remove the need for a permanent repository.

In the meantime, the nuclear industry faces uncertainty regarding spent fuel liabilities, States have no permanent disposition path for defense-related waste, and the Federal Government cannot address tens of billions of dollars in taxpayer liabilities.

So far the alternative plan seems to be to leave the waste at its current location, and we will talk about it.

I mentioned the Loan Guarantee Program. The administration seems to be just as confused about its support for the new reactor construction needed to maintain nuclear energy's current contribution. As part of the 2005 Energy Policy Act, Congress created the Loan Guarantee Program to help us develop the 21st century energy system our country needs.

The Loan Guarantee Program provides support for a broad portfolio of clean energy technologies, from energy efficiency and renewable energy systems to pollution control and vehicle technology used to advance nuclear and carbon capture projects. It is a widely popular program. Despite the current limitation of $42 billion for the program, the Department of Energy has received applications for over $120 billion in new projects.

Of the $42 billion for the overall program, $18.5 billion was made available for the new nuclear technology. Over $93 billion in support has been requested. Mr. President, $18.5 billion has been made available for the new nuclear technology, but $93 billion has

been requested. It is oversubscribed by a factor of five.

We can see on this chart that $93 billion has been requested; $18.5 billion available. The others—the renewable, nuclear, fossil, mix—when you look at what we had intended with the Loan Guarantee Program and how we envisioned that would move forward, I think we can clearly underestimate where that support would be for the nuclear programs.

It is important to note that the Loan Guarantee Program is also entirely self-funded and does not represent a handout to the industry and does not expose the taxpayer to default risks. The total loan volume for the program is established by the Appropriations Committee, but any potential defaults are covered by fees paid by the applicants, not by the taxpayer. So the industry does get the help, the assistance—that backstop, if you will—of the loan guarantee from the Federal Government, but they pay for it. That seems reasonable.

During debate on the stimulus bill, there was a $50 billion increase in the size of the Loan Guarantee Program that was sought. Again, this is a $42 billion program with $120 billion in application requests. But increasing the size of the program authority was shot down several months back because of fears that construction of new nuclear plants would take up the bulk of the loan guarantee authority. So where was the administration's support for the Loan Guarantee Program during this debate? This program helps all forms of clean energy technologies, but this increase was denied because nuclear was in the mix.

For 10 years now, we have consistently heard about the urgency of global climate change and the need to address it. I agree. There is clearly evidence of climate change. I see the real-life impacts in my State of Alaska. But I do find it more than a little bit inconsistent that the same entities that would press for immediate action would deny nuclear a role in the solution.

Perhaps the current administration thinks global climate change isn't as important as developing a centrally planned electrical system based on renewable energy that the administration believes is in the best interest of the public. Renewable energy sources will be important and deserve solid support, but, as you can see from this chart—and I apologize because it is very busy—we could double the amount of electricity produced by renewable resources and it still wouldn't equal what we currently receive from nuclear power.

So if you look at our nuclear electric power, 100 percent of nuclear power goes to generation of electricity; 21 percent of the sector creates our electric power here. Looking up to renewable energy and how it feeds into consumption, whether it is transportation, industrial, residential and commercial, or electric, if we were to increase—double—our renewable energy, again we still don't come close to what we are able to provide currently with nuclear.

So going back to the issue of climate change, I believe it is important to ask the question as to whether this issue of climate change can really wait for renewables to develop to such a scale that they will become the primary source of energy. The point I wish to leave folks with is that we need to be advancing all technologies equitably.

Nuclear energy is the most robust form of nonemitting base load power we have available to us, bar none. Over the last 20 years, the industry has demonstrated its ability to operate these reactors efficiently and safely to the great benefit of our country.

Mr. President, I mentioned it earlier. The rest of the world gets it, the American public gets it, but where is the administration on nuclear? The time to demonstrate our resolve for new nuclear energy development is now. We as a nation cannot afford additional delay if we are truly serious about how we reduce our carbon emissions while maintaining access to affordable energy.

It is time for the administration to come forward with its plan for the inclusion of nuclear power in its overall energy policy and what it intends to do with existing and future spent nuclear fuel. We shouldn't be left standing here asking: Where is nuclear?

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Delaware.

EXTENSION OF MORNING BUSINESS

Mr. CARPER. Mr. President, do I understand that the time for morning business expires at 3 o'clock?

The ACTING PRESIDENT pro tempore. That is correct.

Mr. CARPER. Mr. President, I ask unanimous consent to extend that for an extra 10 minutes.

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

Mr. CARPER. Mr. President, while my colleague from Alaska is still in the Chamber, let me bring her some good news, as one on our side who is a strong advocate for nuclear power and who believes it is incredibly important that we do it safely. I chair the Senate Subcommittee on Clean Air and Nuclear Safety, and, as she mentioned, we have now, I think, 17 applications to build 26 new nuclear powerplants. I think we have $18 billion in loan guarantees.

One of the things we have done this year is we have taken off the time restriction on the loan guarantees so they can go beyond the next couple of years, if needed. Hopefully, they won't be needed, but at least the amount of money will be there and available for a number of years.

Another piece we had put in the stimulus package was a provision that says that not only can renewables—solar, wind, geothermal, and all the rest—be able to participate in the manufacturing tax credits to create—if you will, manufacture—the components of solar, wind, geothermal, but also nuclear. If we are going to build 26, 27 new nuclear powerplants in the next decade or two, I sure don't want to be getting the components from China, South Korea, Japan, or someplace in Europe. We should get the components from manufacturers that are here, and part of the stimulus package has been designed to do that.

The other thing I would mention regarding cap and trade on climate change, if we actually take that approach—and my hope is we will—just by its very nature, being a producer of electricity but not one that creates carbon dioxide, money will flow in the cap-and-trade approach to utilities which use nuclear energy, which will develop more nuclear energy.

So I appreciate the concerns the Senator from Alaska raises.

I might add that just 3 weeks ago, I hosted a roundtable at MIT, near Boston, and we brought to the table some of the smartest people around—from MIT and from Harvard—who focused a lot on spent nuclear fuel and what to do with it. As you know, a lot of the fuel rods, I am told, still have 80 or 90 percent of the energy in the spent fuel rods. One of the questions I asked was, What should we do about it? Yucca Mountain is on hold for now. And I was pleasantly surprised to hear a unanimous opinion from everybody there who said, for now, maybe for the next 30, 40, 50, 60 years, even longer, the spent fuel rods, which are stored on site with our nuclear powerplants in dry cask storage, are perfectly adequate in terms of providing security and safekeeping for the spent fuel.

In the meantime—and I would hope the Senator would join those of us who are advocates of nuclear power, would also understand we need to address the spent fuel issue, and would work with us to help fund technology for reprocessing and recycling to make sure we don't wait 50 or 60 years to do that but we get started a lot sooner.

So it is not all gloom and doom, but I appreciate the concerns the Senator from Alaska has raised and very much look forward to working with her on these issues, as we do on so many others, hopefully to good effect, and I thank her.

AFGHANISTAN/PAKISTAN CODEL

Mr. CARPER. Mr. President, I missed you in Afghanistan/Pakistan. I understand you and another CODEL were there at the same time we were, and I think we missed you by a day or so in both countries. I don't presume to speak for you or for those in your CODEL. We had five in ours. Senator MARK UDALL, Senator JEANNE SHAHEEN, Senator KAY HAGAN, Senator MARK BEGICH of Alaska, and I was privileged to be a part of that delegation.

We had 2 days in Afghanistan and 2 days in Pakistan. We left Lahore, a large city in the eastern part of the country, about 2 days before they had the assault that killed 30 or so people, a terrorist assault.

I wish to take a couple of minutes, if I could, today. We could almost take turns here. I understand you can't speak from the podium about your congressional delegation, but if we could, we could probably have quite a good conversation.

There is a reason they call Afghanistan the graveyard for empires, because for a long time empires have been going there and trying to subdue the Afghans—the Brits among them, the Soviet Union among them—and not with great success. When the Afghans sort of thrust the Soviet Union out from their country, with our support, we promptly left. As we left, we left a vacuum in Afghanistan, and we left a vacuum which was filled all too readily by the Taliban, and providing a sanctuary for al-Qaida.

On the heels of 9/11, we decided to go back and clean the place out, drove the Taliban out of there, and a bunch of them took refuge over in the mountainous areas between Afghanistan and Pakistan. Once we had done that, we took our eye off the ball. We decided to go into Iraq and made that country take down their regime—Saddam Hussein's regime—and we transferred a lot of our troops and treasure and attention to Iraq and took our eye off the ball in Afghanistan. Into that vacuum we left came—not surprisingly—the Taliban to resume their ways of before. They are especially plentiful in the southern part of the state.

As we were preparing to leave Afghanistan and head for Pakistan, we did a series of press interviews, radio and print interviews, from that country. Among the questions that were asked of our congressional delegation were: What is the exit strategy? What is your exit strategy from Afghanistan? I responded that I think the exit strategy is our new strategy.

The reporters said: Why is that?

I said: Well, let me take a minute to talk about that new strategy. It is not just about sending 17,000 more troops to Afghanistan, a little more than half of which are marines, and some of those are being redeployed from Iraq, and some are to be brought in fresh from the United States. But, I said, if all we did was put another 17,000 or 27,000 troops in Afghanistan, that is not going to be the answer to success. It is not going to be what we need to do.

In addition to the 17,000 troops who are being committed in a buildup that will occur over the next 3 months or so, we are bringing in about 150 additional helicopters to move around where the Taliban is and track them down and hopefully eliminate their presence in that country. But even that is not enough force at this juncture.

The other thing that is called for in our strategy is to bring in about 4,000 trainers. These trainers are to go along with the men and women, the American troops who are embedded and mentoring Afghan units already—4,000 new trainers. Their job really is twofold: one, to help not just to stand up the Afghan army—and the Afghan army is a good fighting force. They are not big enough, given the size of their country and all the people who live there.

I don't know if this is the experience of the Presiding Officer, but we met with a number of American troops who had been in Iraq and were now in Afghanistan, and I said: What is the difference in terms of the fighting force—what you saw in Iraq and what you are seeing in Afghanistan?

They said: Well, there were times when we almost had to coax the Iraqis out of their barracks and try to cajole them into taking the lead on operations. We don't have to do that with the Afghans. These guys are ferocious fighters.

That is why they are known as the graveyard for empires and drove out the Brits and the Soviets with our help.

We want to help the Afghans double the size of their army and improve the quality. We want to help them double the size of their police force and improve dramatically the quality.

The Afghans have a whole lot of respect for their army. They do not have the same level of respect for the police force. As the Presiding Officer knows, the country is rampant with corruption. The corruption includes the police. It is not uncommon for police to take bribes, to almost solicit or command money from others in their country. As a result, it is maybe less effective as a force, certainly less respected as a force.

One of the smartest things done this year is the salaries of the police officers have been raised by a factor of four—quadrupled—putting them pretty much on parity with the salaries paid to the army, taking away the need for those police officers who feel they need to supplement their income by bribing or accepting bribes from folks.

One of the questions that was asked as I did that press interview was: What surprised you about what you saw in Afghanistan?

I said: Well, a number of things. I didn't realize this was a country that as recently as the 1970s was able to feed itself, and not just feed itself but to feed a number of other nations in that part of the world.

This is a country that is able to raise fruits, has vegetables and orchards, they can raise wheat, they can raise cotton and saffron, and they can raise chickens—some of the same things we raise in each of our States, as the Presiding Officer knows. Currently, though, for the most part, what they raise is poppies. They raise the poppies to feed the opium trade, and they use the opium to make heroin. Most of the heroin in the world, literally and figuratively, has its root in Afghanistan.

The production of poppies peaked in 2007. It began coming down in 2008. We want to continue to drive it down in 2009, again in 2010 and 2011, until we get to the point where there are no poppies being grown in Afghanistan and where the farmers are able to feed themselves and to make a good living raising and selling fruits and vegetables in their country and for neighboring countries, and to be able to do the same kind of thing with the wheat they raise and the other commodities they raise too. It is not unrealistic. Our troops cannot go in and tell them how to do that, but it turns out there is a component of our strategy that calls for a significant civilian component. What we are going to see is people going into Afghanistan—our folks in many cases, sometimes our NATO allies—who are specialists in agriculture, helping the Afghan farmers diversify away from poppies and toward other commodities which will enable them to feed themselves and to feed their country. It is a smart strategy.

That isn't all, though. Going back to the question of what surprised me, I was surprised to learn about those big mountains, big snow-capped mountains—they are quite beautiful—in that there are a lot of minerals and there is a potential for a very successful mining and mineral industry in Afghanistan. They need a little help figuring out how to get it going and figuring out how to transport the minerals they mine, but there is money to be made there for that country.

Also, I didn't realize they have oil and gas deposits in Afghanistan. I certainly didn't realize they found, about a year ago, they have three times more oil and gas holdings beneath the surface of the Earth and in those mountains more than was originally believed to be the case. We have all seen pictures of Afghanistan. I was a naval flight officer, going through my training earlier in my career in Corpus Christi, the area of south Texas toward Brownsville. Afghanistan reminds me of that except it has these huge mountains that pop up all over the place. But the mountains give them a great opportunity for producing wind power. Just as we have windmills on the tops of mountains in this country, the wind blows a whole lot in Afghanistan. They can do themselves well by harnessing that wind and turning it into electricity. They have vast expanses of lands that would lend themselves to solar energy panels, and they also have rivers that could be harnessed and used to create energy as well, hydroelectric energy.

There are a number of sources—oil, gas, wind power, solar, hydroelectric power—that could help this country meet its needs and maybe even export some of that electricity to the other countries in the region. Those are things that surprised me that I did not fully expect to see.

What also surprised me was the level of corruption, the extent of the corruption. It is endemic in that country.

They have not much experience or time governing themselves, 5 years or so experience with democracy. Here in the United States we have been working on democracy for how long? Over 220 years. We still struggle with it. We should not be surprised that a country that has had maybe 5 years of experience with democracy is struggling with it as well. They need help figuring out how to govern at the national level; they need help figuring out how to govern at the provincial level; and they need help figuring out how to govern at the local level. Part of what our civilian component will do there is to help, really, like Self-Government 101, them figure out how to govern more effectively, govern more honestly, and ferret out corruption where it exists.

One of the most encouraging conversations I had was at Ambassador Eikenberry's residence. Right across from me at the table was a fellow I called the Secretary of Finance. He was really the Minister of Finance, like our Treasury Secretary in this country. We talked about corruption. It was a very frank discussion.

He said, basically I am ashamed of what goes on in this country. He said, in my ministry, the Ministry of Finance, we basically set, last month—in April at the time—zero tolerance. We are not going to put up with it anymore. The idea that people skim revenues coming in to the government, we don't even have enough to make ends meet, even to come close. He said, on my watch, in my ministry, in my department, we are going to get rid of that. If people want to do that, they are not going to work with me.

That is the kind of leader we need in every ministry. That is the kind of leader we need in the whole country. As they go to the polls, I think in August, to elect a President, they have a number of people who are running. I hope whatever flows from that will include a leader who will provide the right kind of personal example, calling on the government that he leads to lead by example and to ferret out corruption where it exists.

Let me take a minute or two on Pakistan, if I could. I had not been to Pakistan either. In the weeks before we arrived there, in fact the months before we arrived, the Taliban, who were already pretty well entrenched in the territories up along the border of Afghanistan, began reaching out tentacles and spreading their influence to other parts of the country that in ways I found alarming. I know many people in this country saw the expansion of Taliban influence in Pakistan as something to be concerned about. Here is a country with about 100 nuclear warheads with the Taliban less than 100 miles from their capital of Islamabad. That got my attention and caused me a fair amount of concern; not just me but others in our delegation, in our Senate and Congress and in the administration.

Something happened a couple of weeks before we got there that helped turn that situation around. The Government of Pakistan was following what I will call almost a policy of appeasement with the Taliban, trying to get the Taliban to play nice, stay in their place, if you will, and leave the rest of the country alone, a policy of appeasement that allowed the Taliban to begin to exert its influence in places where it had previously not done so. As they extended their influence and presence, the Taliban sought to replace the regular law and order of the country, the laws of the provinces and the National Government with Islamic law. One incident occurred a month or so ago which has done maybe more to change this picture than anything I can think of. It was rather remarkable.

In one of the areas where Islamic law had replaced the traditional law of the community, the father of a young woman insisted that she marry a man she didn't want to marry. Apparently under Islamic law—I don't pretend to be an expert, but under Islamic law apparently that is what fathers can do with their daughters, tell them who to marry. She didn't want to have any part of that, and made it clear to him and to others. She ended up being publicly flogged in the streets of her community by the Taliban, in a flogging that was not just witnessed by a number of people but it was videotaped. That videotape ended up being played hundreds of times on every television station in Pakistan and on the Internet. Anybody who wanted to watch it or didn't want to watch it had the opportunity to do so.

About the same time one of the Taliban leaders gave a major address in Pakistan and showed their true colors, what they were about if they gained the upper hand in Pakistan.

The people of that country, including the military, the political leadership, multiparty—the rank and file and the military basically stood up as one and said that is not where we want to go as a country. That is not the Pakistan that we want. We don't want to have any part of seeing that kind of change occur to our country, and they turned on the Taliban.

In the days the Presiding Officer and I were there, our CODELs were there, we met with the military and political leadership of the country—I am sure his delegation did—and I was very much heartened by the forcefulness with which they are going after the very people they appeared to be almost appeasing in the months before. They are determined to wipe them out, to crush them, and to be able to live their lives and govern their country in a way that I think more of us would want any country to be able to govern itself.

I came back and, I say to my colleagues—I came back not wearing rose-colored glasses. I did not change my name to Pollyanna. I realize the fighting that lies ahead, especially in Afghanistan as we stand up our 17,000 troops, roughly 10,000 marines, and bring in all those helicopters and trainers. We are going to take up the Taliban in the southern part of the country, in Kandahar, in Helmand Province. That is where they raise all the poppies for the drug trade. That puts money in the pockets of farmers. It also puts money in the pockets of the Taliban and other terrorists, not only in that country but other countries as well. We do not need that. The people in Afghanistan and Pakistan don't need that either. One of the advantages of getting rid of the poppy trade and replacing it with fruits and vegetables and chickens and wheat, and so forth, is we stop supporting in a financial way the terrorists wreaking such havoc over there.

But there is going to be a lot of tough fighting in the weeks that lie ahead as we raise our profile, as we raise our ability to deliver a punch. We are going to be there training our Afghan colleagues, both at the military level, the army, and at the police level. Ultimately, while we help them to stand up and strengthen themselves in the next 3 to 5 years, we have sown the seeds of an exit strategy that will enable us to draw down and eventually pull most of the fighting forces out of there—perhaps leave behind a residual to help lead the training effort as many of our NATO allies are helping with the training effort.

Let me close with this. One of the other things I learned when I was over there, I was surprised to find out how many other countries are involved. We have the major part of the fighting force. There are a lot of other nations involved. I am sure my colleague, who is presiding, saw that too. One of the things that surprised me was the Japanese, who have no trainers there, no fighting forces there—I don't know that they have a civilian component there—but they are paying the salary of the police force for the whole country for the next 6 months. It is about $100 million, a substantial contribution. It is an example of what others can do to help. We hope those who are helping will do more of the same and those who are not will find ways to be supportive.

The operations today and in the months ahead will be military led with a civilian component. Eventually it will transform and we will have a force led by the civilians, and the military will be a smaller part of what we do in Afghanistan.

That is about it. I look forward to coming back and maybe presiding when the Presiding Officer shares what he saw and learned as well. But I look forward to working with him and those who accompanied him on his delegation trip, and those who went with us, as we help the Afghans and Pakistanis take on a tough enemy in a fight that can be won and should be won.

With that, I see no one seeking to speak so 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. BARRASSO. 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. BARRASSO. I ask unanimous consent to speak for up to 15 minutes.

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

EXTENSION OF MORNING BUSINESS

Mr. BARRASSO. I ask unanimous consent that morning business be extended until 4:15 p.m.

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

CRAIG THOMAS RURAL HOSPITAL AND PROVIDER EQUITY ACT

Mr. BARRASSO. Mr. President, it will come as no surprise to many that rural health care issues are near and dear to my heart. Prior to my service in the Senate, I practiced medicine in Casper, WY, for almost a quarter of a century. I have firsthand knowledge of the obstacles families face in obtaining medical care throughout rural America. I also understand the challenges hospitals and providers must overcome in delivering quality care to families in remote areas with limited resources.

To give a snapshot of Wyoming's health care landscape, we have only 26 hospitals spread over nearly 100,000 square miles. With vast distances, complex medical cases, and increased demand for technology and advanced medical care, the rural health care delivery system is not a one-size-fits-all system. I have fought, and will continue to fight each and every day, to protect Wyoming's hospitals, providers, and the patients they serve. This is one of my top legislative priorities. That is why I am an active member of the Senate rural health caucus. For decades the caucus has built a reputation of bipartisan and bicameral collaboration and cooperation. Each Congress we come together to design rural and frontier-specific health care legislation. These efforts have produced incredible results.

For example, when Congress enacted the Medicare Modernization Act of 2003, it included a comprehensive health care package specifically tailored with rural communities, rural hospitals, and rural providers in mind. The Medicare Modernization Act finally put rural providers on a level playing field with other doctors and hospitals across the country.

In Wyoming, that meant hospitals in Worland, Lander, and Torrington could keep their doors open and serve patients as close to home as possible. With the passage of that act, Congress put into place commonsense Medicare payment equity provisions critical to maintaining access to quality health care in isolated and underserved areas. Rural and frontier America achieved a significant victory. There was much to celebrate. But the mission is not complete. Several of the act's rural health provisions have expired, and many are set to expire soon.

That brings us to the Craig Thomas Rural Hospital and Provider Equity Act or R-HoPE. I have joined Senators CONRAD, ROBERTS, and HARKIN in introducing a comprehensive rural health care bill. The legislation is titled the ''Craig Thomas Rural Hospital and Provider Equity Act.'' This bill reauthorizes expiring rural provisions included in the Medicare Modernization Act. It also takes additional steps to address inequities in the Medicare payment system. These inequities continually place rural providers at a disadvantage.

But there are additional challenges. We have a great need for adequate outpatient reimbursement in smaller towns, towns such as Rawlins, Kemmerer, and Laramie. Rural hospitals such as these are more dependent on Medicare payments as part of their total revenue. In fact, Medicare accounts for approximately 70 percent of total revenue for small rural hospitals. Rural hospitals have lower patient volumes. But these same hospitals must compete nationally to recruit doctors and nurses. This is due to an alarming shortage of nurses and other health care professionals across the country. Additional burdens are placed on these hospitals and providers due to higher rates of uninsured and underinsured patients who live in rural areas. Also, seniors living in rural areas have more financial needs and have increased rates of chronic disease. This legislation would preserve achievements in the Medicare Modernization Act and give much needed relief to rural doctors, nurses, and hospitals.

First, this bill equalizes payments that are known as Medicare disproportionate share hospital payments. These are payments that help hospitals cover the extra costs associated with serving a high proportion of low-income and uninsured patients. It is time we bring rural hospital payments in line with the benefits big city hospitals receive when they are providing medical care to the uninsured.

Second, the bill recognizes that low-volume hospitals do have a higher cost per case, which further puts Wyoming's similar hospitals in the red. This bill would give these unique rural hospitals extra payments, payments that will give Wyoming's low-volume hospitals the resources to continue to provide high-quality, lifesaving medical care. There are several hospitals in my State located in Laramie, Rawlins, Kemmerer, and Lander that need this critical provision.

In addition to the Medicare hospital payment provision, this bill also strengthens over 3,500 rural health clinics across the country. Many of these communities depend on these clinics for important preventive health care. Currently, rural health clinics receive an all-inclusive capped payment rate that has not been adjusted, except for inflation, since 1988. That is 21 years. So to recognize the rising cost of health care, this measure would raise the rural health clinic cap from $72 to $92. This increase makes it comparable to the reimbursement urban community health centers currently receive.

Since every small town cannot support a full-service hospital, rural health clinics are a key component to deliver medical care all across Wyoming. To see how critical this program is, all we have to do is visit two towns in northeastern Wyoming: Moorcroft, a population of 807; and Hulett, population of 434. Residents in these ranching and mining towns depend on their rural health clinics to receive primary medical care as close to home as possible.

Finally, the legislation would help rural areas maintain important emergency medical services. Rural EMS providers are primarily volunteers. They have difficulty recruiting, difficulty retaining, and spend additional time educating EMS personnel. These volunteers have day jobs as farmers, ranchers, teachers, and lawyers. They volunteer because the community needs their help.

Not all Wyoming cities and towns have the resources to pay for this service. Even less have the means to buy and upgrade essential lifesaving equipment. This legislation will allow ambulance providers to collect payments for transporting patients to the hospital after they answer a 911 call—regardless of the final diagnosis of the patient.

Wyoming is blessed with pristine landscapes. These landscapes, though, also present significant challenges. Longer distances, bad weather, and other challenges make obtaining and providing quality health care often difficult. Our unique circumstances require us to work together to share resources and to develop networks.

I believe the Federal Government must continue to recognize the important differences between urban and rural health care and respond with appropriate policy. Washington must remember that one payment system does not fit all. Rural providers provide care for their patients under circumstances much different than their urban counterparts.

This legislation is designed to make sure rural hospitals, rural clinics, rural ambulance providers, rural home health agencies, rural mental health providers, rural doctors, and other critical health clinicians are paid accurately and fairly.

I strongly encourage my colleagues with an interest in rural health to cosponsor this legislation.

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 legislative clerk proceeded to call the roll.

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

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

EXTENSION OF MORNING BUSINESS

Mr. NELSON of Florida. Madam President, I ask unanimous consent that the period of morning business be extended until 5:45 p.m. under the same conditions as previously ordered.

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

NASA NOMINEES

Mr. NELSON of Florida. Madam President, later on this week, I will talk about the plans we have in the Space and Science Subcommittee of the Senate Commerce Committee to do the hearings on the President's nominee for the NASA Administrator and Deputy Administrator, and I will announce that timetable later, after conferring with Senator ROCKEFELLER, the chairman of the Commerce Committee.

I have a lot to say about the President's nominee, who I think is going to be one of the outstanding Administrators of NASA.

GEN Charlie Bolden will take over at a critical time in NASA's history because NASA is in drift. It is right at the ending of the life of the space shuttle as we finish the next eight missions to further complete the construction of the space station and equip it to be the national laboratory it is designed to be and then to ramp up in the development and testing of the new rocket, a program called Constellation, the rocket Aries, the capsule, hearkening back to some of the similar designs of the old capsule in the Apollo days, this one being called Orion, carrying a crew of up to seven, or should I say a crew of six. All that is now under review by a specially appointed Presidential commission, headed by a very esteemed aerospace expert, former Lockheed Martin CEO, now retired, Norm Augustine.

I will have more to say about this later, but let me congratulate President Obama on such an exceptional appointment. It is needed because our space program is certainly a part of the American character. GEN Charlie Bolden is the right person at the right time to lead this little agency out of the wilderness to the promised land, and that promised land is a robust space program, both human and unmanned, as we explore. That is what we are, we are explorers by nature.

HEALTH CARE REFORM

Mr. NELSON of Florida. Madam President, I wish to talk about health care reform which is just about happening. We have an unprecedented opportunity to reform our health system. It has major flaws. It is one that has left 46 million people in this country without health insurance and millions of others are struggling to afford the cost of health care. It is in need of repair, and that is what this Senate, this Congress is going to try to tackle in the next few months. As a matter of fact, the majority leader has expressed his intention to have such a bill of monumental proportions on this Senate floor for consideration by next month. It is ambitious, but it is necessary. We have no choice but to succeed.

The health care costs are felt by many of our fellow Americans. There are significant economic costs associated with this broken system. Those who lack insurance have few options for care, which means they will delay and delay treatment until the condition worsens to the point that what could have been treated has turned into a full-blown emergency. Guess what happens. Where do they go? They go to the emergency room, and it is the most expensive place. As a result, the cost of that expensive care is borne by all Americans with health insurance by us paying higher premiums for those who do not have any insurance, but they still get the care.

This is a phenomenal statistic. According to research done by Families USA, our families in America with health insurance paid an additional $1,000, on average, last year to cover the care for the uninsured.

One very important component, therefore, of this package that the Senate Finance Committee is going to take up pretty soon and try to pass—I hope we are able to do it—is bipartisanship. We keep hearing it is going to be done in a bipartisan way. I know the chairman and the ranking member of the Finance Committee are committed to trying to do that. But at the end of the day, the proof is going to be in the pudding. Are the Republicans on the Finance Committee going to support a committee approach? Will they support universal health insurance, which is what I described? It is hard to disagree with what I described, insuring all those 46 million so the average family does not pay an additional thousand bucks on their health insurance premiums to care for those who are uninsured. That is hard to disagree with. But somehow the word ''universal'' has some taint on it. That is what it is. So until we have everyone in the system, we are going to continue to see the inefficiencies and the cost shifting I described.

In this system that I think we are going to bring to the floor, those who like what they have are going to be able to keep it. If you are happy with your insurance, with your employer, and it is affordable to you, you can certainly keep it. But for those who cannot afford insurance or those who have the very sad tales we have heard, have a preexisting condition and, therefore, they cannot even get insurance coverage, this insurance reform package is going to mean they are going to have access to insurance that is going to be affordable and that is going to be quality. In this reform system that I hope we are going to be able to pass, insurers are going to have to be prohibited from denying coverage based on a preexisting condition. The needs of those individuals are often the greatest, and they deserve to be met.

We are also going to try something called a health insurance exchange. It would simplify the process of purchasing insurance, and it could be simplified in purchasing it through a Web portal that would present all of the available insurance options in a comprehensive manner and in a comprehendible manner and expedite the enrollment process with a standardized application.

If you are satisfied with your employer's insurance, you stay right there. But all the others who want an alternative or cannot get insurance from an insurance company, they would have this health insurance exchange, participated in by the private insurance companies that would have a series of maybe a half-dozen standardized policies, that then those insurance companies would bid—make available, in other words—competition, get the free market competition going on for those who could offer the best policy at the best price for all those millions of Americans who would want to purchase from that health insurance exchange.

As we do this package, it is also important for us to focus on cost. Health care costs have skyrocketed. They have been increasing at a rate much higher than the average American's paycheck. In addition to placing a prohibitive financial burden on American families, these costs are affecting American businesses as well and their ability to compete in the global marketplace. So health care reform is going to have to be assisting individuals, families, and businesses in managing what has become an overwhelming expense.

As we consider this package, we ought to provide tax credits. We can do tax credits that could help small businesses to offset the cost of providing the insurance to their employees, if that is what they choose, instead of doing it through the health insurance exchange.

Tax credits could also be extended to low-income individuals to assist them in purchasing coverage from that exchange.

Along with those incentives, there would also come the responsibility for insurance coverage that would be shared by individuals and, in some cases, their employers.

Then we always have the question of what should be the eligibility in the Medicaid Program. Medicaid is a joint State-Federal program for the poor and

for the disadvantaged. One of the things that will be taken up will be that coverage should be expanded through the Medicaid Program by increasing eligibility for parents, for children, and for pregnant women who otherwise cannot afford the health care.

I also think it is important to have reform that promotes quality care by mandating coverage of the services necessary to maintain health and wellness. What do I mean? I mean primary care, a lot of what we talk about that is preventive care so you get at the root of the problem before it becomes a big problem, and then it becomes expensive to treat. Get at the root of the problem, and a lot of that is with primary care doctors and other health providers who provide that very important preventive medicine. For example, diabetes, heart disease—if you catch it early, you can prevent the big problems. But prevention requires knowledge and awareness that comes with comprehensive care, and it is critical that preventive care is available to Medicaid and Medicare recipients and, therefore, also in that health insurance exchange. We are going to have to bring these preventive services into these programs.

I close by saying we have come in this country to feel, as we should, that access to a quality, affordable health insurance system is a right. We certainly do not have that now. The system is cockeyed. This is a historic opportunity to answer this need by expanding and improving coverage while cutting the wasteful spending and addressing the flaws of the system.

The time for reform is now. We are going to start hashing it out, as we have been in these long roundtable sessions in the Finance Committee. I hope this can be bipartisan, but the proof is going to be in the pudding on final passage. Are there going to be votes, and how many from both sides of the aisle? If we are successful, it is going to turn around our ability to have adequate quality and affordable health care, which we need.

But it is going to do one more thing: It is going to start bringing under control the exploding cost of Medicare and Medicaid that, over the next 20 to 30 years, unless we change it, the Government is not going to be able to afford. That doesn't say one thing about cutting back on access to care nor the quality of care; it simply speaks to bringing those costs under control by rooting out the inefficiencies in the system and doing a lot of the things I have just talked about.

I look forward with great gusto to tackling what is one of the most enormous problems facing us. I look forward to sharing my thoughts with the Senate later in the week about GEN Charlie Bolden to be the next head of the National Aeronautics and Space Administration.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. ALEXANDER. Madam President, I ask unanimous consent to speak as in morning business for up to 15 minutes.

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

GM'S SPRING HILL ANNOUNCEMENT

Mr. ALEXANDER. Madam President, General Motors' decision to put the Spring Hill plant in Tennessee on standby is a blow to many employees who work there and to their families, but hopefully it will be a short-term problem. I have discussed with Governor Phil Bredesen how I can be of as much help as possible to the families who are affected, as well as the suppliers and the dealers. For the longer term, though, there is no reason in the world why the New GM cannot build cars and trucks at Spring Hill, TN, more competitively than any other location in America. Tennessee offers hundreds of suppliers, one of the country's best four-lane highway systems, a right-to-work law, thousands of trained workers, and low taxes. The Saturn plant was said to be the largest U.S. capital investment in history, and since then, General Motors has spent hundreds of millions of dollars modernizing it. For the same reasons Saturn and Nissan, Volkswagen, and their suppliers located here, Tennessee will continue to be a major automotive center.

What is more, General Motors has a proud history in Tennessee. As Governor of our State in 1985, I wrote the full-page ad for the Wall Street Journal. I took almost all of our economic development funds for advertising that year, and the ad proudly said this: ''Saturn finally found a home in Spring Hill, Tennessee.'' Saturn was the most sought-after plant in America then. A Saturn car had not been built then. Yet the name was better known than Pontiac, which had been on the market for 60 years. Saturn, together with the arrival of Nissan a few years earlier, helped to attract auto industry to a State—Tennessee—that had almost no auto jobs and to a region that had very few auto jobs. Today, nearly 150,000 jobs—or about one-third of Tennessee's manufacturing jobs—are auto related, almost all of them at suppliers to the 12 auto-assembly plants that are now located in the Southeastern United States.

Madam President, I would like to look ahead a little bit toward the New GM and the Government ownership of 60 percent of what we are calling the new General Motors. We are told that when General Motors emerges from bankruptcy in 60 or 90 days, the U.S. Treasury will own 60 percent of the New GM. To avoid the possibility of the Government owning New GM for years, I will introduce legislation authorizing the Treasury to distribute to individual taxpayers all of its stock in the New GM and in Chrysler as soon as is practical following the emergence of the New GM from bankruptcy proceedings. So instead of the Treasury owning shares in the New GM and Chrysler, you would own them if you were one of 154 million Americans who filed individual Federal tax forms on April 15.

The stock certificates would be in your name, not that of your Government. To keep it simple, and to help the little guy also have an ownership stake in America's future, Treasury would give each taxpayer an equal number of the available auto shares.

The Treasury Department has said it wants to sell its auto shares as soon as possible, but Fritz Henderson, the president and CEO of General Motors, told Senators and Congressmen in a telephone call this morning, in which I participated, that while it is the Treasury's decision to make, this is a ''very large amount'' of stock, and that the orderly offering of these shares to establish a market might have to be ''managed down over a period of years.'' Another option, of course, might be to sell blocks of the New GM stock to one or more large investors, but that might also take years.

So I want the Treasury also to have the option of getting the ownership of these companies out of the hands of Washington and back in the hands of the marketplace in months rather than years. Distributing New GM shares and Chrysler shares to individual taxpayers is the way to do that.

Those shares might not be worth very much today, but put them away and 1 day they might help pay for a college education. For example, General Motors' 610 million shares were only worth 75 cents just before bankruptcy, but they were worth $40 per share 2 years ago.

I would not interfere with the loans the Federal Reserve Board made to companies in trouble. The Fed is independent. Its loans are collateralized. It makes money for the Treasury. I am only talking about the taxpayer bailouts that Congress has authorized since last October that have resulted in Government ownership of auto company assets.

Under my proposal, the fiduciary duty that management owes to owners would be owed to the more than 154 million Americans owning New GM stock and not to a few Washington politicians and bureaucrats.

You know what would happen if the Treasury owned 60 percent of the New GM for the next several years: Members of Congress would start holding hearings and saying things such as: ''We are the owners and we demand to know why are you building this model? Why are you closing the plant in North

Carolina and not in Tennessee? Why are workers not paid more? What about these work rules? Why is this battery being built in South Korea and this engine being shipped from Mexico?''

When the company negotiates with the Federal Government on such things as, for example, fuel efficiency standards, won't it be negotiating with itself? And as the elections approach, might not the White House be tempted to build plants in States it might carry instead of States it might not?

As the New York Times editorialized this morning:

> It was only March when the Obama administration let GM slide toward bankruptcy by denying it more taxpayer money, partly on the grounds that the company was too heavily dependent on SUVs, while its biggest stab at fuel economy, the Volt, was too expensive to work in the near future.

Not long after that, we saw the President of the United States fire the president of General Motors. So if it is going to take years to sell the Treasury's New GM stock and Chrysler stock, the best way to help those auto companies succeed and recover the taxpayers' more than $50 billion in loans may well be to simply give all the Government stock to taxpayers and get Washington out of the business of owning and running auto companies—the sooner the better.

Here is one disadvantage. Giving the stock to taxpayers might well add a few billion dollars to the Federal debt. But whose debt is it, anyway? The 154 million taxpayers'. So why not give individual taxpayers the ride up, if there is to be one.

Some will say another disadvantage is that the old GM will not be able to sell its tax breaks to an acquiring company. But these tax breaks would be just another bailout paid by taxpayers. It would be better to distribute the Treasury's stock to individual taxpayers and let the marketplace decide what happens, rather than spend billions more on bailouts.

Here are the advantages as I see them. No. 1, 154 million new investor cheerleaders. Think fan base of the Green Bay Packers, whose ownership is distributed among the people of Green Bay. This new investor fan base could produce customers for the auto companies.

No. 2, better odds for success. Does anyone think Washington can run car companies? Did you ever ride in a Lada, a clunky Soviet car made by a government-run company? The standing joke was: How do you double the value of a Lada? Answer: Fill up the tank with gas.

No. 3, fairness. Decisions about these auto companies would be made by collective decisions of people in a marketplace rather than by lobbyists with access to Washington.

No. 4, any benefits are more likely to go to taxpayers rather than to some Government program. For example, the law says that all proceeds made from the Troubled Assets Relief Program, TARP, purchased assets should go to reduce Government debt. Yet that is not happening because Treasury has not purchased toxic assets yet and has not made any profit yet. My proposal would make sure taxpayers get the profit rather than recycling this money into more bailouts.

Finally, this is the fastest way back to the wise principle, if you can find it in the Yellow Pages the Government probably should not be doing it. More than the money, it is the principle of the thing.

The other day a visiting European automobile executive said to me, with a laugh, that he had come to ''the new American automotive capital: Washington, DC.''

To get our economy moving again, let's get our auto companies out of the hands of Washington and back into the marketplace—the sooner the better.

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

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

E-VERIFY

Mr. SESSIONS. Madam President, I am concerned by the reports of several news outlets that the implementation of Executive Order 12989, which mandates the use of E-Verify for Federal contractors and subcontractors for the Federal Government, is now being delayed again until September of this year. This is the fourth such delay this year and I am afraid that it signals this administration is not serious about immigration enforcement—not even serious enough to utilize effective systems that we have in place.

On January 28 of this year, President Obama pushed back implementation of Executive Order 12989 to February 20. A few weeks later, that implementation date was pushed back again to May 21. Prior to that date, implementation was pushed back to June 30. Now various sources are reporting implementation will be delayed until sometime in September. E-Verify is one of the most effective tools at our disposal for protecting American jobs and should be made mandatory and permanent. Instead, the administration yet again has decided to delay this program as it applies to Federal contractors and subcontractors—that is, people who do work for the Federal Government; not every private business, just those who get jobs and money from the Federal Government to do contracting work. The administration claims they need more time to review the program. But it has been 5 months already.

I was also, let me recall, extremely disappointed when this Senate's Democratic Members stripped the E-Verify provisions from the final version of the economic stimulus package without discussion or debate. I tried to bring up an amendment in the Senate that would have matched the language that the House accepted unanimously in committee and was included in the final version of their bill. That language said that contractors who get money out of the stimulus program from the Federal Government had to use E-Verify, this computer system, to determine whether the people they are hiring are legally in the country. That was not too much to ask, I thought. The House, as I said, unanimously accepted that provision in committee and passed it overwhelmingly as part of the final version of their bill.

Every time I sought to bring it up, it was blocked by the Democratic leadership. They did not want to vote on it. It became pretty clear why, because if it was in the Senate bill and the House bill, it would certainly be in the final conference report language and would become law. As long as they could keep it out of the Senate bill, when they went to conference they could take the language that had been passed in the House out of the bill. Part of the compromise in conference would be to eliminate the E-Verify related language. I warned that would happen and that is exactly what did happen. We could not get a vote in the Senate. If we had gotten a vote, I am confident the Senate would have voted in favor of requiring recipients of stimulus funds to use E-verify.

The purpose of the stimulus bill was to put Americans back to work. Unemployment continues to rise. We are now hearing it will hit 10 percent. That is a serious number, much higher than some were projecting. I think the Obama administration's budget projected unemployment would be between 8.1 to 8.5 percent. Currently, unemployment rates are close to 9 percent and many are saying we will hit 10 percent. So why would we want to use stimulus money that was promoted as a way to create jobs for Americans and reduce unemployment in this time of recession and not make sure that those jobs go to American citizens. I think it is a matter of real, serious import and I am baffled by it.

Briefly, E-Verify is an on-line system operated jointly by Homeland Security and the Social Security Administration. Employers can check the work status of people who apply to work for them on line by comparing information from the employee I–9 application form against the Social Security and DHS databases. More than 112,000 employers are already using it because they do not desire to hire somebody not legally in the country. I think they should be congratulated for that.

It also helps the employer because they can use this as a defense and say I used the E-Verify system if it is later found out that an employee they hired is here illegally. It did not tell me the person was illegal. They produced a

document. It looked good to me. I checked the number and they said it was OK. They are protected. They have safe harbor against Government action for hiring people who are illegal.

E-Verify is a free and voluntary system. As a practical matter, it is the best means we have today for determining employment eligibility for any hires and the validity of their Social Security number.

We have had thousands of employees using bogus Social Security numbers to get work. There are examples of hundreds of people being hired under the same Social Security number. Well, that ought to give somebody a clue.

According to the Department of Homeland Security, 96 percent of the employees who are checked by businesses are cleared immediately. So the idea that large numbers of people are being blocked is not true. If you are not cleared, you can still be hired temporarily until further validation occurs to see if you have a legitimate Social Security number or if you are legitimately in the country.

It is working fine. This many companies would not be using it if it were not. On a related note, though people do not like to talk about the impact of illegal immigration on low-skilled workers, we must be factual. The large number of illegal workers in this country is having a depressing effect, particularly on the standard of living of low-skilled Americans.

The U.S. Commission on Immigration Reform, chaired by the late civil rights pioneer, Barbara Jordan, found:

> Immigration of unskilled immigrants comes at a cost to unskilled U.S. workers.

The Center for Immigration Studies has estimated that such immigration has reduced the wage of the average native-born workers in a low-skilled occupation by 12 percent, or almost $2,000 annually.

Harvard economist, George Borjas, himself an immigrant from Cuba, has studied this probably more than any other person in the whole source of issues on this. He has written a book on the subject. He has estimated that immigration in recent decades reduced the wages of native-born workers without a high school degree by 8.2 percent.

Doris Meissner, in 2009, a few months ago, the former head of Immigration Services under President Clinton, said:

> Mandatory employer verification [that is what we are talking about through E-Verify] must be at the center of legislation to combat illegal immigration . . . the E-Verify system provides a valuable tool for employers who are trying to comply with the law. E-Verify also provides an opportunity to determine the best electronic means to implement verification requirements. The administration should support reauthorization of E-Verify and expand the program . . . ''

That was Doris Meissner, the INS Director under President Clinton, who said that a few months ago.

Alexander Aleinkoff, who was an official at INS under President Clinton, and the Obama administration DHS transition official—he participated in the transition for President Obama—calls it a ''myth'' that ''there is little or no competition between undocumented workers and American workers.''

I know our majority leader has written that he favors the E-Verify Program. Senator REID wrote this:

> I strongly believe that every job in our country should go only to those who are authorized to work in the United States. That is why I strongly support programs like E-Verify that are designed to ensure that employers only hire those who are legally authorized to work in the United States, and believe we need to strengthen enforcement against employers who knowingly hire individuals who are not authorized to work. I support reauthorization of the E-Verify program, as well as immigration reform that is tough on lawbreakers, fair to taxpayers and practical to implement.

Those are Senator REID's comments. So it is time for us to get busy. Let's do some of these things. I know some have said this is a cumbersome program. That is not so. These are excuses put out by big businesses that are using workers, many of whom they have reason to believe—I would suggest—are illegal. They do not want to be checked. They do not want to have any checks.

There was a recent letter to the Wall Street Journal by Mark Powell, a human resource executive for a Fortune 500 company. This is what he said about how hard it is to use this system:

> The E-Verify program is free, only takes a few minutes, and is less work than a car dealership would do checking a credit score prior to selling a vehicle or letting you take a test drive.

Well, that is correct. He is right about that. How else can you explain the thousands of employers who voluntarily sign up to use the program? Short-term extensions and delay in implementation, such as what we are seeing today, only discourage participation in the E-Verify Program, since employers have no assurance that the program will even exist down the road.

I have offered legislation, and others have worked on the floor, to try to make E-Verify permanent and mandatory. We keep having one roadblock after another one.

Who is pulling the strings around here? I do not believe they are talking to the American people. I do not believe whoever it is blocking this kind of activity is talking to the American people, talking to people with common sense.

They must be talking with people who have special interests that are not interested in a lawful system. T.J. Bonner, who heads the Border Patrol Officers Association, testified at the Judiciary Committee, and he said this many times: One of the best things, perhaps the best thing, you can do to reduce the numbers of people who enter our country illegally is to eliminate the jobs magnet. The jobs possibility is a magnet that draws those who come illegally.

He said: There are a lot of things that can be done to eliminate that magnet, and this is one of them.

Further delay in the implementation of this Executive order is not acceptable, I believe, and am afraid it signals some sort of lack of commitment to enforce our immigration laws. You see, E-Verify does not require anybody to be arrested, it does not require anybody to be deported, it does not require anything—you simply do not get the job if you are not legally authorized to work. Law enforcement officers are not called. The businesses check the number to see if the person is legally here with a valid Social Security number, and if they have information that the individual is not, then they do not hire them.

That is all that happens. How simple is that? It is a good step, a modest step but an important step. We keep putting it off and keep rejecting the idea that even Government contractors that get work from the Government of the United States should have to use the program.

Every employer in America should be using the program. That is where we should be going. That is the policy we should be pursuing if we are at all serious about dealing with the matter.

There has been some good news. The good news is that last year, our border enforcement officers arrested only 770,000 people entering our country illegally. A couple years ago it was over 1.1 million arrests. That number doesn't include illegal aliens that evade CBP agents at the border. The reason the number of apprehensions is still so high, in my opinion, and I have studied it a good bit, is that we have inadvertently, perhaps intentionally, sent messages around the world that our border is open.

As long as we have a willing worker and a willing employer, President Bush once said, he almost said: I am okay with it. Well, that is not right, is it? We have laws. Good people every day apply to come to our country and to enter our country through legal channels. Some of them have to wait in line, and they do so dutifully. But large numbers are ignoring that because somehow they have gotten the impression that nobody here cares at all.

So we have stepped up enforcement. We have built some fencing, not nearly what was contemplated being built, but we built some. We are doing better. We are prosecuting some of the people who enter the country illegally. That has worked dramatically. I do not mean long times in jail but a prosecution for a misdemeanor.

They serve a little time, they got a conviction, if they come back it can be a felony. That is working. So you do those kind of things and it makes a big difference. If we make the E-Verify system a part of what we do within this country every day, and especially for government business, that will further send the signal to the world that our country is not open to illegal entry. If

you want to come you should come under the normal, lawful process.

It is so important America reestablish the rule of law when it comes to immigration in our country. We are a nation of immigrants. We are the most generous Nation, I think, in the world for allowing people to come here. But there has to be some limit on those numbers. It has to be done in an orderly fashion, a lawful fashion.

If you do not have order and lawfulness at our border and you have huge numbers coming through every year, then it undermines respect for law and sends a signal worldwide that we are not serious.

I think we are making some progress. We need to get E-Verify going. It needs to be made permanent and mandatory. At the very least, every business that does business with the U.S. Government should have to use it. Pretty soon every business in America should use it. When we do that, we will have taken a big step toward assuring even ourselves that we mean what we say and that we are going to establish a lawful program.

Some say we need these workers. Well, let's talk about a good guest worker program that would work, and we could allow people to come legally. That is critically important. So when your unemployment rate is going over 9 percent, highest in over 20 years, then maybe we do not need as many people coming into our country, as some people have said we do.

But regardless, there ought to be a mechanism for allowing temporary workers to come, the number allowed to come should serve our national interest, and we ought not to allow the large numbers who are now coming illegally to come and be able to successfully take jobs that Americans need right now.

Maybe the reports saying that the administration is delaying implementation of mandatory E-Verify for Federal contractors are not correct. But since we have seen it happen several times already, I think it is important the American people know something is not going well here and maybe there will be an opportunity to make their voices heard and maybe we can somehow, some way get this E-Verify Program made permanent and workable.

TRIBUTE TO THE CAMPBELLSVILLE UNIVERSITY TIGERS BASEBALL TEAM

Mr. MCCONNELL. Madam President, I rise today to pay tribute to the accomplishments of the Campbellsville University Tigers' Baseball Team from my home State of Kentucky. Their recent 4–0 win over Kansas Wesleyan earned the Tigers their first trip to the NAIA Baseball World Series in Lewiston, ID.

The Tigers' hard work and dedication throughout the season has paid off as they represent their school in the tournament. The players embody the principles of teamwork and their tireless efforts resulted in a successful season that has lead to this monumental and meaningful honor.

Mr. President, I ask my colleagues to join me in honoring the team and coaches from Campbellsville for their performance during the regular season and for making it to the World Series. I further ask unanimous consent that the full article be printed in the RECORD as well as the names of the players and coaches.

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

CAMPBELLSVILLE UNIVERSITY TIGERS BASEBALL TEAM

Head Coach Beauford Sanders, Assistant Coach Scott Hortness, Assistant Coach Randy LeBleu, Assistant Coach Jake McKinley, Rob Elliott, Bryan Fuller, Spencer Frantz, Jimmy Voelker, Craig Edwards, Nick Bertolucci, Logan Smith, Zach Townsend, Chris Curley, Curtis Payne, Colin Bryan, Alex Ponich, Tyler Derby, Nathan Quesenberry, Jake Kutsukos, Chance Harker, Marc Wilson, Ian Pick, Eric Mattos, Eric Staples, Nick Smith, Alex Tolmachoff, Jon Bourassa, Brian Chase

[From ESPN, May 16, 2009]

CAMPBELLSVILLE GAINS NAIA SERIES BERTH

Bryan Fuller told his Campbellsville University coaches he was never going to play baseball professionally, so he was willing to sacrifice his arm.

With much debate and reluctance, but knowing what was at stake and what their other options were, his coaches acquiesced.

Fuller, a senior, ended up pitching 21 shutout innings in 26 hours as Campbellsville (Ky.) advanced to the NAIA World Series in Lewiston, Idaho, where on Friday it will face Lee (Tenn.).

Campbellsville had fallen into the loser's bracket in its NAIA super regional, and needed to win three straight to get the World Series berth. Against Lindenwood on Thursday, Fuller, who throws sidearm, pitched three scoreless innings for the save.

With just 25 minutes between games, Campbellsville's coaches decided to start Fuller in the next game, against Kansas Wesleyan, which had won 26 straight. Fuller, according to assistant coach Jake McKinley, ''is an undersized kid'' who had started only once previously in four seasons.

''We were nearly out of pitching and he looked comfortable,'' McKinley said. ''We told Fuller we would need him to make his second career start and if he could give us three or four innings, that would be great, and it was in the biggest game in the history of our program against a team that had won 26 straight games.''

Fuller ended up pitching a complete game as Campbellsville snapped Kansas Wesleyan's winning streak with a 11–0 victory.

That put Campbellsville in the final. According to McKinley, the coaches were prepared to start their No. 1 pitcher on two days' rest, but Fuller wanted the start.

''We told him no way, because we didn't want to hurt him . . . He just threw 12 innings the day before,'' McKinley said. ''He told us that he was a senior that will never play pro ball and he was going to be an accountant in just a few weeks. He said he didn't care about his arm and told us he will give us a chance to win.''

And he did, using just 77 pitches in his second consecutive complete-game shutout as Campbellsville (39–10) beat Kansas Wesleyan again 4–0, giving the Tigers their first NAIA World Series appearance in school history.

''We're not sure yet, but we are not opposed to using him in any role,'' McKinley said. ''At this point, we'd be fools not to start him.''

TRIBUTE TO DR. JAMES H. BILLINGTON

Mr. NELSON of Nebraska. Madam President, I join with Senator LISA MURKOWSKI, to convey heartfelt good wishes to Dr. James H. Billington, the Librarian of Congress, who will celebrate his 80th birthday on June 1.

Dr. Billington was educated in the public schools in the Philadephia area and was valedictorian at Princeton University before pursuing his doctorate at Oxford University where he was a Rhodes Scholar. Following service in the Army he taught history at Harvard and Princeton. From 1973–1987, he was director of the Woodrow Wilson School for International Scholars where he founded the Kennan Institute for Advanced Russian Studies. He is a well-known scholar of Russia, has authored six books on Russian history, accompanied 10 congressional delegations to Russia and the former Soviet Union, and received more than 40 honorary doctorates from around the world.

In 1987 James Billington was nominated to be the 13th Librarian of Congress by President Reagan and was confirmed for that position by the Senate. From the day he took over the Library of Congress, he has vigorously pursued his vision for the Library and its future: to continue to acquire and preserve materials for its unparalleled collections and make them available to Congress, the American people and the world. Dr. Billington has a phrase for this, ''to get the champagne out of the bottle.'' His aim from the beginning has been to share the riches of the world's largest collection of knowledge with ever broader audiences and to translate this wisdom into a catalyst for civilization.

Early in his tenure, even before the digital revolution, Dr. Billington saw the need to use new information technologies to get content out to users around the country so that the Library of Congress would not simply become a ''warehouse of information.'' Through initiatives such as the pioneering American Memory Project created in 1990 he saw to it that the rich American history collections of the Library were available in new ways to a wider audience, culminating in 1995 with millions of digital items posted on the Web through the National Digital Library. The Library of Congress, through its National Digital Information Infrastructure and Preservation Program, led an ongoing effort with partner institutions to collect and preserve digital materials that would otherwise disappear. The Library is also leading the way in getting more than 15 million of its rich primary source materials out online to K–12 educators throughout the nation. In 1995 Dr.

Billington proposed to UNESCO formation of a World Digital Library to gather an online collection of significant primary materials from cultures around the world which was officially launched in seven languages in Paris last month with the Library, UNESCO, and more than 30 partner institutions around the world.

Dr. Billington has been a prodigious private fundraiser for the Library's programs. In 1990 he formed the Madison Council whose members have raised nearly $400 million for the Library which has been well used to support scholarly studies such as the Kluge Center and some 300 stimulating and popular exhibitions such as the Vatican Library, American Treasures, Lewis and Clark, and the recent Lincoln Bicentennial. A major accomplishment was the creation of the Packard Campus for Audio-Visual Conservation achieved through a public/private partnership with the Packard Humanities Institute for archiving and preservation of the Library's massive collection of audio visual material.

Jim Billington has presided over an increase of more than 50 million items in the Library's collections which now total nearly 140 million. He has also ensured that the Library's valuable multiple format collections are preserved for future generations and enhanced the security of staff, researchers, and visitors.

It was Dr. Billington's far sighted initiative in 1999 to bring young leaders to the United States from Russia to learn practical skills through exposure to America's democratic government and free market system. Since then through the Open World Program more than 14,000 current and future leaders from Russia, Ukraine, Lithuania and Uzbekistan have experienced our democracy and community life gaining new ideas for implementing change in their countries and fostering cooperation with the United States.

These are just a few of the many accomplishments that Jim Billington has made both to the Library of Congress and the Nation. His energy, enthusiasm and vision for a knowledge based democracy and the life of the mind are commendable and he is still going strong at 80. We wish him a happy birthday.

Mrs. HUTCHISON. Madam President, I offer my best wishes to the Librarian of Congress, Dr. James Billington, who just celebrated his 80th birthday.

Dr. Billington became the Librarian of Congress in 1987 after being nominated by President Reagan and confirmed by the Senate. If you read his confirmation testimony closely you can see the seeds for the direction he wanted to take the Library of Congress. It was Dr. Billington's vision for what the Library of Congress could be for current and future generations and his effective management that steered that great institution into the digital age. Because of his leadership, the Library today collects a diversity of material in both conventional and digital formats. Dr. Billington refers to this as ''adding without subtracting,'' and it is now a model for archival institutions. But simply collecting and preserving this material is not enough. It was his insistence, through programs such as the National Digital Library and World Digital Library, that this goldmine of information be shared much more widely with researchers, educators, and the general public both here on Capitol Hill and online via the Library's renowned Web site that makes it so useful.

I know how much Jim Billington reveres the Library's role of service to Congress and the American people. He works tirelessly to attract Members to visit the Library. It has been my pleasure to co-host with him several dinners in recent years for my colleagues which gave them a clearance to see some of the incomparable Library of Congress exhibits, such as Creating the U.S., Jefferson's Library, and Winston Churchill, in the magnificent surroundings of the Jefferson Building.

Formation of the Madison Council, the Library's first ever philanthropic and advisory body, was Dr. Billington's idea which he carried out with great energy and success. The Madison Council has been invaluable in bringing priceless collections to the Library and augmenting appropriated funding.

Finally, I applaud Dr. Billington for instituting and cosponsoring with First Lady Laura Bush the National Book Festival since 2001, in which I have had the good fortune of participating as an author. The National Book Festival, modeled on the Texas Book Festival initiated in the 1990s by Laura Bush, has been a very popular annual event in Washington and has done much to promote reading and the creativity of America's writers.

Jim Billington is truly a national treasure. He is a man of great intellect and leadership. I want to thank him for all he has done at the Library of Congress and throughout his long career of public service. I am happy to call him my friend, and I wish him all the best on his 80th birthday.

I yield the floor.

ADDITIONAL STATEMENTS

REMEMBERING FRANCES NAM

• Mrs. BOXER. Madam President, today I want to speak about an extraordinary young woman who has left us far too soon. On May 15, my former staff member Frances Nam died after a 3-year battle with lung cancer. Fran was just 39 years old. She left behind two beautiful daughters—Seanna, age 11, and Henna, age 9.

In the mid to late 1990s, Fran was my legislative assistant on all matters related to appropriations, immigration, housing, judicial appointments, and matters under the jurisdiction of the Judiciary Committee. She was a standout staff member in every way: always enthusiastic and diligent about her work, always caring about her colleagues, and an exemplary public servant who cared deeply about our constituents.

In January 1999, Frances went to work for U.S. Department of Justice's Community Relations Service, CRS, DOJ's race relations mediation arm. This job brought out another side of Fran: the compassionate but cool-headed mediator, a master of human relations. CRS sent Frances all over the country, wherever ethnic communities were at odds with one another, to prevent or soothe civil strife and bring disparate people together despite their differences. Originally a political appointee in the Clinton administration, Fran stayed at CRS until 2003 as a senior policy adviser.

Frances then went to work as senior policy adviser to the late Congresswoman Juanita Millender-McDonald. Along with her primary legislative and policy duties, Fran was the Congresswoman's liaison to the Congressional Black Caucus, CBC. In this role she became the first non-African American to organize a CBC annual legislative conference, and she is still remembered fondly by CBC members and staff for her charm, efficiency, and diplomatic skills.

Since late 2003, Frances has worked as vice president of Government Affairs for Sodexo USA, a major food service company. Here, in addition to working with Congress as well as State and local governments, Fran was known for her extraordinary efforts to open new educational and career opportunities for Asian Americans and other people of color.

Outside her working life, Fran was a vivacious young woman who enjoyed a wide circle of friends and her two loving daughters. A woman who truly loved her work and life, she was recently the subject of an article in Working Woman magazine on successful working mothers.

In her all-too-brief life, Frances Nam made a deep and lasting difference in the lives of many people—here in the Senate, in communities across the country, and in her own close community of family, friends, and colleagues. She will be deeply and truly missed.•

TRIBUTE TO HARRY M. HALLMAN, JR.

• Mr. GRAHAM. Madam President, today I ask the Senate to join me in recognizing Mayor Harry M. Hallman, Jr., on the occasion of his retirement as mayor of Mount Pleasant, SC. Mayor Hallman is a dedicated public servant and his work has earned our gratitude and appreciation.

It was with much personal and professional sadness that he recently announced he would have to relinquish his position as the mayor of one of South Carolina's largest municipalities as he continues his personal battle with Alzheimer's.

In an address to the residents of Mount Pleasant, the mayor made clear this was a difficult decision. He could have stayed in office and carried on. But Mayor Hallman felt he could no longer meet the high standard he had set for himself of being ''effective.''

As Mayor Hallman said in his resignation, ''To me, being 'effective' means 'excellence'. I realize now that I am not meeting my personal definition of 'effective.' This Town deserves only the best from its leadership. Half way will not do for my Town.''

His resignation was the mark of a true public servant willing to put the interests of the town he loves above his own personal interests.

Mayor Hallman has compiled a long and distinguished career of service in public office and private life.

After being elected to the office of mayor in September of 2000, Mayor Hallman spent nearly two terms in office growing his town and improving its assets. He will be remembered as a mayor who instituted infrastructure projects that helped change the face of Mount Pleasant. After only 3 years under his service, the town saw over $150 million worth of road improvements and city development. Additionally, he helped secure Federal and State moneys for a newly debuted farmer's market venue and a waterfront park for public use.

During his time as mayor of Mount Pleasant, Mr. Hallman chaired the Police, Legal and Judicial Committee and the Transportation Committee. He also served on the Water Supply Committee and as an ex-officio member of the Mount Pleasant Waterworks Commission, the Patriots Point Authority, and the Charleston Aviation Authority.

In 1988, Mayor Hallman was elected to serve in the South Carolina House of Representatives. While in office, he chaired the Charleston County Legislative Delegation as well as the State House Committee, which was responsible for overseeing the $78 million renovation of the South Carolina State House. He also offered his skills on the Joint Bond Review Committee, and the State Development Board.

Born and raised in South Carolina, Mayor Hallman took great pride in seeing his State develop from corner to corner. As the son of a retired oil executive and a stock market investor in Greenwood, SC, he grew up to appreciate all that the State has to offer. He was a 1958 graduate of the University of South Carolina, where he finished with a degree in business administration. Years later he was awarded an honorary doctor of humanity letters degree from the University of Charleston.

As a distinguished member of the State community, Mayor Hallman was often asked to participate in the development of multiple health and educational improvements and expansions. He served on the University Study Committee as their chairman, as well as the Low Country Graduate Advisory Board. Mayor Hallman chaired the South Carolina Department of Health and Environmental Control and served as treasurer for Charleston Memorial Hospital. His dedication to all aspects of life in South Carolina was broad in scope and great in impact.

A devoted citizen, Mayor Hallman formally retired on May 20, 2009, as a revered member of the Mount Pleasant and South Carolina community. His leadership and his commitment to our State will be forever marked by his extraordinary vision and endless sacrifice. Throughout his entire career and to this day, Mayor Hallman has served as a model to those around him.

Along with his wife Shirley ''Brooke'' Hallman, who has stood next to him with unwavering loyalty and shared sacrifice, he celebrates his retirement with his three children and six grandchildren. I thank him for his service and wish him the very best in his retirement.

I ask that the Senate join me in honoring him for his lifelong career of service and also send along our best wishes to him and his family as he continues his battle.●

TRIBUTE TO DR. TOM DEAN

● Mr. JOHNSON. Madam President, today I rise to recognize Dr. Tom Dean of Wessington Springs, SD, who has been named the National Rural Health Association's 2009 Practitioner of the Year and wish to congratulate him on this well-deserved honor.

Dr. Dean has spent the majority of his 30 years in practice as a family physician in Wessington Springs, SD, and has served as a member of the Medicare Payment Advisory Commission since 2007.

After completing his medical education and training out of the State, Dr. Dean returned to his native Wessington Springs, SD, as a National Health Service Corps physician. Dr. Dean dedicated his professional career to delivering health care to his neighbors in rural South Dakota. He is well known in his community for the personal attention he gives to his patients and for his understanding of the value of the patient-doctor relationship.

Having spent most of his career helping the residents of Wessington Springs stay healthy, Dr. Dean has come to understand the particular challenges of rural health care delivery and the impact of health policies on rural America. Dr. Dean is greatly involved with the National Rural Health Association, an organization whose mission is to improve the health and well-being of rural Americans and to provide leadership on rural health issues.

In addition to his practice and MedPAC work, Dr. Dean is chief of staff at Avera Weskota Memorial Medical Center, and serves on the board of directors of the Bush Foundation Medical Fellowship and the South Dakota Academy of Family Physicians. He is a past president of the National Rural Health Association, recipient of numerous awards and honors, and his research is published in many medical journals.

Through his practice and research, Dr. Dean has demonstrated his commitment to improving the quality of care provided to the one-fifth of Americans who live in rural areas.

I applaud Dr. Dean's commitment to providing quality health care to his patients. His contribution to shaping health care policy has added a valuable and powerful voice for both rural health care providers and patients.●

TRIBUTE TO ERIC F. ROSS

● Mr. LAUTENBERG. Madam President, I wish to pay tribute to Eric F. Ross who will celebrate his 90th birthday on June 25, 2009. A loving grandfather, great-grandfather, and husband, Eric has been dedicated to educating the public about the Holocaust and is a passionate supporter of educational and cultural institutions in the United States, Germany, and Israel.

Born in Dortmund, Germany, Eric fled Nazi Germany and arrived in the United States when he was 20 years old. He courageously returned to Europe in 1942 as a soldier in the U.S. Army and a member of the ''Ritchie Boys,'' a group of young men who escaped Nazi Germany and joined the Army. These men were specially trained to fight the Nazis and because of his service, Eric was awarded a Bronze Star. He went on to become a successful businessman, establishing Alpha Chemical & Plastics in Newark, New Jersey and Mercer Plastics Company, which is based in Florida.

Holocaust remembrance and education are extremely important to Eric. In 2003, he was appointed by President George W. Bush to the U.S. Holocaust Memorial Council and he remains actively involved with the museum. He and his beloved wife Lore, who recently passed away, are the museum's largest individual donors and the museum's Ross Administrative Center is named in memory of his parents, Albert and Regina Rosenberg, who perished during the Holocaust.

I am pleased to ask my colleagues to join me in commemorating the 90th birthday of this remarkable man. His passion for education and dedication to philanthropy has touched countless lives and should serve as an example to others. I thank him for his tireless work and would like to extend my warmest wishes on this momentous occasion.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mrs. Neiman, 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 which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

At 2:03 p.m., a message from the House of Representatives, delivered by Mr. Zapata, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 915. An act to amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration for fiscal years 2010 through 2012, to improve aviation safety and capacity, to provide stable funding for the national aviation system, and for other purposes.

H.R. 1676. An act to prevent tobacco smuggling, to ensure the collection of all tobacco taxes, and for other purposes.

The message also announced that pursuant to 22 U.S.C. 267h, and the order of the House of January 6, 2009, the Speaker appoints the following Members of the House of Representatives to the Mexico-United States Interparliamentary Group: Mr. MCCAUL of Texas, Mr. DREIER of California, Mr. MACK of Florida, Mr. BILBRAY of California, Mr. NUNES of California.

The message further announced that pursuant to section 703(c) of the Public Interest Declassification Act of 2000 (50 U.S.C. 435 note), the Minority Leader reappoints the following member to the Public Interest Declassification Board: Admiral William O. Studeman of Great Falls, Virginia.

The message also announced that pursuant to the National Foundation of the Arts and Humanities Act of 1965 (20 U.S.C. 955(b) note), the Minority Leader reappoints the following Member of the House of Representatives to the National Council on the Arts: Mr. TIBERI of Ohio.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 915. To amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration for fiscal years 2010 through 2012, to improve aviation safety and capacity, to provide stable funding for the national aviation system, and for other purposes; to the Committee on Commerce, Science, and Transportation.

H.R. 1676. An act to prevent tobacco smuggling, to ensure the collection of all tobacco taxes, and for other purposes; to the Committee on the Judiciary.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LIEBERMAN, from the Committee on Homeland Security and Governmental Affairs, with an amendment:

S. 713. A bill to require the Administrator of the Federal Emergency Management Agency to quickly and fairly address the abundance of surplus manufactured housing units stored by the Federal Government around the country at taxpayer expense (Rept. No. 111–23).

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. SCHUMER (for himself, Mr. DURBIN, Mr. BROWN, and Mr. MENENDEZ):

S. 1160. A bill to provide housing assistance for very low-income veterans; to the Committee on Banking, Housing, and Urban Affairs.

ADDITIONAL COSPONSORS

S. 146

At the request of Mr. KOHL, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 146, a bill to amend the Federal antitrust laws to provide expanded coverage and to eliminate exemptions from such laws that are contrary to the public interest with respect to railroads.

S. 211

At the request of Mr. VITTER, his 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.

At the request of Mrs. MURRAY, the name of the Senator from Massachusetts (Mr. KENNEDY) was added as a cosponsor of S. 211, supra.

S. 229

At the request of Mrs. BOXER, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 229, a bill to empower women in Afghanistan, and for other purposes.

S. 311

At the request of Mrs. BOXER, the names of the Senator from California (Mrs. FEINSTEIN) and the Senator from Wisconsin (Mr. FEINGOLD) were added as cosponsors of S. 311, a bill to prohibit the application of certain restrictive eligibility requirements to foreign nongovernmental organizations with respect to the provision of assistance under part I of the Foreign Assistance Act of 1961.

S. 354

At the request of Mr. WEBB, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 354, a bill to provide that 4 of the 12 weeks of parental leave made available to a Federal employee shall be paid leave, and for other purposes.

S. 369

At the request of Mr. KOHL, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 369, a bill to prohibit brand name drug companies from compensating generic drug companies to delay the entry of a generic drug into the market.

S. 455

At the request of Mr. ROBERTS, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 455, a bill to require the Secretary of the Treasury to mint coins in recognition of 5 United States Army Five-Star Generals, George Marshall, Douglas MacArthur, Dwight Eisenhower, Henry ''Hap'' Arnold, and Omar Bradley, alumni of the United States Army Command and General Staff College, Fort Leavenworth, Kansas, to coincide with the celebration of the 132nd Anniversary of the founding of the United States Army Command and General Staff College.

S. 456

At the request of Mr. DODD, the names of the Senator from New York (Mr. SCHUMER) and the Senator from Georgia (Mr. CHAMBLISS) were added as cosponsors of S. 456, a bill to direct the Secretary of Health and Human Services, in consultation with the Secretary of Education, to develop guidelines to be used on a voluntary basis to develop plans to manage the risk of food allergy and anaphylaxis in schools and early childhood education programs, to establish school-based food allergy management grants, and for other purposes.

S. 461

At the request of Mrs. LINCOLN, the names of the Senator from North Dakota (Mr. CONRAD), the Senator from Georgia (Mr. ISAKSON), the Senator from Missouri (Mr. BOND) and the Senator from Vermont (Mr. LEAHY) were added as cosponsors of S. 461, a bill to amend the Internal Revenue Code of 1986 to extend and modify the railroad track maintenance credit.

S. 511

At the request of Mr. BROWNBACK, the name of the Senator from Nebraska (Mr. JOHANNS) was added as a cosponsor of S. 511, a bill to amend part B of title XVIII of the Social Security Act to provide for an exemption of pharmacies and pharmacists from certain Medicare accreditation requirements in the same manner as such exemption applies to certain professionals.

S. 515

At the request of Mr. LEAHY, the name of the Senator from Delaware (Mr. KAUFMAN) was added as a cosponsor of S. 515, a bill to amend title 35, United States Code, to provide for patent reform.

S. 547

At the request of Mr. BINGAMAN, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 547, a bill to amend title XIX of the Social Security Act to reduce the costs of prescription drugs for enrollees of Medicaid managed care organizations by extending the discounts offered under fee-for-service Medicaid to such organizations.

S. 571

At the request of Mr. MENENDEZ, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 571, a bill to strengthen the Nation's research efforts to identify the causes and cure of psoriasis and psoriatic arthritis, expand psoriasis and psoriatic arthritis data collection, and study access to and quality of care for people with psoriasis and psoriatic arthritis, and for other purposes.

S. 582

At the request of Mr. SANDERS, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 582, a bill to amend the Truth in Lending Act to protect consumers from usury, and for other purposes.

S. 623

At the request of Mr. ROCKEFELLER, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 623, a bill to amend title I of the Employee Retirement Income Security Act of 1974, title XXVII of the Public Service Act, and the Internal Revenue Code of 1986 to prohibit preexisting condition exclusions in group health plans and in health insurance coverage in the group and individual markets.

S. 663

At the request of Mr. NELSON of Nebraska, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor 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. 666

At the request of Mr. FEINGOLD, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 666, a bill to prohibit products that contain dry ultra-filtered milk products, milk protein concentrate, or casein from being labeled as domestic natural cheese, and for other purposes.

S. 686

At the request of Ms. MIKULSKI, the names of the Senator from New York (Mr. SCHUMER), the Senator from Hawaii (Mr. INOUYE) and the Senator from Michigan (Ms. STABENOW) were added as cosponsors of S. 686, a bill to establish the Social Work Reinvestment Commission to advise Congress and the Secretary of 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. 700

At the request of Mr. BINGAMAN, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 700, a bill to amend title II of the Social Security Act to phase out the 24-month waiting period for disabled individuals to become eligible for Medicare benefits, to eliminate the waiting period for individuals with life-threatening conditions, and for other purposes.

S. 711

At the request of Mr. BAUCUS, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 711, a bill to require mental health screenings for members of the Armed Forces who are deployed in connection with a contingency operation, and for other purposes.

S. 727

At the request of Ms. LANDRIEU, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 727, a bill to amend title 18, United States Code, to prohibit certain conduct relating to the use of horses for human consumption.

S. 731

At the request of Mr. NELSON of Nebraska, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 731, a bill to amend title 10, United States Code, to provide for continuity of TRICARE Standard coverage for certain members of the Retired Reserve.

S. 738

At the request of Ms. LANDRIEU, the name of the Senator from Nebraska (Mr. JOHANNS) was added as a cosponsor of S. 738, a bill to amend the Consumer Credit Protection Act to assure meaningful disclosures of the terms of rental-purchase agreements, including disclosures of all costs to consumers under such agreements, to provide certain substantive rights to consumers under such agreements, and for other purposes.

S. 781

At the request of Mr. ROBERTS, the name of the Senator from Florida (Mr. MARTINEZ) was added as a cosponsor of S. 781, a bill to amend the Internal Revenue Code of 1986 to provide for collegiate housing and infrastructure grants.

S. 812

At the request of Mr. BAUCUS, the name of the Senator from Iowa (Mr. HARKIN) 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. 832

At the request of Mr. NELSON of Florida, the names of the Senator from Maryland (Ms. MIKULSKI) and the Senator from South Dakota (Mr. JOHNSON) were added as cosponsors of S. 832, a bill to amend title 36, United States Code, to grant a Federal charter to the Military Officers Association of America, and for other purposes.

S. 833

At the request of Mr. SCHUMER, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. 833, a bill to amend title XIX of the Social Security Act to permit States the option to provide Medicaid coverage for low-income individuals infected with HIV.

S. 872

At the request of Mr. VOINOVICH, the names of the Senator from Hawaii (Mr. AKAKA), the Senator from Delaware (Mr. CARPER) and the Senator from Michigan (Mr. LEVIN) were added as cosponsors of S. 872, a bill to establish a Deputy Secretary of Homeland Security for Management, and for other purposes.

S. 973

At the request of Mr. NELSON of Florida, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 973, a bill to amend title XVIII of the Social Security Act to provide for the distribution of additional residency positions, and for other purposes.

S. 982

At the request of Mr. KENNEDY, the names of the Senator from North Dakota (Mr. CONRAD), the Senator from Michigan (Ms. STABENOW), the Senator from West Virginia (Mr. BYRD) and the Senator from West Virginia (Mr. ROCKEFELLER) were added as cosponsors of S. 982, a bill to protect the public health by providing the Food and Drug Administration with certain authority to regulate tobacco products.

S. 985

At the request of Mrs. LINCOLN, the names of the Senator from Mississippi (Mr. COCHRAN) and the Senator from South Dakota (Mr. JOHNSON) were added as cosponsors of S. 985, a bill to establish and provide for the treatment of Individual Development Accounts, and for other purposes.

S. 990

At the request of Ms. STABENOW, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 990, a bill to amend the Richard B. Russell National School Lunch Act to expand access to healthy afterschool meals for school children in working families.

S. 999

At the request of Mr. BINGAMAN, the name of the Senator from Hawaii (Mr. INOUYE) was added as a cosponsor of S. 999, a bill to increase the number of well-trained mental health service professionals (including those based in schools) providing clinical mental health care to children and adolescents, and for other purposes.

S. 1023

At the request of Mr. DORGAN, the names of the Senator from Louisiana (Ms. LANDRIEU) and the Senator from Wyoming (Mr. ENZI) 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 names of the Senator from Missouri

(Mr. BOND), the Senator from Maryland (Mr. CARDIN), the Senator from Mississippi (Mr. COCHRAN) and the Senator from Nebraska (Mr. JOHANNS) were added as cosponsors 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. 1111

At the request of Mr. ROCKEFELLER, the name of the Senator from Connecticut (Mr. LIEBERMAN) 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. 1118

At the request of Mrs. LINCOLN, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 1118, a bill to amend title 38, United States Code, to provide for an increase in the amount of monthly dependency and indemnity compensation payable to surviving spouses by the Secretary of Veterans Affairs, and for other purposes.

S. 1126

At the request of Mr. REID, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 1126, a bill to require the Director of National Intelligence to submit a report to Congress on retirement benefits for former employees of Air America and for other purposes.

S. 1131

At the request of Mr. WYDEN, the names of the Senator from Massachusetts (Mr. KENNEDY) and the Senator from Maryland (Ms. MIKULSKI) were added as cosponsors 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. 1132

At the request of Mr. LEAHY, the name of the Senator from Arizona (Mr. KYL) was added as a cosponsor of S. 1132, a bill to amend title 18, United States Code, to improve the provisions relating to the carrying of concealed weapons by law enforcement officers, and for other purposes.

S.J. RES. 1

At the request of Mr. VITTER, the name of the Senator from Kansas (Mr. BROWNBACK) was added as a cosponsor of S.J. Res. 1, a joint resolution proposing an amendment to the Constitution of the United States relative to limiting the number of terms that a Member of Congress may serve.

S. CON. RES. 14

At the request of Mrs. LINCOLN, the names of the Senator from North Carolina (Mrs. HAGAN) and the Senator from New Hampshire (Mr. GREGG) were added as cosponsors of S. Con. Res. 14, a concurrent resolution supporting the Local Radio Freedom Act.

S. CON. RES. 23

At the request of Mr. CARDIN, the name of the Senator from Maryland (Ms. MIKULSKI) 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.

S. RES. 157

At the request of Mr. LUGAR, the names of the Senator from South Dakota (Mr. JOHNSON), the Senator from North Dakota (Mr. DORGAN) and the Senator from Michigan (Ms. STABENOW) were added as cosponsors of S. Res. 157, a resolution recognizing Bread for the World, on the 35th anniversary of its founding, for its faithful advocacy on behalf of poor and hungry people in our country and around the world.

NOTICE OF HEARING

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a business meeting has been scheduled before Committee on Energy and Natural Resources. The business meeting will be held on Thursday, June 4, 2009, at 9:30 a.m., in room SD–366 of the Dirksen Senate Office Building.

The purpose of the business meeting is to consider pending energy legislation.

For further information, please contact Sam Fowler at (202) 224–7571 or Amanda Kelly at (202) 224–6836.

RAILROAD ANTITRUST ENFORCEMENT ACT

Mr. REID. Madam President, I ask unanimous consent that the order with respect to resuming the motion to proceed to S. 146 be vitiated.

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

Mr. REID. Mr. President, I ask unanimous consent that the cloture motion with respect to the motion to proceed to S. 146 be withdrawn.

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

Mr. REID. Madam President, I wish to thank Senators ROCKEFELLER and KOHL and others for their work in securing an agreement to work together on comprehensive rail competition legislation. I ask unanimous consent that the Dear Colleague letter they jointly signed be printed in the RECORD.

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

U.S. SENATE,
Washington, DC, June 1, 2009.

DEAR COLLEAGUES: We wanted to let you know that we have jointly decided to ask Senator Reid to withdraw the pending cloture petition on S. 146, the Railroad Antitrust Enforcement Act. We share the common goals of addressing the longstanding concerns of rail shippers and making the rail industry more competitive.

The Commerce and Judiciary Committees intend to work together on comprehensive rail competition legislation. We hope to shortly have a bipartisan package that reforms the Surface Transportation Board and repeals the railroads' antitrust exemption available for the consideration by the full Senate. We are working on harmonizing our two efforts to produce a robust reform package.

This is a high priority for both of us and we are absolutely committed to finding real solutions that can be enacted into law this year.

Sincerely,

JOHN D. ROCKEFELLER IV,
Chairman, Committee on Commerce, Science, and Transportation.

HERB KOHL,
Chairman, Antitrust Subcommittee, Judiciary Committee.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. REID. Madam President, I ask unanimous consent that the Senate proceed to executive session to consider Calendar No. 139; that the nomination be confirmed and the motion to reconsider be laid upon the table; that no further motions be in order and any statements relating to this matter be printed in the RECORD, the President be immediately notified of the Senate's action, and the Senate then resume legislative session.

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

The nomination considered and confirmed is as follows:

DEPARTMENT OF STATE

Susan Flood Burk, of Virginia, a Career Member of the Senior Executive Service, to be Special Representative of the President, with the rank of Ambassador.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

ORDERS FOR TUESDAY, JUNE 2, 2009

Mr. REID. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. tomorrow, Tuesday, June 2; 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 the Senate proceed to a period of morning business until 11 a.m., 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; further I ask unanimous consent that following morning business,

the Senate proceed to executive session under the previous order; finally, I ask unanimous consent that the Senate recess from 12:30 p.m. until 2:15 p.m. to allow for the weekly caucus luncheons.

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

PROGRAM

Mr. REID. Madam President, tomorrow, following morning business, the Senate will proceed to vote on confirmation of the nomination of Regina McCarthy to be an Assistant Administrator of the Environmental Protection Agency. That vote should be a voice vote. We will have to wait and see for sure.

Earlier today we were able to reach an agreement to vitiate the cloture motion on the motion to proceed to the railroad antitrust legislation. As a result, upon disposition of the McCarthy nomination, the Senate will immediately proceed to a cloture vote on the motion to proceed to H.R. 1256, the FDA tobacco regulation legislation. Therefore, Senators should expect at least one rollcall vote to begin around 11 a.m. tomorrow.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. REID. Madam President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 5:59 p.m., adjourned until Tuesday, June 2, 2009, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF AGRICULTURE

EVAN J. SEGAL, OF PENNSYLVANIA, TO BE CHIEF FINANCIAL OFFICER, DEPARTMENT OF AGRICULTURE, VICE CHARLES R. CHRISTOPHERSON, JR., RESIGNED.

NATIONAL CREDIT UNION ADMINISTRATION

DEBORAH MATZ, OF VIRGINIA, TO BE A MEMBER OF THE NATIONAL CREDIT UNION ADMINISTRATION BOARD FOR A TERM EXPIRING APRIL 10, 2015, VICE RODNEY E. HOOD, TERM EXPIRED.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

ELLEN GLONINGER MURRAY, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF HEALTH AND HUMAN SERVICES, VICE CHARLES E. JOHNSON, RESIGNED.

DEPARTMENT OF STATE

PATRICIA A. BUTENIS, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE DEMOCRATIC SOCIALIST REPUBLIC OF SRI LANKA, AND TO SERVE CONCURRENTLY AND WITHOUT ADDITIONAL COMPENSATION AS AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF MALDIVES.

CHRISTOPHER WILLIAM DELL, OF NEW JERSEY, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF KOSOVO.

CHARLES H. RIVKIN, OF CALIFORNIA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO FRANCE, AND TO SERVE CONCURRENTLY AND WITHOUT ADDITIONAL COMPENSATION AS AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO MONACO.

THOMAS ALFRED SHANNON, JR., OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF CAREER MINISTER, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE FEDERATIVE REPUBLIC OF BRAZIL.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

NICOLE LURIE, OF MARYLAND, TO BE MEDICAL DIRECTOR IN THE REGULAR CORPS OF THE PUBLIC HEALTH SERVICE, SUBJECT TO QUALIFICATIONS THEREFOR AS PROVIDED BY LAW AND REGULATIONS, AND TO BE ASSISTANT SECRETARY FOR PREPAREDNESS AND RESPONSE, DEPARTMENT OF HEALTH AND HUMAN SERVICES, VICE W. CRAIG VANDERWAGEN, RESIGNED.

SUPREME COURT OF THE UNITED STATES

SONIA SOTOMAYOR, OF NEW YORK, TO BE AN ASSOCIATE JUSTICE OF THE SUPREME COURT OF THE UNITED STATES, VICE DAVID H. SOUTER, RETIRING.

DEPARTMENT OF DEFENSE

GORDON S. HEDDELL, OF THE DISTRICT OF COLUMBIA, TO BE INSPECTOR GENERAL, DEPARTMENT OF DEFENSE, VICE CLAUDE M. KICKLIGHTER, RESIGNED.

J. MICHAEL GILMORE, OF VIRGINIA, TO BE DIRECTOR OF OPERATIONAL TEST AND EVALUATION, DEPARTMENT OF DEFENSE, VICE CHARLES E. MCQUEARY.

DENNIS M. MCCARTHY, OF OHIO, TO BE AN ASSISTANT SECRETARY OF DEFENSE, VICE THOMAS FORREST HALL.

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be admiral

ADM. ROBERT F. WILLARD

IN THE AIR FORCE

THE FOLLOWING NAMED AIR NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be colonel

MARK W. ANDERSON
MARK DAVID AUER
DAVID M. BAKOS
JOHN MICHAEL BALBIERER
STEPHEN E. BEAUCHAMP
MARK W. BECK
STEPHEN M. BECKER
SANDRA M. BLALOCK
MONTE J. BOETTGER
EUGENE H. BRISLIN, JR.
TODD ALLEN BROWN
WALTER A. BRYAN, JR.
LARRY RANDOLPH BURRIS
MARY S. BURRUS
JOHNIE A. BURTON, JR.
JOHN D. CAINE
JEFFREY B. CASHMAN
MICHAEL R. CASTALDI
TIMOTHY J. CATHCART
KIMBERLY R. CHATFIELD
ALAN J. CLARKE
PATRICK J. COBB
KELLY WARD COBBLE
SEAN THOMAS COLLINS
JAMES BRADLEY CUSHMAN
JOEL K. DARBO
JOHN C. DAVIS
KURT R. DAVIS
STEPHEN P. DEPTULA
BRADLEY M. DERRIG
NICOLE L. DESILETSBIXLER
MARK J. DEVINE
WADE FRANKLIN DEWEY
VITO AUGUST DIMICCO, JR.
DALE F. FATH
RUBEN FERNANDEZVERA
MICHAEL E. FLANAGAN
BRYAN P. FOX
MICHAEL J. FRANCIS
TIMOTHY H. FUJINO
HELEN R. GALLOWAY
JOSEPH A. GARNETT
DANIEL E. GELINAS
EDITH M. GRUNWALD
LAUN R. HALLSTROM
KEVIN J. HEER
CHRISTOPHER A. HEGARTY
DOUGLAS J. HENRY
LANCE A. HESTER
JEFFREY W. HICKMAN
EDWARD J. HIGGINS
ROBERT J. HOFFMAN
RANDY C. HUFFMAN
LEONARD WESLEY ISABELLE, JR.
ADAM H. JENKINS
GREGORY F. JONES
RONALD M. KICHURA
ROBERT G. KILGORE
ANTHONY J. KISSIK
ROBERT C. KORTE
KENNETH L. LAMBRICH
GERALD D. LAVER
CHRISTIAN P. LEDET
DONNA D. LOOMIS
TIMOTHY THOMAS LUNDERMAN
EDWARD C. LUTZ
PAUL S. LYMAN
MICHAEL T. MACK
DANIEL B. MARINO
KEITH P. MARTIN
STUART K. MATHEW
EDWARD P. MAXWELL
STEPHEN C. MELTON
JESSICA MEYERAAN
MICHAEL H. MORGAN
TIMOTHY ALOYSIUS MULLEN
THAD L. MYERS
DAVID R. NARDI
RICHARD ROBERT NEELY
JILL J. NELSON
JEFFREY L. NEWTON
PAUL E. NORRIS
MICHAEL J. NOWICKI
JAMES A. OEHMCKE
PIERRE B. OURY
EILEEN K. PANACEK
JONATHAN RAY PAYNE
JEFFREY L. PETERS
JAMES E. RAMSEY
MICHAEL J. RAND
MICHAEL T. RAY
PAUL EDGAR RESEL
ADALBERTO RIVERA
GREGORY J. ROMAIN
GLENN ALAN ROWLEY
WALTER C. RUSTMANN
STEPHEN M. RYAN
MARK T. SCHARF
PETER R. SCHNEIDER
DAVID W. SILVA II
MARK C. SNYDER
MITCHELL D. SPERLING
PETER D. STAVROS
PAUL E. SWANSON
GARY J. SZABO
GLENN A. TAYLOR
BRYAN J. TEFF
LARRY D. THORPE
JAMES R. TREUTEL
EDWARD L. VAUGHN IV
MATTHEW WALLACE WESSEL
BRYAN F. WITEOF
JEFFREY S. WOELBLING
STEVEN W. WRIGHT

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS PERMANENT PROFESSOR AT THE UNITED STATES MILITARY ACADEMY IN THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 4333(B) AND 4336(A):

To be colonel

EDWARD P. NAESSENS

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 colonel

DONALD R. ANDERSON

THE FOLLOWING NAMED INDIVIDUAL FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SPECIALIST CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

SANDRA M. KEAVEY

THE FOLLOWING NAMED INDIVIDUAL FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY VETERINARY CORPS UNDER TITLE 10, U.S.C., SECTION 531 AND 3064:

To be major

THAMIUS J. MORGAN

THE FOLLOWING NAMED INDIVIDUALS FOR REGULAR APPOINTMENT TO THE GRADES INDICATED IN THE UNITED STATES ARMY MEDICAL SERVICE CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be lieutenant colonel

CONSTANCE ROSSER

To be major

AVERY E. DAVIS

THE FOLLOWING NAMED INDIVIDUALS FOR REGULAR APPOINTMENT TO THE GRADES INDICATED IN THE UNITED STATES ARMY NURSE CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be lieutenant colonel

NORMA G. SANDOW

To be major

CENK AYRAL
PAUL J. SINQUEFIELD

THE FOLLOWING NAMED INDIVIDUALS FOR REGULAR APPOINTMENT TO THE GRADES INDICATED IN THE UNITED STATES ARMY DENTAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be lieutenant colonel

CHARLES W. HIPP

To be major

ROBER B. BANCHEFSKY
RAYMOND V. DEMPSEY
ANITA M. KIMBROUGHJACOB

THE FOLLOWING NAMED INDIVIDUALS FOR REGULAR APPOINTMENT TO THE GRADES INDICATED IN THE

UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be colonel

DANIEL E. BANKS
ERIC F. SABERTY
DARREL W. WYATT

To be lieutenant colonel

PRAN M. KAR
DANIEL R. MARINO
JOHN A. MCHENRY
EUGENE J. SCHNEIDER
STEVENS H. UNTRACHT
WILLIAM A. WOLKSTEIN

To be major

LYNN M. MURPHY
NORRIS L. NEWTON
RICK A. SHACKET

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

CARLTON L. DAY
JEFFREY N. HICE
DAVID E. POPPLETON
MARK W. WEISS

IN THE NAVY

THE FOLLOWING NAMED INDIVIDUALS FOR APPOINTMENT TO THE GRADES INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTION 531:

To be commander

JUDI C. HERRING

To be lieutenant commander

ADEGBOYEGA A. ADESOKAN
THOMAS V. BOLLINIG
NICHOLAS C. CARO
CHRISTOPHER CARR
MARY R. A. CUNNINGHAM
RALPH L. LEONARD
PATRICK W. MULLINS
LUIS M. TUMIALAN

CONFIRMATION

Executive nomination confirmed by the Senate, Monday, June 1, 2009:

DEPARTMENT OF STATE

SUSAN FLOOD BURK, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR EXECUTIVE SERVICE, TO BE SPECIAL REPRESENTATIVE OF THE PRESIDENT, WITH THE RANK OF AMBASSADOR.

THE ABOVE NOMINATION WAS APPROVED SUBJECT TO THE NOMINEE'S COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.

EXTENSIONS OF REMARKS

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, June 2, 2009 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

JUNE 3

9:30 a.m.
Appropriations
Labor, Health and Human Services, Education, and Related Agencies Subcommittee
To hold hearings to examine proposed budget estimates for fiscal year 2010 for the Department of Education.
SD–124

9:45 a.m.
Appropriations
Interior, Environment, and Related Agencies Subcommittee
To hold hearings to examine proposed budget estimates for fiscal year 2010 for the Department of the Interior.
SD–138

10 a.m.
Homeland Security and Governmental Affairs
To hold hearings to examine the nomination of Martha N. Johnson, of Maryland, to be Administrator, General Services Administration.
SD–342

Judiciary
To hold hearings to examine The Uniting American Families Act, focusing on addressing inequalities in federal immigration law.
SD–226

Armed Services
Readiness and Management Support Subcommittee
To receive a closed briefing to examine electricity grid vulnerabilities to critical defense assets and missions.
SVC–217

11 a.m.
Foreign Relations
To meet in closed session to receive a briefing from national security briefers.
SVC–217

2 p.m.
Homeland Security and Governmental Affairs
State, Local, and Private Sector Preparedness and Integration Subcommittee
To hold hearings to examine pandemic flu.
SD–342

Agriculture, Nutrition, and Forestry
To hold hearings to examine regulatory reform and derivatives markets.
SR–328A

Banking, Housing, and Urban Affairs
To hold hearings to examine a fresh start for new starts.
SD–538

Aging
To hold hearings to examine the value of long-term care insurance.
SH–216

2:30 p.m.
Commerce, Science, and Transportation
To hold hearings to examine General Motors and Chrysler dealership closures, focusing on dealers and consumers.
SD–106

Foreign Relations
To hold hearings to examine the nominations of Eric P. Schwartz, of New York, to be Assistant for Population, Refugees, and Migration, and Andrew J. Shapiro, of New York, to be Assistant Secretary for Political-Military Affairs, both of the Department of State.
SD–419

Armed Services
Personnel Subcommittee
To hold hearings to examine the Defense Authorization request for fiscal year 2010 and the Future Years Defense Program for military family programs, policies, and initiatives.
SR–222

Armed Services
Strategic Forces Subcommittee
To hold hearings to examine the Defense Authorization request for fiscal year 2010 and the Future Years Defense Program for strategic forces programs.
SR–232A

JUNE 4

Time to be announced
Environment and Public Works
Business meeting to consider the nominations of Peter Silva Silva, of California, to be an Assistant Administrator for Water, and Stephen Alan Owens, of Arizona, to be Assistant Administrator for Prevention, Pesticides, and Toxic Substances, both of the Environmental Protection Agency.
Room to be announced

9:30 a.m.
Armed Services
To hold hearings to examine the Defense Authorization request for fiscal year 2010 and the Future Years Defense Program for the Department of the Navy; to be possibly followed by a closed session in SVC–217.
SH–216

Banking, Housing, and Urban Affairs
To hold hearings to examine the nomination of Herbert M. Allison, Jr., of Connecticut, to be Assistant Secretary of the Treasury for Financial Stability.
SD–538

Appropriations
Commerce, Justice, Science, and Related Agencies Subcommittee
To hold hearings to examine proposed budget estimates for fiscal year 2010 for the Federal Bureau of Investigation, to be followed by a closed session at 11:15am in SVC–217.
SD–192

Energy and Natural Resources
Business meeting to consider pending energy legislation.
SD–366

Small Business and Entrepreneurship
To hold hearings to examine SBIR and STTR reauthorization, focusing on ensuring a strong future for small business in federal research and development.
SR–428A

10 a.m.
Foreign Relations
To hold hearings to examine challenges and opportunities for U.S.-China cooperation on climate change.
SD–419

Judiciary
Business meeting to consider S. 417, to enact a safe, fair, and responsible state secrets privilege Act, S. 257, to amend title 11, United States Code, to disallow certain claims resulting from high cost credit debts, S. 448 and H.R. 985, bills to maintain the free flow of information to the public by providing conditions for the federally compelled disclosure of information by certain persons connected with the news media, and the nominations of David F. Hamilton, of Indiana, to be United States Circuit Judge for the Seventh Circuit, Andre M. Davis, of Maryland, to be United States Circuit Judge for the Fourth Circuit, and Thomas E. Perez, of Maryland, to be Assistant Attorney General, Civil Rights Division, Department of Justice.
SD–226

10:30 a.m.
Appropriations
Defense Subcommittee
To hold hearings to examine proposed budget estimates for fiscal year 2010 for the Department of the Air Force.
SD–138

2 p.m.
Appropriations
Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Subcommittee
To hold hearings to examine proposed budget estimates for fiscal year 2010 for the Department of Agriculture.
SD–192

2:30 p.m.
Appropriations
Legislative Branch Subcommittee
To hold hearings to examine proposed budget estimates for fiscal year 2010 for the Library of Congress and the Open World Leadership Center.
SD–138

Intelligence
To hold closed hearings to examine certain intelligence matters.
S–407, Capitol

JUNE 5

9:30 a.m.
Joint Economic Committee
To hold hearings to examine the employment situation for May 2009.
SD–106

10 a.m.
Finance
To hold hearings to examine the nomination of Miriam E. Sapiro, of the District of Columbia, to be a Deputy United States Trade Representative, with the rank of Ambassador.
SD–215

JUNE 10

9:30 a.m.
Veterans' Affairs
To hold an oversight hearing to examine the Department of Veterans Affairs' construction process.
SR–418

2:30 p.m.
Commerce, Science, and Transportation
Aviation Operations, Safety, and Security Subcommittee
To hold hearings to examine aviation safety, focusing on the Federal Aviation Administration's role in the oversight of air carriers.
SR–253

JUNE 16

2:30 p.m.
Armed Services
Airland Subcommittee
To hold hearings to examine the Defense Authorization request for fiscal year 2010 and the Future Years Defense Program for Army modernization and management of the Future Combat Systems Program.
SR–222

JUNE 17

10 a.m.
Commerce, Science, and Transportation
Aviation Operations, Safety, and Security Subcommittee
To hold hearings to examine aviation safety, focusing on the role and responsibility of commercial air carriers and employees.
SR–253

JUNE 18

2:30 p.m.
Armed Services
Emerging Threats and Capabilities Subcommittee
To hold hearings to examine the Defense Authorization request for fiscal year 2010 and the Future Years Defense Program for United States Special Operations Command.
SR–222

JUNE 24

9:30 a.m.
Veterans' Affairs
To hold an oversight hearing to examine the Department of Veterans Affairs quality management activities.
SR–418

Daily Digest

HIGHLIGHTS

See Résumé of Congressional Activity.

Senate

Chamber Action

Routine Proceedings, pages S5891–S5910

Measures Introduced: One bill was introduced, as follows: S. 1160. **Page S5906**

Railroad Antitrust Enforcement Act—Agreement: A unanimous-consent agreement was reached providing that the order of Thursday, May 21, 2009 with respect to resuming the motion to proceed to consideration of S. 146, to amend the Federal antitrust laws to provide expanded coverage and to eliminate exemptions from such laws that are contrary to the public interest with respect to railroads, be vitiated; provided further, that the motion to invoke cloture on the motion to proceed to consideration of the bill, be withdrawn. **Page S5908**

Nomination Confirmed: Senate confirmed the following nomination:

Susan Flood Burk, of Virginia, to be Special Representative of the President, with the rank of Ambassador. **Pages S5908 S5910**

Nominations Received: Senate received the following nominations:

Evan J. Segal, of Pennsylvania, to be Chief Financial Officer, Department of Agriculture.

Deborah Matz, of Virginia, to be a Member of the National Credit Union Administration Board for a term expiring April 10, 2015.

Ellen Gloninger Murray, of Virginia, to be an Assistant Secretary of Health and Human Services.

Patricia A. Butenis, of Virginia, to be Ambassador to the Democratic Socialist Republic of Sri Lanka, and to serve concurrently and without additional compensation as Ambassador to the Republic of Maldives.

Christopher William Dell, of New Jersey, to be Ambassador to the Republic of Kosovo.

Charles H. Rivkin, of California, to be Ambassador to France, and to serve concurrently and without additional compensation as Ambassador to Monaco.

Thomas Alfred Shannon, Jr., of Virginia, to be Ambassador to the Federative Republic of Brazil.

Nicole Lurie, of Maryland, to be Medical Director in the Regular Corps of the Public Health Service, subject to qualifications therefor as provided by law and regulations, and to be Assistant Secretary for Preparedness and Response, Department of Health and Human Services.

Sonia Sotomayor, of New York, to be an Associate Justice of the Supreme Court of the United States.

Gordon S. Heddell, of the District of Columbia, to be Inspector General, Department of Defense.

J. Michael Gilmore, of Virginia, to be Director of Operational Test and Evaluation, Department of Defense.

Dennis M. McCarthy, of Ohio, to be an Assistant Secretary of Defense.

1 Navy nomination in the rank of admiral.

Routine lists in the Air Force, Army, and Navy. **Pages S5909–10**

Messages from the House: **Page S5906**

Measures Referred: **Page S5906**

Additional Cosponsors: **Pages S5906–08**

Additional Statements: **Pages S5904–05**

Notices of Hearings/Meetings: **Page S5908**

Adjournment: Senate convened at 2 p.m. and adjourned at 5:59 p.m., until 10 a.m. on Tuesday, June 2, 2009. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S5909.)

Committee Meetings

(Committees not listed did not meet)

No committee meetings were held.

House of Representatives

Chamber Action

The House was not in session today. The House is scheduled to meet at 2 p.m. on Tuesday, June 2, 2009, pursuant to the provisions of H. Con. Res. 133.

Committee Meetings

FEMA's POST-KATRINA HOUSING RESPONSIBILITIES

Committee on Transportation and Infrastructure: On May 22, the Subcommittee on Economic Development, Public Buildings, and Emergency Management held a hearing on Still Post-Katrina: How FEMA Decides When Housing Responsibilities End. Testimony was heard from David Garratt, Acting Deputy Administrator, FEMA, Department of Homeland Security; Fred Tombar, III, Senior Advisor to the Secretary, Disaster and Recovery Programs, Department of Housing and Urban Development; and public witnesses.

Joint Meetings

No joint committee meetings were held.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, *p. D571)*

S. 386, to improve enforcement of mortgage fraud, securities and commodities fraud, financial institution fraud, and other frauds related to Federal assistance and relief programs, for the recovery of funds lost to these frauds. Signed on May 20, 2009. (Public Law 111–21)

S. 896, to prevent mortgage foreclosures and enhance mortgage credit availability. Signed on May 20, 2009. (Public Law 111–22)

S. 454, to improve the organization and procedures of the Department of Defense for the acquisition of major weapon systems. Signed on May 22, 2009. (Public Law 111–23)

H.R. 627, to amend the Truth in Lending Act to establish fair and transparent practices relating to the extension of credit under an open end consumer credit plan. Signed on May 22, 2009. (Public Law 111–24)

COMMITTEE MEETINGS FOR TUESDAY, JUNE 2, 2009

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Appropriations: Subcommittee on Energy and Water Development, to hold hearings to examine proposed budget estimates for fiscal year 2010 for the National Nuclear Security Administration, 10:15 a.m., SD–124.

Subcommittee on Financial Services and General Government, to hold hearings to examine proposed budget estimates for fiscal year 2010 for the Securities and Exchange Commission, and the Commodity Futures Trading Commission, 10:30 a.m., SD–138.

Subcommittee on Defense, to hold hearings to examine proposed budget estimate for fiscal year 2010 for the Department of the Navy, 10:30 a.m., SD–192.

Committee on Armed Services: to hold hearings to examine the nominations of Admiral James G. Starvidis, USN for reappointment to the grade of admiral and to be Commander, United States European Command and Supreme Allied Commander, Europe, Lieutenant General Douglas M. Fraser, USAF to be general and Commander, United States Southern Command, and Lieutenant General Stanley A. McChrystal, USA to be general and Commander, International Security Assistance Force and Commander, United States Forces Afghanistan, all of the Department of Defense, 9:30 a.m., SH–216.

Committee on Energy and Natural Resources: to hold hearings to examine the nominations of Catherine Radford Zoi, of California, to be Assistant Secretary for Energy, Efficiency, and Renewable Energy, and William F. Brinkman, of New Jersey, to be Director of the Office of Science, both of the Department of Energy, and Anne Castle, of Colorado, to be Assistant Secretary of the Interior, 2:15 p.m., SD–366.

Committee on Environment and Public Works: to hold hearings to examine the nomination of Victor M. Mendez, of Arizona, to be Administrator of the Federal Highway Administration, 10 a.m., SD–406.

Committee on Homeland Security and Governmental Affairs: Ad Hoc Subcommittee on Disaster Recovery, to hold hearings to examine a status report on emergency preparedness for the 2009 hurricane season, 2:30 p.m., SD–342.

Full Committee, to hold hearings to examine the nomination of Rand Beers, of the District of Columbia, to be Under Secretary of Homeland Security for National Protection and Programs, 2:30 p.m., SD–342.

Select Committee on Intelligence: to hold closed hearings to examine certain intelligence matters, 2:30 p.m., S–407, Capitol.

House

Committee on Appropriations, Subcommittee on Labor, Health and Human Services, Education, and Related

Agencies, on the Secretary of Health and Human Services, 2 p.m., 2359 Rayburn.

Select Intelligence Oversight Panel, executive, on the CIA, 5 p.m., H–140 Capitol.

Committee on Rules, to consider the following bills: H.R. 31, Lumbee Recognition Act; and H.R. 1385, Thomasina E. Jordan Indian Tribe of Virginia Federal Recognition Act of 2009, 5 p.m., H–313 Capitol.

CONGRESSIONAL PROGRAM AHEAD

Week of June 2 through June 6, 2009

Senate Chamber

On *Tuesday,* at approximately 11:00 a.m., Senate will resume consideration of the nomination of Regina McCarthy, to be Assistant Administrator of the Environmental Protection Agency, and vote on confirmation thereon; following which, Senate will resume consideration of the motion to proceed to consideration of H.R. 1256, Family Smoking Prevention and Tobacco Control Act, and vote on cloture thereon.

During the balance of the week, Senate may consider any cleared legislative and executive business.

Senate Committees

(Committee meetings are open unless otherwise indicated)

Committee on Agriculture, Nutrition, and Forestry: June 3, to hold hearings to examine regulatory reform and derivatives markets, 2 p.m., SR–328A.

Committee on Appropriations: June 2, Subcommittee on Energy and Water Development, to hold hearings to examine proposed budget estimates for fiscal year 2010 for the National Nuclear Security Administration, 10:15 a.m., SD–124.

June 2, Subcommittee on Financial Services and General Government, to hold hearings to examine proposed budget estimates for fiscal year 2010 for the Securities and Exchange Commission, and the Commodity Futures Trading Commission, 10:30 a.m., SD–138.

June 2, Subcommittee on Defense, to hold hearings to examine proposed budget estimate for fiscal year 2010 for the Department of the Navy, 10:30 a.m., SD–192.

June 3, Subcommittee on Labor, Health and Human Services, Education, and Related Agencies, to hold hearings to examine proposed budget estimates for fiscal year 2010 for the Department of Education, 9:30 a.m., SD–124.

June 3, Subcommittee on Interior, Environment, and Related Agencies, to hold hearings to examine proposed budget estimates for fiscal year 2010 for the Department of the Interior, 9:45 a.m., SD–138.

June 4, Subcommittee on Commerce, Justice, Science, and Related Agencies, to hold hearings to examine proposed budget estimates for fiscal year 2010 for the Federal Bureau of Investigation, to be followed by a closed session at 11:15am in SVC–217, 9:30 a.m., SD–192.

June 4, Subcommittee on Defense, to hold hearings to examine proposed budget estimates for fiscal year 2010 for the Department of the Air Force, 10:30 a.m., SD–138.

June 4, Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies, to hold hearings to examine proposed budget estimates for fiscal year 2010 for the Department of Agriculture, 2 p.m., SD–192.

June 4, Subcommittee on Legislative Branch, to hold hearings to examine proposed budget estimates for fiscal year 2010 for the Library of Congress and the Open World Leadership Center, 2:30 p.m., SD–138.

Committee on Armed Services: June 2, to hold hearings to examine the nominations of Admiral James G. Starvidis, USN for reappointment to the grade of admiral and to be Commander, United States European Command and Supreme Allied Commander, Europe, Lieutenant General Douglas M. Fraser, USAF to be general and Commander, United States Southern Command, and Lieutenant General Stanley A. McChrystal, USA to be general and Commander, International Security Assistance Force and Commander, United States Forces Afghanistan, all of the Department of Defense, 9:30 a.m., SH–216.

June 3, Subcommittee on Readiness and Management Support, to receive a closed briefing to examine electricity grid vulnerabilities to critical defense assets and missions, 10 a.m., SVC–217.

June 3, Subcommittee on Strategic Forces, to hold hearings to examine the Defense Authorization request for fiscal year 2010 and the Future Years Defense Program for strategic forces programs, 2:30 p.m., SR–232A.

June 3, Subcommittee on Personnel, to hold hearings to examine the Defense Authorization request for fiscal year 2010 and the Future Years Defense Program for military family programs, policies, and initiatives, 2:30 p.m., SR–222.

June 4, Full Committee, to hold hearings to examine the Defense Authorization request for fiscal year 2010 and the Future Years Defense Program for the Department of the Navy; to be possibly followed by a closed session in SVC–217, 9:30 a.m., SH–216.

Committee on Banking, Housing, and Urban Affairs: June 3, to hold hearings to examine a fresh start for new starts, 2 p.m., SD–538.

June 4, Full Committee, to hold hearings to examine the nomination of Herbert M. Allison, Jr., of Connecticut, to be Assistant Secretary of the Treasury for Financial Stability, 9:30 a.m., SD–538.

Committee on Commerce, Science, and Transportation: June 3, to hold hearings to examine General Motors and Chrysler dealership closures, focusing on dealers and consumers, 2:30 p.m., SD–106.

Committee on Energy and Natural Resources: June 2, to hold hearings to examine the nominations of Catherine Radford Zoi, of California, to be Assistant Secretary for Energy, Efficiency, and Renewable Energy, and William F. Brinkman, of New Jersey, to be Director of the Office of Science, both of the Department of Energy, and Anne Castle, of Colorado, to be Assistant Secretary of the Interior, 2:15 p.m., SD–366.

June 4, Full Committee, business meeting to consider pending energy legislation, 9:30 a.m., SD–366.

Committee on Environment and Public Works: June 2, to hold hearings to examine the nomination of Victor M. Mendez, of Arizona, to be Administrator of the Federal Highway Administration, 10 a.m., SD–406.

June 4, Full Committee, business meeting to consider the nominations of Peter Silva Silva, of California, to be an Assistant Administrator for Water, and Stephen Alan Owens, of Arizona, to be Assistant Administrator for Prevention, Pesticides, and Toxic Substances, both of the Environmental Protection Agency, Time to be announced, Room to be announced.

Committee on Finance: June 5, to hold hearings to examine the nomination of Miriam E. Sapiro, of the District of Columbia, to be a Deputy United States Trade Representative, with the rank of Ambassador, 10 a.m., SD–215.

Committee on Foreign Relations: June 3, to meet in closed session to receive a briefing from national security briefers, 11 a.m., SVC–217.

June 3, Full Committee, to hold hearings to examine the nominations of Eric P. Schwartz, of New York, to be Assistant for Population, Refugees, and Migration, and Andrew J. Shapiro, of New York, to be Assistant Secretary for Political-Military Affairs, both of the Department of State, 2:30 p.m., SD–419.

June 4, Full Committee, to hold hearings to examine challenges and opportunities for U.S.-China cooperation on climate change, 10 a.m., SD–419.

Committee on Homeland Security and Governmental Affairs: June 2, Ad Hoc Subcommittee on Disaster Recovery, to hold hearings to examine a status report on emergency preparedness for the 2009 hurricane season, 2:30 p.m., SD–342.

June 2, Full Committee, to hold hearings to examine the nomination of Rand Beers, of the District of Columbia, to be Under Secretary of Homeland Security for National Protection and Programs, 2:30 p.m., SD–342.

June 3, Full Committee, to hold hearings to examine the nomination of Martha N. Johnson, of Maryland, to be Administrator, General Services Administration, 10 a.m., SD–342.

June 3, Ad Hoc Subcommittee on State, Local, and Private Sector Preparedness and Integration, to hold hearings to examine pandemic flu, 2 p.m., SD–342.

Committee on the Judiciary: June 3, to hold hearings to examine The Uniting American Families Act, focusing on addressing inequalities in federal immigration law, 10 a.m., SD–226.

June 4, Full Committee, business meeting to consider S. 417, to enact a safe, fair, and responsible state secrets privilege Act, S. 257, to amend title 11, United States Code, to disallow certain claims resulting from high cost credit debts, S. 448 and H.R. 985, bills to maintain the free flow of information to the public by providing conditions for the federally compelled disclosure of information by certain persons connected with the news media, and the nominations of David F. Hamilton, of Indiana, to be United States Circuit Judge for the Seventh Circuit, Andre M. Davis, of Maryland, to be United States Circuit Judge for the Fourth Circuit, and Thomas E. Perez, of Maryland, to be Assistant Attorney General, Civil Rights Division, Department of Justice, 10 a.m., SD–226.

Committee on Small Business and Entrepreneurship: June 4, to hold hearings to examine SBIR and STTR reauthorization, focusing on ensuring a strong future for small business in federal research and development, 9:30 a.m., SR–428A.

Select Committee on Intelligence: June 2, to hold closed hearings to examine certain intelligence matters, 2:30 p.m., S–407, Capitol.

June 4, Full Committee, to hold closed hearings to examine certain intelligence matters, 2:30 p.m., S–407, Capitol.

Special Committee on Aging: June 3, to hold hearings to examine the value of long-term care insurance, 2 p.m., SH–216.

House Committees

Committee on Agriculture, June 3. Subcommittee on Department Operations, Oversight, Nutrition and Forestry, hearing to review the future of forestry in the United States, 1:30 p.m., 1300 Longworth.

June 4, Subcommittee on General Farm Commodities and Risk Management, hearing to review implications of the CFTC v. Zelener case, 10 a.m., 1300 Longworth.

Committee on Appropriations, June 2, Subcommittee on Labor, Health and Human Services, , Education, and Related Agencies, on the Secretary of Health and Human Services, 2 p.m., 2359 Rayburn.

June 2, Select Intelligence Oversight Panel, executive, on the CIA, 5 p.m., H–140 Capitol.

June 3. Subcommittee on Defense, on Air Force Posture, 9 a..m., on Navy and Marine Corps Posture, 1:30 p.m., H–140 Capitol.

June 3, Subcommittee on Energy and Water Development, and Related Agencies, on the Secretary of Energy, 10 a.m., 2359 Rayburn.

June 3, Subcommittee on Labor, Health and Human Services, Education, and Related Agencies, on the Secretary of Education, 2 p.m., 2359 Rayburn.

June 4, Subcommittee on Transportation, and Housing and Urban Development, and Related Agencies, on the Secretary of Transportation, 10 a.m., 2359 Rayburn.

Committee on Armed Services, June 3, Defense Acquisition Reform Panel, hearing on Coordinating Requirements, Budgets, and Acquisition: How Does It Affect Costs and Acquisition Outcomes, 8 a.m., 2212 Rayburn.

June 3, Subcommittee on Readiness, hearing on the Fiscal Year 2010 National Defense Authorization Budget Request for Military Construction, Family Housing, Base Closure, Facilities Operations and Maintenance, 10 a.m., 2118 Rayburn.

June 4, Subcommittee on Oversight and Investigations, hearing on Thinkers and Practitioners: Do Senior Professional Military Education Schools Produce Strategists? 10 a.m., 2212 Rayburn.

June 4, Subcommittee on Terrorism Unconventional Threats and Capabilities, hearing on the Fiscal Year 2010 National Authorization Budget Request for the U.S. Special Operations Command, 1 p.m., 2212 Rayburn.

Committee on the Budget, June 3, hearing on Challenges Facing the Economy: The View of the Federal Reserve, 10 a.m., 210 Cannon.

Committee on Education and Labor, June 4, hearing on Building on What Works at Charter Schools, 10 a.m., 2175 Rayburn.

Committee on Energy and Commerce, June 4, Subcommittee on Oversight and Investigations, hearing entitled ''Commercial Sales of Military Technologies,'' 10 a.m., 2322 Rayburn.

June 4, Subcommittee on Communications, Technology and the Internet, hearing on oversight of the Internet Corporation for Assigned Names and Numbers (ICANN), 10 a.m., 2123 Rayburn.

Committee on Financial Services, June 3, Subcommittee on Capital Markets, Insurance, and Government Sponsored Enterprises, hearing entitled ''The Present Condition and Future Status of Fannie Mae and Freddie Mac,'' 2 p.m., 2128 Rayburn.

June 3, Subcommittee on Financial Institutions and Consumer Credit, hearing entitled ''Remittances: Regulation and Disclosure in a New Economic Environment,'' 10 a.m., 2128 Rayburn.

June 4, Subcommittee on Housing and Community Opportunity, hearing entitled ''The Section 8 Voucher Reform Act,''10 a.m., 2128 Rayburn.

Committee on Foreign Affairs, June 4, Subcommittee on Africa and Global Health, hearing on Local and Regional Purchases: Opportunities to Enhance U.S. Food Aid, 10:30 a.m., 2172 Rayburn.

June 4, Subcommittee on Asia, the Pacific and Global Environment, hearing on Agent Orange: What Efforts Are Being Made To Address The Continuing Impact of Dioxin in Vietnam? 2 p.m., 2172 Rayburn.

Committee on Homeland Security, June 4, Subcommittee on Management, Investigations, and Oversight, hearing entitled ''The FY 2010 Budget for Departmental Management and Operations at DHS,'' 10 a.m., 311 Cannon.

Committee on the Judiciary, June 3, Subcommittee on Courts and Competition Policy, hearing on Pay to Delay: Are Patent Settlements That Delay Generic Drug Market Entry Anticompetitive? 10 a.m., 2237 Rayburn.

June 3, Task Force on Judicial Impeachment, hearing to consider Possible Impeachment of United States District Judge Samuel B. Kent, 12 p.m., 2141 Rayburn.

June 4, Subcommittee on Commercial and Administrative Law, hearing on H.R. 1508, Sunshine in Litigation Act of 2009, 11 a.m., 2237 Rayburn.

June 4, Subcommittee on the Constitution, Civil Rights, and Civil Liberties, hearing on H.R. 984, State Secret Protection Act of 2009, 2 p.m., 2141 Rayburn.

June 4, Subcommittee on Crime, Terrorism, and Homeland Security, hearing on Indigent Representation: A Growing National Crisis, 9:30 a.m., 2141 Rayburn.

June 5, Subcommittee on Courts and Competition Policy, hearing on H.R. 569, Equal Justice For Our Military Act of 2009, 10 a.m., 2141 Rayburn.

Committee on Natural Resources, June 3, hearing on the following bills: H.R. 1061, Hoh Indian Tribe Safe Homelands Act; H.R. 2040, To authorize a process by which the Secretary of the Interior shall process acquisitions of certain real property by the Samish Indian Nation into trust; and H.R. 1035, Morris K. Udall Scholarship and Excellence in National Environmental Policy Amendments Act of 2009, 10 a.m., 1324 Longworth.

June 4, Subcommittee on Energy and Mineral Resources, oversight hearing entitled ''Unconventional Fuels, Part I: Shale Gas Potential,'' 10 a.m., 1334 Longworth.

June 4, Subcommittee on National Parks, Forests and Public Lands and the Subcommittee on Insular Affairs, Oceans and Wildlife, joint oversight hearing on Whitenose Syndrome: What's Killing Bats in the Northeast, 10 a.m., 1324 Longworth.

Committee on Oversight and Government Reform, June 4, to mark up the following measures: Government Accountability Office Improvement Act of 2009; H.R. 1345, District of Columbia Hatch Act Reform Act of 2009; H.R. 2392, Government Information Transparency Act; H. Res. 420, Celebrating the symbol of the United States Flag and supporting the goals and ideals of Flag Day; H. Res. 435, Celebrating Asian Pacific American Heritage Month; H.R. 2325, 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, To designate the facility of the United States Postal Service located at 702 East University Avenue in Georgetown, Texas, as the ''Lyle G. West Post Office Building;'' and H.R. 2470, To designate the facility of the United States Postal Service located at 19190 Cochran Boulevard FRNT in Port Charlotte, Florida, as the ''Lieutenant Commander Roy H. Boehm Post Office Building,'' 10 a.m., 2154 Rayburn.

Committee on Rules, June 2, to consider the following bills: H.R. 31, Lumbee Recognition Act; and H.R. 1385, Thomasina E. Jordan Indian Tribe of Virginia Federal Recognition Act of 2009, 5 p.m., H–313 Capitol.

June 3, to consider H.R. 626, Federal Employees Paid Parental Leave Act of 2009, 3 p.m., H–3113 Capitol.

Committee on Science and Technology, June 3, to mark up H.R. 2407, National Climate Service Act of 2009, 2 p.m., 2318 Rayburn.

June 4, Subcommittee on Energy and Environment, hearing on a New Direction for Federal Oil Spill Research and Development, 2 p.m., 2318 Rayburn.

June 4, Subcommittee on Technology and Innovation, to mark up H.R. 2569, To reauthorize surface transportation research, development, and technology transfer activities, 10 a.m., 2318 Rayburn.

Committee on Small Business, June 3, hearing entitled ''Common Ground: Fining Consensus on Health Reform, the Small Business Perspective,'' 1 p.m., 2360 Rayburn.

June 4, Subcommittee on Contracting and Technology, hearing entitled ''Legislative Initiatives to Strengthen and Modernize the SBIR amd STTR programs.'' 10 a.m., 2360 Rayburn.

Committee on Transportation and Infrastructure, June 3, Subcommittee on Water Resources and Environment, hearing on Agency Budgets and Priorities for FY 2010, 10 a.m., 2167 Rayburn.

June 4, full Committee, to consider the following measures: H.R. 2093, Clean Coastal Environment and Public Health Act of 2009; the Sustainable Watershed

Planning Act; the Maritime Workforce Development Act; the Coast Guard Modernization Act; H.R. 2121, To provide for the transfer of certain Federal Property to the Galveston Historical Foundation; H.R. 1687, To designate the Federal building and United States Courthouse located at McKinley Avenue and Third Street, S.W., Canton, Ohio, as the ''Ralph Regula Federal Office Building and United States Courthouse;'' H.R. 2053, To designate the United States Courthouse located at 525 Magoffin Avenue in El Paso, Texas, as the ''Albert Armendariz, Sr., United States Courthouse;'' H. Res. 410, Recognizing the numerous contributions of the recreational boating community and the boating industry to the continuing prosperity and affluence of the United States; General Services Administration Section 11(b) resolution, and other pending business, 11 a.m., 2167 Rayburn.

Committee on Veterans' Affairs, June 3, hearing on a National Commitment to End Veterans Homelessness, 10 a.m., 334 Cannon.

June 3, Subcommittee on Disability Assistance and Memorial Affairs, to mark up the following bills: H.R. 952, COMBAT PTSD Act; and H.R. 2270, Benefits for Qualified World War II Veterans Act of 2009, 2 p.m., 334 Cannon.

June 4, Subcommittee on Economic Opportunity, to mark up the following bills: H.R. 1037, Pilot College Work Study Programs for Veterans Act of 2009; H.R. 1098, Veterans' Worker Retaining Act of 2009; H.R. 1172, To direct the Secretary of Veterans Affairs to include on the Internet website of the Department of Veterans Affairs a list of organizations that provide scholarships to veterans and their survivors; H.R. 1821, Equity for Injured Veterans Act of 2009; H.R. 1879, National Guard Employment Protection Act of 2009; and H.R. 2180, To amend title 38, United States Code, to waive housing loan fees for certain veterans with service-connected disabilities called to active service, 1 p.m., 340 Cannon.

June 4, Subcommittee on Health, to mark up H.R. 1211, Women Veterans Health Care Improvement Act; followed by a hearing on Meeting the Needs of Family Caregivers of Veterans, 10 a.m., 334 Cannon.

Committee on Ways and Means, June 4, Subcommittee on Oversight, hearing on IRS operations, the fiscal year 2010 budget proposals, and the 2009 tax return filing season, 10 a.m., 1100 Longworth.

Permanent Select Committee on Intelligence, June 3, executive, hearing on Human Capital, 4 p.m., 304 HVC. Capitol.

June 4, executive, briefing on Intelligence Matters, 2 p.m., 304 HVC Capitol.

June 4, Subcommittee on Oversight and Investigations, executive, hearing on Intelligence Matters, 10 a.m., 304 HVC, Capitol.

June 5, Subcommittee on Terrorism, HUMINT, Analysis, and Counterintelligence, executive, briefing on Hot Spots, 9 a.m., 304 HVC Capitol.

Joint Meetings

Joint Economic Committee: June 5, to hold hearings to examine the employment situation for May 2009, 9:30 a.m., SD–106.

Résumé of Congressional Activity

FIRST SESSION OF THE ONE HUNDRED ELEVENTH CONGRESS

The first table gives a comprehensive résumé of all legislative business transacted by the Senate and House. The second table accounts for all nominations submitted to the Senate by the President for Senate confirmation.

EXECUTIVE DATA ON LEGISLATIVE ACTIVITY

January 6 through May 31, 2009

	Senate	*House*	*Total*
Days in session	77	68	..
Time in session	540 hrs., 13′	474 hrs., 55′	..
Congressional Record:			
Pages of proceedings	5,889	6,016	..
Extensions of Remarks	..	1,264	..
Public bills enacted into law	12	11	..
Private bills enacted into law	..	..	..
Bills in conference	1	1	..
Measures passed, total	166	340	506
Senate bills	23	10	..
House bills	17	120	..
Senate joint resolutions	4	2	..
House joint resolutions	1	2	..
Senate concurrent resolutions	10	3	..
House concurrent resolutions	15	28	..
Simple resolutions	96	175	..
Measures reported, total	52	123	175
Senate bills	19	1	..
House bills	5	69	..
Senate joint resolutions	..	..	..
House joint resolutions	..	..	..
Senate concurrent resolutions	3	..	..
House concurrent resolutions	..	4	..
Simple resolutions	25	49	..
Special reports	12	3	..
Conference reports	..	3	..
Measures pending on calendar	42	22	..
Measures introduced, total	1,352	3,316	4,668
Bills	1,149	2,637	..
Joint resolutions	16	55	..
Concurrent resolutions	24	136	..
Simple resolutions	163	488	..
Quorum calls	1	1	..
Yea-and-nay votes	202	183	..
Recorded votes	..	107	..
Bills vetoed	..	..	..
Vetoes overridden	..	..	..

* These figures include all measures reported, even if there was no accompanying report. A total of 22 written reports have been filed in the Senate, 129 reports have been filed in the House.

DISPOSITION OF EXECUTIVE NOMINATIONS

January 6 through May 31, 2009

Civilian nominations, totaling 232, disposed of as follows:	
Confirmed	151
Unconfirmed	77
Withdrawn	4
Other Civilian nominations, totaling 832, disposed of as follows:	
Confirmed	452
Unconfirmed	380
Air Force nominations, totaling 4,825, disposed of as follows:	
Confirmed	4,732
Unconfirmed	93
Army nominations, totaling 1,287, disposed of as follows:	
Confirmed	1,001
Unconfirmed	286
Navy nominations, totaling 719, disposed of as follows:	
Confirmed	146
Unconfirmed	573
Marine Corps nominations, totaling 1,475, disposed of as follows:	
Confirmed	1,472
Unconfirmed	3

Summary

Total nominations carried over from the First Session	0
Total nominations received this Session	9,370
Total confirmed	7,954
Total unconfirmed	1,412
Total withdrawn	4
Total returned to the White House	0

Next Meeting of the SENATE

10 a.m., Tuesday, June 2

Senate Chamber

Program for Tuesday: After the transaction of any morning business (not to extend beyond 11 a.m.), Senate will resume consideration of the nomination of Regina McCarthy, to be Assistant Administrator of the Environmental Protection Agency, and vote on confirmation thereon; following which, Senate will resume consideration of the motion to proceed to consideration of H.R. 1256, Family Smoking Prevention and Tobacco Control Act, and vote on cloture thereon.

(Senate will recess from 12:30 p.m. until 2:15 p.m. for their respective party conferences.)

Next Meeting of the HOUSE OF REPRESENTATIVES

2 p.m., Tuesday, June 2

House Chamber

Program for Tuesday: To be announced.

Congressional Record

The *Congressional Record* (USPS 087–390). The Periodicals postage is paid at Washington, D.C. The public proceedings of each House of Congress, as reported by the Official Reporters thereof, are printed pursuant to directions of the Joint Committee on Printing as authorized by appropriate provisions of Title 44, United States Code, and published for each day that one or both Houses are in session, excepting very infrequent instances when two or more unusually small consecutive issues are printed one time. ¶Public access to the *Congressional Record* is available online through *GPO Access*, a service of the Government Printing Office, free of charge to the user. The online database is updated each day the *Congressional Record* is published. The database includes both text and graphics from the beginning of the 103d Congress, 2d session (January 1994) forward. It is available through *GPO Access* at www.gpo.gov/gpoaccess. Customers can also access this information with WAIS client software, via telnet at swais.access.gpo.gov, or dial-in using communications software and a modem at 202–512–1661. Questions or comments regarding this database or *GPO Access* can be directed to the *GPO Access* User Support Team at: E-Mail: gpoaccess@gpo.gov; Phone 1–888–293–6498 (toll-free), 202–512–1530 (D.C. area); Fax: 202–512–1262. The Team's hours of availability are Monday through Friday, 7:00 a.m. to 5:30 p.m., Eastern Standard Time, except Federal holidays. ¶The *Congressional Record* paper and 24x microfiche edition will be furnished by mail to subscribers, free of postage, at the following prices: paper edition, $252.00 for six months, $503.00 per year, or purchased as follows: less than 200 pages, $10.50; between 200 and 400 pages, $21.00; greater than 400 pages, $31.50, payable in advance; microfiche edition, $146.00 per year, or purchased for $3.00 per issue payable in advance. The semimonthly *Congressional Record Index* may be purchased for the same per issue prices. To place an order for any of these products, visit the U.S. Government Online Bookstore at: bookstore.gpo.gov. Mail orders to: Superintendent of Documents, P.O. Box 371954, Pittsburgh, PA 15250–7954, or phone orders to 866–512–1800 (toll free), 202–512–1800 (D.C. area), or fax to 202–512–2250. Remit check or money order, made payable to the Superintendent of Documents, or use VISA, MasterCard, Discover, American Express, or GPO Deposit Account. ¶Following each session of Congress, the daily *Congressional Record* is revised, printed, permanently bound and sold by the Superintendent of Documents in individual parts or by sets. ¶With the exception of copyrighted articles, there are no restrictions on the republication of material from the *Congressional Record*.

POSTMASTER: Send address changes to the Superintendent of Documents, *Congressional Record,* U.S. Government Printing Office, Washington, D.C. 20402, along with the entire mailing label from the last issue received.