It is very contradictory. I would say, to what I think is the view of a majority of Americans. Frankly, one of the reasons I think many of us opposed the health care bill when it was under consideration in the Senate—and the Senator from Wyoming made some excellent points during the course of that debate about his experience with health care as a practicing physician—is that clearly the American model is one that is very different from the European model.

What I disagree with Mr. Berwick is somebody who wants to remake the American health care system in the image of the model that we see in places such as Europe. His example of the British health care system, about which he is romantic, is a good example of how he intends to implement the health care bill passed in the Senate.

We have argued all along that the intention of those behind it is to move us in the direction of a more single-payer, European model as opposed to what we have experienced in this country and have enjoyed for such a long time, and that is one that has its basis at least in the market where we have individuals who are in charge of making decisions, as opposed to some government bureaucrat.

This is very unfortunate in terms of the fact that this was an appointment that was made in the recess without the normal process being adhered to, with a lot of the actions coming in the Senate to answer questions and actually having a vote in the Senate.

For our colleagues on the other side to argue that the reason they had to do this was because Republicans were slowing or somehow delaying this process is completely inconsistent with any of the facts. As I said before, 454 days before the President put his nomination forward. Certainly, it is not the Republicans' fault they did not have a nominee then. When they had that they did not have a hearing and there has not been a vote in the committee and now not a vote on the floor of the Senate is unfortunate, given the consequences and the impact the person who occupies this position is going to have with regard to delivery of this new health care reform legislation. Mr. BARRASSO. It was interesting, on this floor someone on the other side of the aisle stood and said: If you are against it, why don't you raise your hand. With whom are you on? As I see my colleague from South Dakota, I can answer that question, and he can answer that question. If you are against it, Dr. Berwick, then whose side are you on? As I see my colleague from South Dakota, I can answer that question, and he can answer that question.

Once again, the American people are not going to have their voices heard because the American people are going to be denied an opportunity to voice their opposition to this nominee to their elected representatives because the President denied him a vote this Congress and made a decision to appoint someone at a time when the American people wanted their voices heard.

Madam President, I yield the floor, and I suggest the absence of a quorum. The ACTING PRESIDENT pro tempore. The clerk will call the roll. The legislative clerk proceeded to call the roll. Mr. KAUFMAN. Madam 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.

TRIBUTE TO DR. EDDIE BERNARD

Mr. KAUFMAN. Madam President, I rise once again to recognize one of our Nation's great Federal employees. Here are all the employees we have recognized to date. Madam President, we in Washington are in the midst of a summer heat wave. I know it is the same for millions of Americans across the country. This comes on the heels of a harsh winter where the Capital City endured heavy snowfall that shut down businesses and even certain government offices. The powerful forces of nature continue to challenge us.

Many Americans only notice weather in its extremes. The hard-working men and women of the National Oceanic and Atmospheric Administration, or NOAA, spend their careers making it easier for us to address nature's challenges. This year marks the 40th anniversary of NOAA. It was created in 1970 from three former agencies, and since that time NOAA employees have been at the forefront of weather prediction, oceanography, and fishery management.

Whenever anyone turns on the television and sees an alert from the National Weather Service, that is NOAA at work. If you go to the Pacific coast and enjoy the beaches, you can feel safe knowing that NOAA's tsunami warning system stands at the ready. NOAA personnel are also leading the way to ensure the long-term sustainability of our coastal fisheries so those who make their living from the sea can continue to do so for generations to come.

The great Federal employee I am recognizing today won the 2008 Service to America Medal for Homeland Security for his work at NOAA helping to detect and warn against destructive tsunamis. Dr. Eddie Bernard has served as Director of NOAA's Pacific Marine Environmental Laboratory in Seattle, WA, since 1982. One of the leading experts on tsunamis, he has published over 80 scientific articles and edited books on the phenomenon.

For 3 years Eddie directed the National Tsunami Warning Center in Hawaii, and he was the chairperson of the National Tsunami Hazard Mitigation Steering Committee, a joint Federal-State effort. In addition to his work on tsunamis, as Director of the Pacific Marine Environmental Laboratory Eddie oversees a number of important oceanographic research programs such as El Nino forecasts and studies of underwater volcanoes.

Eddie received his bachelor's degree in physics from Lamar University, and he holds master's and doctoral degrees in physical oceanography from Texas A&M.

In order to protect our coastlines against damage from Pacific tsunamis such as the one that devastated the coasts of South Asia in 2004, Eddie led the development of the innovative DART system. As a tsunami wave moves under the ocean, DART—which stands for deep ocean assessment of tsunamis—uses buoys to report data back to the Tsunami Warning Centers. It took years to perfect, and Eddie and his team had half a decade of experience to a 60-percent accuracy rate in predicting the scope and intensity of incoming tsunamis. As it turns out, they
were able to achieve over 90 percent accuracy with DART. Their system became the basis for the Tsunami Warning and Education Act, which passed the Congress in 2006. Eddie was instrumental in helping to draft that legislation which strengthened tsunami detection, warning, and mitigation programs to ensure that we are prepared for even the worst-case scenarios.

The work of NOAA employees is often not glamorous, but it saves lives, protects property and helps to prepare our coastal communities to meet the challenges of nature. My home State of Delaware is filled with coastal communities, and the work NOAA performs in a range of areas to help coastal States such as Delaware in so many ways.

I hope my colleagues will join me in thanking Dr. Eddie Bernard and all those at NOAA who continue to monitor the seas and skies on our behalf. They are all truly great Federal employees.

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

The PRESIDING OFFICER (Mr. Udall of New Mexico). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

INCREASED PAPERWORK BURDEN

Mr. JOHANNIS. Mr. President, I rise today to speak about something I think is enormously important in terms of our businesses and job creation. There are many unintended consequences contained in the health care bill that was recently passed, but I think one of the most egregious is the effect on small businesses that are, by all agreement, the engine of our economic growth. In fact, various analyses have been done, and they conclude that 65 percent of the new jobs created come from the small business engine in our Nation.

Section 9006 of the new health care law will have a profound impact on small businesses in Nebraska—but not just Nebraska, across this great Nation. Beginning in 2012, if a business purchases more than $600 of goods from another business, it will be required to provide the business and the Internal Revenue Service the 1099 tax form. Previously, such disclosures were only required for the purchase of services. Now routine business expenses will be subject to an increased paperwork burden at tax time.

Let me give some examples of the impact that is going to have. Think about the phone costs for that small business, Internet, simple office products, even the cost of shipping goods from point A to point B now are going to generate this requirement of a 1099 tax form.

Back in my State what that means is, if a rancher buys $100 worth of feed every month, then that rancher is going to have to submit a 1099 to the feed store and then file it with the IRS. If the restaurant owner up the street buys $600 worth of napkins or ketchup or menus or garbage bags over the course of a year, guess what. They start laying off people.

Think about how that paperwork is going to burden that small business. This includes transactions with corporate as well as noncorporate entities. It also applies to government entities at the local, State, and Federal levels. Larger, more diversified suppliers will be required for the purchaser to reduce the paperwork. The fewer different transactions that total $600 or more, the less paperwork. So the little guy loses.

The National Taxpayer Advocate said recently they are “concerned that the new reporting burden, particularly as it falls on small businesses, may turn out to be disproportionate as compared with any resulting improvement in tax compliance.”

The Advocate report lays out several reasons why this new provision of the law is causing so much concern. The report questions whether the new data will lead to better tax compliance. “The IRS will face challenges making productive use of this new volume of information reports.”

For example, the new 1099’s will not match tax returns due to returned goods or other technical reasons. The report predicts the IRS will improperly assess penalties for not filing forms. Again, I am quoting: It must abate later, after great expenditure of taxpayer and IRS time and effort.

Finally, a chilling prediction in the report says:

Small businesses that lack the capacity to track customer purchases . . . may lose customers, leaving the economy with more large national vendors and less local competition.

It is clear that section 9006 attacks small businesses across this country. That is why I am introducing legislation to eliminate this barrier. My effort, which I call the Small Business Paperwork Mandate Elimination Act, would fully repeal section 9006 of the health care law and eliminate this ridiculous paperwork burden. I urge my colleagues to support me in this effort. Overburdening our job creators is not good policy, especially in this time in our economic recovery.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. WHITEHOUSE. Mr. President, may I speak for 15 minutes as in morning business?

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