

HEALTH CARE REFORM

Mr. BARRASSO. Mr. President, I rise today to address comments made on the floor of the U.S. Senate on June 8, 2010. The senior Senator from Montana accused me of slandering an individual. That individual is President Obama's nominee to be the next Centers for Medicare and Medicaid Services, CMS, Administrator, Dr. Donald Berwick.

The Senator from Montana is incorrect. I want the record to accurately reflect the foundation on which I made my comments on the floor. I told the Senate that the nominee to be the next CMS Administrator "loves the British health care system and says we are going to need to ration care. The new Director of Medicare is planning to ration care."

I based my comments solely on historic statements made and articles written by the nominee about the British health care system and rationing care. These statements include:

1. "The decision is not whether or not we will ration care—the decision is whether we will ration with our eyes open." You can find this statement in: "Rethinking Comparative Effectiveness Research," An Interview with Dr. Donald Berwick, *Biotechnology Healthcare*, June 2009.

2. "I fell in love with the NHS to an American observer, the NHS . . . is such a seductress." You can find this statement in: "Celebrating Quality 1998–2008" by Donald Berwick, M.D., speech at London Science Museum, September 30, 2008.

3. "The NHS is not just a national treasure; it is a global treasure. As unabashed fans, we urge a dialogue on possible forms of stabilization to better provide the NHS with the time, space, and constancy of purpose to realize its enormous promise." You can find this statement in: "Steadying the NHS" by Donald Berwick, M.D. and Sheila Leatherman, *BMJ*, July 29, 2006, p. 255.

4. "Cynics beware: I am romantic about the National Health Service; I love it. All I need to do to rediscover the romance is to look at health care in my own country." You can find this statement in: "A Transatlantic Review of the NHS at 60" by Donald Berwick, M.D., *BMJ*, July 26, 2008, p. 213.

5. "Here [in Britain], you choose the harder path. You plan the supply; you aim a bit low; you prefer slightly too little of a technology or a service to too much; then you search for care bottlenecks and try to relieve them." You can find this statement in: "A Transatlantic Review of the NHS at 60" by Donald Berwick, M.D., *BMJ*, July 26, 2008, p. 213.

REQUEST FOR CONSULTATION

Mr. COBURN. I ask unanimous consent that my letter to Senator MCCONNELL dated June 9, 2010, 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 9, 2010.

Hon. MITCH MCCONNELL,

Senate Minority Leader,

U.S. Senate, Washington, DC.

DEAR SENATOR MCCONNELL: I am requesting that I be consulted before the Senate enters into any unanimous-consent agreements or time limitations regarding S. 3019/H.R. 3695, Billy's Law.

I support the goals of this legislation and believe that information regarding missing persons and unidentified remains should be accurate and properly maintained. However, I believe that we can and must do so in a fiscally responsible manner. My concerns are included in, but not limited to, those outlined in this letter.

While this bill is well-intentioned, it costs the American people over \$64 million. This legislation has received no process in the Senate Judiciary Committee, as it was only recently introduced on February 23, 2010. As a member of the Judiciary Committee, I believe, prior to floor consideration, legislation under the committee's jurisdiction should be processed in regular order. Appropriate hearings and debate in committee markup are essential to all legislation, especially legislation like Billy's Law, which spends significant federal dollars, authorizes new programs and requires the sharing of personally identifiable information between government databases.

Although additional resources may be necessary, we should act responsibly by reviewing current operations, evaluating their effectiveness, and then determining the best strategy for addressing the areas with the most need. That cannot be accomplished with constant use of the hotline process. The Congressional Research Service estimates that 94% of all measures passed by the Senate do not receive a roll call vote. The hotline process is even more detrimental to transparency and oversight when legislation, like Billy's Law, is hotlined without going through regular committee order.

Moreover, it is irresponsible for Congress to jeopardize the future standard of living of our children by borrowing from future generations. The U.S. national debt is now \$13 trillion. That means over \$42,000 in debt for each man, woman and child in the United States. A year ago, the national debt was \$11.2 trillion. Despite pledges to control spending, Washington adds \$4.6 billion to the national debt every single day—that is \$3.2 million every single minute.

In addition to the above, there are several specific problems with this legislation. First, Billy's Law seeks to authorize the National Missing and Unidentified Persons System (NamUs), an online repository for information about missing persons and unidentified remains. However, this database has been in operation, without Congressional authorization, since 2007. Before we seek to condone an existing program by providing a Congressional authorization, we should perform rigorous oversight of NamUs to determine whether there is existing waste, fraud and abuse or ways to increase its efficiency. Without the opportunity to conduct hearings and committee markup, it is impossible to effectively examine and evaluate the current operation of NamUs.

Second, merely to maintain NamUs, Billy's Law authorizes \$2.4 million per year for fiscal years 2011 through 2016, totaling \$14.4 million, without corresponding offsets. This

authorization exceeds the yearly sum of \$1.3 million the Department of Justice indicates is necessary to maintain the database. Furthermore, according to the Congressional Research Service, Congress already provides funding for NamUs via the National Institute of Justice and the Community Oriented Policing Service. I am concerned that this bill will enable NamUs to double dip into multiple sources of funding for the same purposes.

Third, the bill requires the National Crime Information Center (NCIC) database and NamUs to share information on missing persons and unidentified remains. While the bill requires the Attorney General and Director of the Federal Bureau of Investigation (FBI) to establish rules on confidentiality of this information, I remain concerned about the protection of this personally identifiable information.

NamUs is accessible not only by law enforcement, but also the public. NamUs is comprised of two smaller databases—the Missing Persons Database and the Unidentified Remains Database. While the Unidentified Remains Database does not allow the public to enter information and restricts certain information from being accessed by the public, the Missing Persons Database allows both the public and law enforcement to submit information about missing persons. There is no way to guarantee the consistency and accuracy of publicly entered information. The ability of NamUs and NCIC to share information via this legislation magnifies these concerns.

Fourth, the bill also establishes an Incentive Grants Program to provide law enforcement, coroners, medical examiners and other authorized agencies with grants to facilitate reporting information to both NCIC and NamUs. These grants can be used for very broad purposes, including hiring, contracting and "other purposes consistent with the goals of this section." I believe that state and local law enforcement and other state or locally-run agencies should bear the burden of reporting state and local information. If these databases are, in fact, effective and further the investigations carried out by state and local law enforcement, they should be willing to prioritize funding in their own budgets to utilize the databases accordingly.

Furthermore, the task of investigating missing person and unidentified remains cases often falls primarily on state and local law enforcement. As a result, the federal government should not bear the entire cost for either the Incentive Grants Program or the operation of the NamUs database. For the Incentive Grants Program, the bill authorizes \$10 million per year for fiscal years 2011 through 2015, totaling \$50 million that is not offset by reductions in real spending elsewhere in the federal budget. In addition, there is no limit on the amount that the Attorney General may award for each grant. Rather, the Attorney General has the discretion to determine how much each grantee receives.

In addition to offsets for federal spending on these programs, I believe all funding in this legislation should be borne at least equally between the states and the federal government. It is clear that state and local law enforcement will be utilizing NamUs often. In fact, the Incentive Grants Program authorized in this bill is specifically to help state and local entities "facilitate the process of reporting information regarding missing persons and unidentified remains to the NCIC database and NamUs databases. . . ."

While there is no question that law enforcement should endeavor to quickly locate

missing persons and return them to their families, the federal government is already making efforts to facilitate this process. Congress should, like many American individuals and companies do with their own resources, evaluate current programs, determine any needs that may exist and prioritize those needs for funding by cutting from the federal budget programs fraught with waste, fraud, abuse and duplication.

Sincerely,

TOM A. COBURN, M.D.,
United States Senator.

REMEMBERING DOROTHY KAMENSHEK

Mrs. BOXER. Mr. President, I ask my colleagues to join me in honoring the memory of Dorothy Kamenshek who passed away on May 17 at her home in Palm Desert, CA. She was 84 years old.

Dorothy Kamenshek was born in Norwood, OH, on December 21, 1925. Her gifts on the diamond were evident from the time she attended the tryouts for an all women's baseball league in Cincinnati while she was a high school senior. Her performance at the tryouts earned her an invitation to participate in the final tryouts that were held at Wrigley Field in Chicago. From the Wrigley Field tryouts, Ms. Kamenshek would emerge as one of two women from Cincinnati who were selected to play in the fledgling All-American Girls Professional Baseball League.

The All-American Girls Professional Baseball League was the brainchild of Chicago Cubs owner, Phillip Wrigley, who sought to fill the void that had been created by the disbanding of many minor league teams as a result of young men who were drafted into the armed services during World War II. The existence of the All-American Girls Professional Baseball League nearly paralleled the span of Ms. Kamenshek's playing career from 1943-1954. During her career, Ms. Kamenshek all-around excellence on and off the field earned her the admiration of many fans and the respect of her peers.

Ms. Kamenshek was undoubtedly one of the finest players in the All-American Girls Professional Baseball League. The league's all-time batting leader with a .292 average, she had a smooth left-handed swing that earned her consecutive batting titles in 1946 and 1947. The leadoff hitter for the Rockford Peaches, she used her speed on the base paths to create havoc for her opponents as she compiled 657 stolen bases during her career. An all-around baseball player, Ms. Kamenshek's work with the glove once prompted former New York Yankees first baseman Wally Pipp to observe that she was "the fanciest fielding first baseman that I've ever seen, man or woman."

Ms. Kamenshek would lead her team, the Rockford Peaches, to four championships before her career was cur-

tailed by a back injury. A driven person who was not going to rest on her laurels, she earned a bachelor's degree in physical therapy from Marquette University after her baseball career. In 1961, she moved to California where she worked as a staff physical therapist, supervisor and chief of therapy services for the Los Angeles County disabled children's services agency. After her retirement from Los Angeles County in 1980, she continued to treat patients in acute care on a part-time basis for the next 6 years.

In 1992, the story of Ms. Kamenshek and the other women who played in the All-American Girls Professional Baseball League was introduced to a new generation of Americans by the popular movie "A League of Their Own." In the movie, the character of Dottie Hinson, played by Geena Davis, was presented as the best player in the league and was named Dottie as a tribute to Ms. Kamenshek, who was affectionately known as Dottie to her friends. In 1999, Sports Illustrated named Ms. Kamenshek one of its top 100 female athletes of the 20th century.

On the field, Dorothy Kamenshek is widely regarded as the greatest female baseball player ever. Off the field, her legacy will be one of a pioneer who, through sheer talent and determination, achieved excellence in a sport that was once deemed to be beyond the physical capacity of females. Dorothy Kamenshek inspired generations of Americans to chip away at the glass ceiling to follow their dreams and pursue endeavors and careers of their own choosing.

She will be dearly missed.

ADDITIONAL STATEMENTS

100TH ANNIVERSARY OF THE FOUNDING OF DANTE, SOUTH DAKOTA

• Mr. JOHNSON. Mr. President, today I pay tribute to the 100th anniversary of the founding of Dante, SD. Small towns like Dante embody South Dakota values, and are the cornerstone of our State.

Dante was founded as a railroad town when a group of farmers were concerned with their ability to haul grain between Wagner and Avon. The farmers approached the Chicago, Milwaukee, and St. Paul Railroad to set up a depot between the towns. After getting a petition signed, the railroad expanded to the newly formed town. Planted in 1907, Dante was incorporated in 1912. Originally called Mayo after H.T. Mayo who donated the land to the town, the railroad company objected to the name. Mr. Mayo was asked for a name to which he reportedly said, "Call it Dante's Inferno for all I care!" In 1911, Dante had flourished enough to support the Dante Bowling Alley and Pool Hall.

The school was opened in 1912 and stayed open until 1971.

To celebrate the town's anniversary, Dante will be having music, a softball tournament, games and more. With something for everyone, this weekend's celebration is sure to be an enjoyable experience as Dante comes together to celebrate this historic anniversary. I would like to congratulate the people of Dante on reaching this historic milestone, and offer them best wishes on the years to come.●

TRIBUTE TO DR. ANN SOUTHERLAND

• Mr. LEMIEUX. Mr. President, today I wish to bring special recognition to Dr. Ann Marie Phillips Southerland.

Dr. Southerland has elected to retire from Pensacola Junior College after 42 years of distinguished service. She first joined the faculty of the PJC home economics department in 1975 and was promoted as an assistant professor in 1978, an associate professor in 1981, a full professor in 1984 and department head in 1985.

Recognizing her devotion to student success and years of excellence in teaching, Dr. Southerland was appointed to the position of district director of vocational education in 1988 and district dean of vocational education in 1990. In this capacity, Dr. Southerland spearheaded efforts and initiatives to improve curriculum, instruction and assessment. She challenged her colleagues to empower students and ensure they would enter the world with the skills to compete and succeed in the increasingly competitive global marketplace.

The success of Dr. Southerland's contributions to Pensacola Junior College were measurable, and the college appointed her to assistant vice president for academic affairs and career education in 2005. Yet Dr. Southerland's reach has been felt far beyond the academic corridors of northwest Florida. She has selflessly dedicated her time, experience and energy to causes throughout the State of Florida—serving as a member of the Council of Occupational Deans and working arm in arm with her counterparts in all 28 institutions in the Florida College System. What's more, her extensive body of academic literature has been published in numerous scholarly journals and periodicals.

I wish to take this opportunity to commend Dr. Southerland for her service and professionalism. She has been a role model and mentor for many faculty, staff and students at Pensacola Junior College. She has my sincere and heartfelt thanks for her devotion to educating tomorrow's leaders.●