

HIV/AIDS Prevention and Treatment (referred to in this section as the "Director").

"(b) DUTIES.—The Director shall—

"(1) coordinate and promote HIV/AIDS prevention and treatment activities specific to Indians;

"(2) provide technical assistance to Indian tribes, tribal organizations, and urban Indian organizations regarding existing HIV/AIDS prevention and treatment programs; and

"(3) ensure interagency coordination to facilitate the inclusion of Indians in Federal HIV/AIDS research and grant opportunities, with emphasis on the programs operated under the Ryan White Comprehensive Aids Resources Emergency Act of 1990 (Public Law 101-381; 104 Stat. 576) and the amendments made by that Act.

"(c) REPORT.—Not later than 2 years after the date of enactment of the Indian Health Care Improvement Reauthorization and Extension Act of 2009, and not less frequently than once every 2 years thereafter, the Director shall submit to Congress a report describing, with respect to the preceding 2-year period—

"(1) each activity carried out under this section; and

"(2) any findings of the Director with respect to HIV/AIDS prevention and treatment activities specific to Indians."

## TITLE II—AMENDMENTS TO OTHER ACTS

### SEC. 201. MEDICARE AMENDMENTS.

(a) IN GENERAL.—Section 1880 of the Social Security Act (42 U.S.C. 1395qq) is amended—

(1) by redesignating subsection (f) as subsection (g); and

(2) by inserting after subsection (e) the following:

"(f) PROHIBITION.—Payments made pursuant to this section shall not be reduced as a result of any beneficiary deductible, coinsurance, or other charge under section 1813."

(b) PAYMENT OF BENEFITS.—Section 1833(a)(1)(B) of the Social Security Act (42 U.S.C. 1395l(a)(1)(B)) is amended by inserting "or 1880(e)" after "section 1861(s)(10)(A)".

### SEC. 202. REAUTHORIZATION OF NATIVE HAWAIIAN HEALTH CARE PROGRAMS.

(a) REAUTHORIZATION.—The Native Hawaiian Health Care Act of 1988 (42 U.S.C. 11701 et seq.) is amended by striking "2001" each place it appears in sections 6(h)(1), 7(b), and 10(c) (42 U.S.C. 11705(h)(1), 11706(b), 11709(c)) and inserting "2019".

(b) HEALTH AND EDUCATION.—

(1) IN GENERAL.—Section 6(c) of the Native Hawaiian Health Care Act of 1988 (42 U.S.C. 11705) is amended by adding at the end the following:

"(4) HEALTH AND EDUCATION.—In order to enable privately funded organizations to continue to supplement public efforts to provide educational programs designed to improve the health, capability, and well-being of Native Hawaiians and to continue to provide health services to Native Hawaiians, notwithstanding any other provision of Federal or State law, it shall be lawful for the private educational organization identified in section 7202(16) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7512(16)) to continue to offer its educational programs and services to Native Hawaiians (as defined in section 7207 of that Act (20 U.S.C. 7517)) first and to others only after the need for such programs and services by Native Hawaiians has been met."

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) takes effect on December 5, 2006.

(c) DEFINITION OF HEALTH PROMOTION.—Section 12(2) of the Native Hawaiian Health Care Act of 1988 (42 U.S.C. 11711(2)) is amended—

(1) in subparagraph (F), by striking "and" at the end;

(2) in subparagraph (G), by striking the period at the end and inserting "and"; and

(3) by adding at the end the following:

"(H) educational programs with the mission of improving the health, capability, and well-being of Native Hawaiians."

## PRIVILEGES OF THE FLOOR

Mr. BAUCUS. Mr. President, I ask unanimous consent that Sarah Allen, Ryan Nalty, and Grant Jamieson, staff of the Finance Committee, be granted the privilege of the floor for the duration of debate on the health care bill.

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

Mr. BAUCUS. Mr. President, I ask unanimous consent that Sara Velde of Senator HARKIN's staff be granted the privilege of the floor during the duration of today's session.

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

## DISCHARGE AND REFERRAL— S. 2129

Mr. BAUCUS. I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be discharged from further consideration of S. 2129 and the bill be referred to the Committee on Environment and Public Works.

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

## SUPPORTING PEACE, SECURITY, AND INNOCENT CIVILIANS AF- FECTED BY CONFLICT IN YEMEN

Mr. BAUCUS. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 212, S. Res. 341.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 341) supporting peace, security, and innocent civilians affected by conflict in Yemen.

There being no objection, the Senate proceeded to consider the resolution.

Mr. BAUCUS. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and any statements relating to the resolution be printed in the RECORD.

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

The resolution (S. Res. 341) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

### S. RES. 341

Whereas the people and Government of Yemen currently face tremendous security challenges, including the presence of a substantial number of al Qaeda militants, a rebellion in the northern part of the country, unrest in southern regions, and piracy in the Gulf of Aden;

Whereas these security challenges are compounded by a lack of governance throughout portions of the country;

Whereas this lack of governance creates a de facto safe haven for al Qaeda and militant forces in regions of Yemen;

Whereas Yemen also faces significant development challenges, reflected in its ranking of 140 out of 182 countries in the United Nations Development Program's 2009 Human Development Index;

Whereas Yemen is also confronted with limited and rapidly depleting natural resources, including oil, which accounts for over 75 percent of government revenue, and water, ⅓ of which goes to the cultivation of qat, a narcotic to which a vast number of Yemenis are addicted;

Whereas government subsidies are contributing to the depletion of Yemen's scarce resources;

Whereas the people of Yemen suffer from a lack of certain government services, including a robust education and skills training system;

Whereas the Department of State's 2009 International Religious Freedom Report notes that nearly all of the once-sizeable Jewish population in Yemen has emigrated, and, based on fears for the Jewish community's safety in the country, the United States Government has initiated a special process to refer Yemeni Jews for refugee resettlement in the United States;

Whereas women in Yemen have faced entrenched discrimination, obstacles in accessing basic education, and gender-based violence in their homes, communities, and workplaces while little is done to enforce or bolster the equality of women;

Whereas these challenges pose a threat not only to the Republic of Yemen, but to the region and to the national security of the United States;

Whereas, to the extent that Yemen serves as a base for terrorist operations and recruitment, these threats must be given sufficient consideration in the global strategy of the United States to combat terrorism;

Whereas this threat has materialized in the past, including the March 18 and September 17, 2008, attacks on the United States Embassy in Sana'a and the October 12, 2000, attack on the U.S.S. Cole while it was anchored in the Port of Aden, as well as numerous other terrorist attacks;

Whereas the population of Yemen has suffered greatly from conflict and underdevelopment in Yemen;

Whereas up to 150,000 civilians have fled their homes in northern Yemen since 2004 in response to conflict between Government of Yemen forces and al-Houthi rebel forces; and

Whereas the people and Government of the United States support peace in Yemen and improved security, economic development, and basic human rights for the people of Yemen: Now, therefore, be it

*Resolved*, That the Senate—

(1) supports the innocent civilians in Yemen, especially displaced persons, who have suffered from instability, terrorist operations, and chronic underdevelopment in Yemen;

(2) recognizes the serious threat instability and terrorism in Yemen pose to the security of the United States, the region, and the population in Yemen;

(3) calls on the President to give sufficient weight to the situation in Yemen in efforts to prevent terrorist attacks on the United States, United States allies, and Yemeni civilians;

(4) calls on the President to promote economic and political reforms necessary to advance economic development and good governance in Yemen;

(5) applauds steps that have been taken by the President and the United Nations High Commissioner for Refugees to assist displaced persons in Yemen;

(6) urges the Government of Yemen and rebel forces to immediately halt hostilities, allow medical and humanitarian aid to reach civilians displaced by conflict, and create an environment that will enable a return to normal life for those displaced by the conflict; and

(7) calls on the President and international community to use all appropriate measures to assist the people of Yemen to prevent Yemen from becoming a failed state.

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RELATIVE TO THE DEATH OF  
FORMER SENATOR PAULA F.  
HAWKINS

Mr. BAUCUS. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of S. Res. 370, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 370) relative to the death of Paula F. Hawkins, former United States Senator for the State of Florida.

There being no objection, the Senate proceeded to consider the resolution.

Mr. LEMIEUX. Mr. President, I rise to express my sorrow at the passing of former U.S. Senator Paula Hawkins and to pay tribute to her long life and groundbreaking career of public service.

A resident of central Florida, Paula Hawkins began her political career in 1972 when she was elected to Florida's Public Services Commission where she served for two consecutive terms and worked to become a vibrant voice for consumers.

Paula Hawkins aspired to continue her public service by running for higher office, first for the U.S. Senate in 1974, and then for Lieutenant Governor in 1978. Though both times she lost the race, she never gave up and never lost the desire to continue working for Floridians.

Paula made history in 1980 when she became the first woman from Florida to be elected to the U.S. Senate and the first woman from Florida to be elected to Federal office.

During her tenure in the Senate, Senator Hawkins became an outspoken champion for America's victimized children and brought a special focus to the problem of child abduction. Driven by the disappearance of 6-year-old Florida resident Adam Walsh, Senator Hawkins ushered passage of landmark legislation focusing on the issue of

missing children. Her work would ultimately help to establish the National Center for Missing & Exploited Children. She also supported a special unit at the Federal Bureau of Investigation that would focus solely on profiling serial killers.

Though I am saddened by her passing, I am honored today to serve in the same class as Senator Hawkins—a seat she held before being succeeded by former Senator Bob Graham, and my predecessor, Senator Mel Martinez.

The citizens of our United States owe a debt of gratitude to this great Floridian and we shall not soon forget the work of Senator Hawkins.

Mr. BAUCUS. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table.

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

The resolution (S. Res. 370) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 370

Whereas Paula F. Hawkins was a staunch consumer advocate and served the citizens of the State of Florida on its Public Service Commission for seven years, serving as its Chairman for three years;

Whereas Paula F. Hawkins was instrumental in passing the Missing Children's Assistance Act of 1984 and worked to help establish the National Center for Missing and Exploited Children;

Whereas Paula F. Hawkins served the people of Florida with distinction for 6 years in the United States Senate;

*Resolved*, That the Senate has heard with profound sorrow and deep regret the announcement of the death of the Honorable Paula F. Hawkins, former member of the United States Senate.

*Resolved*, That the Secretary of the Senate communicate these resolutions to the House of Representatives and transmit an enrolled copy thereof to the family of the deceased.

*Resolved*, That when the Senate adjourns today, it stand adjourned as a further mark of respect to the memory of the Honorable Paula F. Hawkins.

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ORDERS FOR SATURDAY,  
DECEMBER 5, 2009

Mr. BAUCUS. I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. on Saturday, December 5; 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 resume consideration of H.R. 3590, the health care reform legislation, with the first 3 hours following any leader remarks equally divided between the two leaders or their designees and controlled in 45-minute alternating blocks of time, with the majority controlling the first block, and with no other motions or amendments in order during the controlled time.

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

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PROGRAM

Mr. BAUCUS. Mr. President, Senators should expect rollcall votes tomorrow afternoon. There will be no rollcall votes prior to 1 p.m.

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ADJOURNMENT UNTIL 10 A.M.  
TOMORROW

Mr. BAUCUS. If there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the provisions of S. Res. 370, as a further mark of respect to the memory of the late Paula Hawkins, a former Senator from the State of Florida.

Thereupon, the Senate, at 6:50 p.m., adjourned until Saturday, December 5, 2009, at 10 a.m.

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NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF TRANSPORTATION

DAVID L. STRICKLAND, OF GEORGIA, TO BE ADMINISTRATOR OF THE NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION, VICE NICOLE R. NASON, RESIGNED.

TENNESSEE VALLEY AUTHORITY

WILLIAM B. SANSOM, OF TENNESSEE, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE TENNESSEE VALLEY AUTHORITY FOR A TERM EXPIRING MAY 18, 2014. (RE-APPOINTMENT)

DEPARTMENT OF STATE

JUDITH ANN STEWART STOCK, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF STATE (EDUCATIONAL AND CULTURAL AFFAIRS), VICE GOLI AMERI, RESIGNED.

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

*To be major general*

BRIG. GEN. MARY A. LEGERE

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

*To be lieutenant general*

MAJ. GEN. THOMAS P. BOSTICK

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

*To be lieutenant general*

MAJ. GEN. ROBERT L. CASLEN, JR.