

the Congress must work together to determine the best mix of mandates, incentives, and other tools to improve critical infrastructure security.

Fortunately, there is an increasing level of interest and debate on cybersecurity issues in Congress and around the country. The Senate Intelligence Committee, which I have the privilege of chairing, has invested significant time assessing the cyber threat to our country and potential Government responses through the following initiatives: scores of personal meetings and staff briefings with government, private sector, academic, and nonprofit thought-leaders; six cyber hearings in the last 2 years; four 6-month studies by the Committee's Technical Advisory Group; a new, balanced oversight system for federal government cybersecurity programs, as proposed in the fiscal year 2010 intelligence authorization bill; and regular outreach to other congressional committees.

I want to thank my distinguished colleagues, Senators ROCKEFELLER, GILLIBRAND, CARPER, MIKULSKI, LIEBERMAN, COLLINS, REID, LEVIN, BENNETT, SNOWE, LANDRIEU, HATCH, VOINOVICH, and BAYH, for cosponsoring this resolution and for their leadership on this issue. I look forward to working with them and other members of Congress to improve our cybersecurity in the future.

**SENATE RESOLUTION 286—EX-  
PRESSING CONDOLENCES TO THE  
FAMILIES OF THE INDIVIDUALS  
KILLED DURING UNUSUAL  
STORMS AND FLOODS IN THE  
STATE OF GEORGIA BETWEEN  
SEPTEMBER 18 AND SEPTEMBER  
21, 2009, AND EXPRESSING GRATI-  
TUDE TO ALL OF THE EMER-  
GENCY PERSONNEL WHO CON-  
TINUE TO WORK WITH  
UNYIELDING DETERMINATION TO  
MEET THE NEEDS OF GEORGIA'S  
RESIDENTS**

Mr. ISAKSON (for himself and Mr. CHAMBLISS) submitted the following resolution; which was considered and agreed to:

S. RES. 286

Whereas beginning on September 18, 2009, the State of Georgia was hit by days of unusually strong storms that resulted in downpours and flooding;

Whereas numerous Georgia rivers and creeks, including the Chattooga and Chattahoochee Rivers and the Chickamauga Creek, swollen by days of rain, overtopped their banks, creating a dangerous and deadly situation for nearby residents;

Whereas the storms and floods took human lives;

Whereas the floodwater destroyed homes, flooded roadways, including major highways, compromised drinking water, severely damaged plumbing systems, and caused significant damage to homes and businesses;

Whereas on September 21, 2009, Georgia Governor Sonny Perdue declared a state of emergency in 17 counties, including Carroll, Catoosa, Chattooga, Cherokee, Clayton, Cobb, Crawford, DeKalb, Douglas, Forsyth, Fulton, Gwinnett, Newton, Paulding, Rockdale, Stephens, and Walker Counties;

Whereas the National Weather Service estimated that between 15 and 22 inches of rain fell in the metropolitan Atlanta counties of Gwinnett, Douglas, and Paulding between September 18 and September 21, 2009;

Whereas the rains broke a 130-year-old record at Hartsfield-Jackson International Airport;

Whereas hundreds of Georgians were evacuated from their homes, and more than 300 people sought refuge in shelters;

Whereas Governor Perdue estimated that more than 1,000 residences were seriously flooded;

Whereas the weather closed schools in several counties;

Whereas as many as tens of thousands of people were without power in metropolitan Atlanta;

Whereas search and rescue operations functioned in several counties where the water continued to rise;

Whereas the Georgia Emergency Management Agency coordinated with local emergency personnel and worked tirelessly to protect human lives and rescue those threatened by the floods;

Whereas the Georgia Emergency Management Agency facilitated requests for assistance from people and first responders all across the State of Georgia;

Whereas the Georgia Emergency Management Agency and other first responders acted valiantly in life-safety response operations, including delivering sandbags and rescuing people trapped in their cars and homes from the floodwater;

Whereas the Federal Emergency Management Agency activated its national and regional response coordination centers and worked closely with the State of Georgia to monitor the response efforts and identify and respond to any immediate emergency needs for the people and communities of the State that were impacted by the devastating floods; and

Whereas volunteers gave their time to help ensure that evacuees were sheltered, clothed, fed, and comforted through this traumatic event: Now, therefore, be it

*Resolved*, That the Senate—

(1) offers its deepest sympathy and condolences to the families of those who lost their lives in the flooding in the State of Georgia;

(2) expresses its condolences to the families who lost their homes and other property in the floods;

(3) expresses gratitude and appreciation to the people of the State of Georgia and the surrounding States, who worked to protect people from the rising floodwaters;

(4) expresses its support as the Federal Emergency Management Agency responds to the needs of the people and communities affected by the flooding; and

(5) honors the emergency responders, within and beyond metropolitan Atlanta and the State of Georgia, for their bravery and sacrifice during this tragedy.

**SENATE RESOLUTION 287—HON-  
ORING THE 25TH ANNIVERSARY  
OF THE ENACTMENT OF THE  
DRUG PRICE COMPETITION AND  
PATENT TERM RESTORATION  
ACT OF 1984 (THE HATCH-WAX-  
MAN ACT)**

Mr. BROWN submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 287

Whereas on September 24, 1984, the Drug Price Competition and Patent Term Restoration Act of 1984 (Public Law 98-417; 98 Stat.

1585), commonly known as the Hatch-Waxman Act, was signed into law by President Ronald Reagan, at which time President Reagan indicated that generic drugs might save American consumers \$1,000,000,000 over the next 10 years;

Whereas this landmark law created the regulatory mechanism under which the Food and Drug Administration approves safe and affordable generic drugs;

Whereas each year for the past quarter century, the generic pharmaceutical industry has delivered billions of dollars in savings on the purchase of prescription drugs, far exceeding the original estimate;

Whereas a May 2009 report showed that during the preceding 10-year period, the use of generic drugs has saved the American health care system more than \$734,000,000,000, with the most-recent annual average exceeding \$121,000,000,000;

Whereas generic drugs accounted for more than 72 percent of all prescription drugs dispensed, yet accounted for only 17 percent of the spending on all prescription drugs, a differential that reflects the dramatically lower prices paid for generic drugs, which not only reduces consumer and taxpayer spending but also increases patient access to needed medicines; and

Whereas while the Hatch-Waxman Act does not have an explicit pathway for approval by the Food and Drug Administration of lower-priced versions of cutting-edge biologic medicines, which account for a rapidly growing portion of prescription medicine spending, the Act does provide a solid framework for such a pathway: Now, therefore, be it

*Resolved*, That it is the sense of Senate that—

(1) enactment of the Hatch-Waxman Act (Public Law 98-417; 98 Stat. 1585) in 1984 served to create the modern generic pharmaceutical industry, which has provided consumers with access to affordable drugs, yielding significant health and economic benefits for the Nation's health care system;

(2) Senator Orrin Hatch and Representative Henry Waxman deserve the Nation's gratitude for authoring and championing this landmark bipartisan legislation; and

(3) Congress should build on the work of these dedicated policymakers and enact legislation to create a pathway for approval by the Food and Drug Administration of safe and affordable generic versions of biologic medicines.

Mr. BROWN. Mr. President, I rise today to submit a resolution commemorating the 25th Anniversary of the Drug Price Competition and Patent Term Restoration Act, more commonly known as the Hatch-Waxman Act.

This historic legislation—which was signed into law exactly 25 years ago today, on September 24, 1984—marked the culmination of months of lengthy and often contentious debate over how to foster pharmaceutical innovation while at the same time encouraging competition from affordable generic prescription drugs.

Guided by my good friends and colleagues Representative HENRY WAXMAN of California and Senator ORRIN HATCH of Utah, Congress delivered a bill that struck the right balance between innovation and access, and put in place a new regulatory pathway to bring safe and effective generic medicines to market.

I doubt that anyone involved in the passage of Hatch-Waxman could have envisioned a quarter century ago the

magnitude of savings and the significant boost to new drug innovation that this bill has delivered.

According to a May 2009 report of IMS data, the use of FDA-approved generic medicines has saved the U.S. healthcare system approximately \$734 billion over the past 10 years.

Moreover, patients around the world can get needed medication that they would not be able to afford except for access to lower-cost generics.

At the same time, price competition from generics has acted to spur a dramatic increase in new drug research and development.

In short, the Hatch-Waxman Act has delivered above and beyond the intended result.

I urge my colleagues to view the success of this landmark legislation as an indicator of what we can accomplish in the field of biologic medicines.

Biologics are the most promising treatments available for diseases such as cancer, multiple sclerosis, and Alzheimer's, but they are expensive, often costing between \$20,000 and \$100,000 a year.

There is no explicit pathway for Food and Drug Administration approval of generic versions of these medicines under the Hatch-Waxman law; however, there is bipartisan agreement that we need to create one. To do that, we need to focus on our goals and bridge our differences.

The time to do that is now.

Biologic drugs are the fast growing component of prescription drug spending.

These drugs are expected to make up 50 percent of the pharmaceutical marketplace by 2020, but their high prices keep them out of reach for far too many patients and place an increasingly heavy financial burden on consumers, on businesses, and on taxpayers.

In 2007, the top six biologics accounted for more than \$7 billion of the nearly \$17 billion in direct prescription drug spending by Medicare.

That figure will continue to grow, and the amount taxpayers pay depends on whether Medicare can access lower-priced biogenerics or is forced to pay brand-name prices year after year after year.

Biogenerics hold the promise of making life-saving medicines available to all patients at an affordable cost.

With the explosion in biologics, we have a new generation of lifesaving medicines—and a new opportunity to reprise the historic victory Senator ORRIN HATCH and Representative HENRY WAXMAN achieved 25 years ago today.

With biologic use and prices spiraling upward, we have no: time to lose.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 2548. Mr. VITTER submitted an amendment intended to be proposed to amendment SA 2440 submitted by Mr. VITTER and in-

tended to be proposed to the bill H.R. 2996, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table.

SA 2549. Mr. VITTER (for himself, Mr. GRASSLEY, Mr. BUNNING, Mr. ROBERTS, and Mr. BROWNBAC) submitted an amendment intended to be proposed by him to the bill H.R. 2996, supra.

SA 2550. Ms. MURKOWSKI submitted an amendment intended to be proposed to amendment SA 2517 submitted by Mrs. FEINSTEIN and intended to be proposed to the bill H.R. 2996, supra; which was ordered to lie on the table.

SA 2551. Mrs. FEINSTEIN submitted an amendment intended to be proposed to amendment SA 2530 submitted by Ms. MURKOWSKI (for herself and Mr. THUNE) and intended to be proposed to the bill H.R. 2996, supra; which was ordered to lie on the table.

SA 2552. Mr. THUNE submitted an amendment intended to be proposed to amendment SA 2517 submitted by Mrs. FEINSTEIN and intended to be proposed to the bill H.R. 2996, supra; which was ordered to lie on the table.

SA 2553. Mr. SCHUMER submitted an amendment intended to be proposed to amendment SA 2513 submitted by Mr. SCHUMER and intended to be proposed to the bill H.R. 2996, supra; which was ordered to lie on the table.

SA 2554. Mrs. FEINSTEIN submitted an amendment intended to be proposed to amendment SA 2511 proposed by Mr. COBURN to the bill H.R. 2996, supra; which was ordered to lie on the table.

SA 2555. Mr. JOHANNIS submitted an amendment intended to be proposed by him to the bill H.R. 3326, making appropriations for the Department of Defense for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table.

#### TEXT OF AMENDMENTS

SA 2548. Mr. VITTER submitted an amendment intended to be proposed to amendment SA 2440 submitted by Mr. VITTER and intended to be proposed by him to the bill H.R. 2996, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

In lieu of the matter proposed to be inserted, insert the following:

##### FUNDING LIMITATION

SEC. 4. None of the funds made available by this Act may be obligated for the purpose of departments or agencies funded by this Act and lead by Senate-confirmed appointees implementing policies of the Assistant to the President for Energy and Climate Change (commonly known as the "White House Climate Change Czar").

SA 2549. Mr. VITTER (for himself, Mr. GRASSLEY, Mr. BUNNING, Mr. ROBERTS and Mr. BROWNBAC) submitted an amendment intended to be proposed by him to the bill H.R. 2996, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2010, and for other purposes; as follows:

At the appropriate place, insert the following:

##### FUNDING LIMITATION

SEC. \_\_\_\_\_. None of the funds made available by this Act may be obligated for the purpose of departments or agencies funded by this Act and lead by Senate-confirmed appointees implementing policies of the Assistant to the President for Energy and Climate Change (commonly known as the "White House Climate Change Czar").

SA 2550. Ms. MURKOWSKI submitted an amendment intended to be proposed to amendment SA 2517 submitted by Mrs. FEINSTEIN and intended to be proposed to the bill H.R. 2996, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 1, line 8, strike "greenhouse gases" and all that follows through page 2, line 7, and insert "carbon dioxide."

SA 2551. Mrs. FEINSTEIN submitted an amendment intended to be proposed to amendment SA 2530 submitted to Ms. MURKOWSKI (for herself and Mr. THUNE) and intended to be proposed to the bill H.R. 2996, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 1, strike line 6 and all that follows through the end of the amendment and insert the following:

SEC. 201. None of the funds made available under this Act may be used to apply the permit program under part C of title I, or under title V, of the Clean Air Act (42 U.S.C. 7440 et seq., 7661 et seq.) to any stationary source, on the basis of its emissions of greenhouse gases, that—

(1) is a farm, as the term is defined in section 6420(c)(2) of the Internal Revenue Code of 1986; or

(2) is not subject to the requirement to report greenhouse gas emissions under the final Environmental Protection Agency rule entitled "Mandatory Reporting of Greenhouse Gases" and numbered 2060-A079.

SA 2552. Mr. THUNE submitted an amendment intended to be proposed to amendment SA 2517 submitted by Mrs. FEINSTEIN and intended to be proposed to the bill H.R. 2996, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

In lieu of the matter proposed to be inserted, insert the following:

##### SEC. 423. PROHIBITION ON USE OF FUNDS.

None of the funds made available under this Act may be used to apply the permit program under part C of title I, or under title V, of the Clean Air Act (42 U.S.C. 7440 et seq., 7661 et seq.) to any stationary source, on the basis of its emissions of greenhouse gases, if—

(1) the stationary source—

(A) is a farm, as the term is defined in section 6420(c)(2) of the Internal Revenue Code of 1986; or

(B) is not subject to the requirement to report greenhouse gas emissions under the final Environmental Protection Agency rule entitled "Mandatory Reporting of Greenhouse Gases" and numbered 2060-A079; or