

I am back today to tell the story of a woman whose child was sick. I want to tell every one about the story of this little boy, Marcelas Owens. I met him at a health care rally in Seattle. He was 10 years old and his two sisters who we see in this picture as well have been through a lot. Two years ago their mother Tiffany, who is not in this picture—that is his grandmother—lost her life because she was uninsured, 27 years old.

How did that happen? Tiffany was a single mom who felt strongly about working to support her family. She worked as an assistant manager at a fast food restaurant. She had health care coverage for her family. But in September of 2006, she got sick and missed some work. Her employer gave her an ultimatum: Make up the lost time or lose your job. Because she was so sick, she physically could not make up the time, and she did lose her job.

When she lost her job, she lost her health insurance. Without the coverage and care she needed, in June of 2007, Tiffany lost her life, and Marcelas and his sisters lost their mom.

Our health care system is broken. It is broken for moms such as Tiffany who work to provide for their families and do the right thing, and for men who lose their health care in this market we have today. It is broken for women we have heard about who have been denied coverage or charged more for preexisting conditions such as pregnancy or C sections or, tragically, domestic violence. It is broken for their families and for little boys such as Marcelas who will never get back what he lost.

Enough is enough. The time is now. The status quo that is being defended by the other side is not working. For women across this country, for their families, for our businesses, for our Nation's future strength that as mothers we care about so much, we have to get this right. We have to remember these stories. We need to be their voice. That is why we are here today and why we are going to keep fighting to make sure that we reform the health care insurance system in this country finally and do it right.

Mr. President, I yield the floor.

Ms. MIKULSKI. Mr. President, as we wrap up our discussion on health insurance reform, I want to say as the senior Democratic woman that I am very proud of my colleagues today and how they have spoken up about the terrible practices of the insurance companies discriminating against women.

What you heard loudly and clearly today is that health care is a women's issue, health care reform is a must-do women's issue, and health insurance reform is a must-change women's issue because what we demonstrated is that when it comes to health insurance, we women pay more and get less.

We stand today on the Senate floor to say we want equal access and equal benefits for equal premiums. We women pay more and get less when we

do pay our premiums. A 25-year-old woman is charged more than a 25-year-old man of equal or similar health status. And at age 40, it is often up to almost 50 percent. And when we do pay our benefits, when we are able to cross that barrier of getting health insurance, we get less coverage because insurance companies have certain punitive practices.

No. 1, we are often denied coverage because of something called a preexisting condition. These preexisting conditions are not catastrophic. We hear horror story after horror story that a woman who has had a baby by a C section which was medically mandated is then denied subsequent coverage because she had that. We have heard horror story after horror story in some States that victims of domestic violence are denied health insurance because they have been battered by a spouse and then they are battered by the insurance company.

This has to change. Coverage for women is often skimpy and spartan. I think people would find it shocking, good men would find it shocking that maternity care is often denied as a basic coverage or we have to pay more to get coverage for maternity care. Often on basic preventive care, such as mammograms and cervical screenings, we have to pay significant copays in order to get them.

So we the women are fighting for health care reform. We have very basic things we support. No. 1, we want to make sure that Medicare is strengthened and saved. We know that Medicare is a woman's issue and a family issue not only because there are more women on Medicare than there are men, but we know that with Medicare, often without it or if it is curtailed or shrunk, it would mean disaster.

Mr. President, you see that I am speaking from a wheelchair. It is because I had a fall coming out of 4 o'clock mass a couple of weeks ago. When going through the ER, the OR, the rehab room, if I did not have Medicare and my health care benefit, I would be bankrupt today.

If health care is good enough for a U.S. Senator, it is good enough to make sure we have health care for U.S. citizens. So we want to save Medicare.

We also want to close that doughnut hole. The doughnut hole for prescription drugs has been very difficult to swallow. It is time to change that. We want to end the punitive insurance practices of discriminating on the basis of gender—so whether you have had a C section or whether you need mental health benefits after you have been raped, you can get your coverage.

Later on this weekend, there will be many in my State who will be "Racing for the Cure." I think it is great that we are looking for a cure for breast cancer, and we salute the Komen Foundation. But we not only want to do the research to find the cure, we want to make sure women have access to the preventive screening for breast cancer,

ovarian cancer, and cervical cancer. We are fighting to make sure that access is provided for these important screenings and there are no barriers for payment.

In a nutshell, we, the women of the Senate, have fought for equal pay for equal work. Now we are fighting for equal benefits for equal premiums. We hope that when the insurance debate comes to the Senate, we will be able to elaborate. But today, we wanted to say: Let's get rid of the mob scene that is going around the debate on health care. Let's focus on the important human needs.

I now conclude my remarks, and I believe this concludes morning business. I yield the floor.

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

#### COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2010

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of H.R. 2847, which the clerk will report.

The legislative clerk read as follows:

A bill (H.R. 2847) making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2010, and for other purposes.

Pending:

Vitter/Bennett amendment No. 2644, to provide that none of the funds made available in this act may be used for collection of census data that does not include a question regarding status of United States citizenship.

Johanns amendment No. 2393, prohibiting the use of funds to fund the Association of Community Organizations for Reform Now.

Bunning amendment No. 2653, to require that all legislative matters be available and fully scored by CBO 72 hours before consideration by any subcommittee or committee of the Senate or on the floor of the Senate.

Levin/Coburn amendment No. 2627, to ensure adequate resources for resolving thousands of offshore tax cases involving hidden accounts at offshore financial institutions.

Durbin modified amendment No. 2647, to require the Comptroller General to review and audit Federal funds received by ACORN.

The PRESIDING OFFICER. The Senator from Arizona.

#### AMENDMENT NO. 2626

Mr. MCCAIN. Mr. President, I send amendment No. 2626 to the desk, and I ask for its immediate consideration or, if necessary, set aside the pending business and call up amendment No. 2626.

The PRESIDING OFFICER. Is there objection to the pending amendment being set aside?

Without objection, it is so ordered.

The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Arizona [Mr. MCCAIN] proposes an amendment numbered 2626.

Mr. MCCAIN. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To eliminate funding for Public Telecommunications Facilities, Planning and Construction)

On page 111, strike lines 4 through 15.

Mr. MCCAIN. Mr. President, I come to the floor with an amendment that would eliminate another unneeded and unwanted earmark which is suggested by the President of the United States.

Before I go into that, I ask unanimous consent to have printed in the RECORD an article from this morning's Washington Post entitled "Ex-Staffers Winning Defense Panel Pork, Study Finds."

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

EX-STAFFERS WINNING DEFENSE PANEL PORK, STUDY FINDS

(By Carol D. Leonnig)

In the coming year's military spending bill, members of a House panel continue to steer lucrative defense contracts to companies represented by their former staffers, who in turn steer generous campaign donations to those lawmakers, a new analysis has found.

The Center for Public Integrity found that 10 of the 16 members of the House subcommittee on defense appropriations obtained 30 earmarks in the bill worth \$103 million for contractors currently or recently employing former staffers who have become lobbyists. The analysis by the Washington Watchdog group found that earmarks still often hinge on a web of connections, despite at least three criminal investigations of the practice that became public in the past year. Those probes focus on a handful of defense contractors and a powerful lobbying firm that together won hundreds of millions of dollars in work from the House panel and are closely tied to its chairman, Rep. John P. Murtha (D-Pa.).

On Tuesday, the Senate approved a \$636 billion military spending bill for fiscal year 2010; the House approved its version in July. House and Senate members now will work in conference to resolve differences between their two bills.

The Center for Public Integrity's analysis found some shifts in earmarking patterns since its similar analysis of the 2008 defense bill. First, Rep. Peter J. Visclosky (D-Ind.), whose office records were subpoenaed by federal prosecutors in May, has markedly reduced his earmark requests and sought no work for private companies. Also, defense appropriators are generally steering more earmarks to nonprofits.

The Washington Post has documented more than \$400 million in defense earmarks that Murtha has directed in the past decade to research groups in his district, including the Penn State Electro-Optics Center and the John P. Murtha Institute for Homeland Security, which steered much of the funds to private contractors.

Since last fall, federal investigators have been probing the PMA Group, a now-shuttered lobbying firm whose clients had unusual success in winning earmarks from Murtha's subcommittee. Founder Paul Magliocchetti is a close friend of Murtha's and worked as a defense appropriations staffer when Murtha was a rank-and-file member of the committee.

PMA and its clients had been big donors to Murtha and his fellow subcommittee members in the past decade, according to a Cen-

ter for Responsive Politics report, with Murtha receiving the most. Since 1998, workers at those firms and their family members provided \$2.4 million to Murtha—who helped insert more than \$100 million in defense-related earmarks into 2008 appropriations bills. Visclosky was second, collecting \$1.4 million, and Rep. James P. Moran, Jr. (D-Va.) was next, with \$997,000.

Mr. MCCAIN. Mr. President, I quote from the beginning of it, something that is well known but continues to be authenticated about the corruption of the process that we go through in appropriations. It says, "Ex-Staffers Winning Defense Panel Pork, Study Finds."

In the coming year's military spending bill, members of a House panel continue to steer lucrative defense contracts to companies represented by their former staffers, who in turn steer generous campaign donations to those lawmakers, a new analysis has found.

Not an astonishing finding but, again, authenticating of the corruption that goes on around here and the reason Americans are fed up.

The Center for Public Integrity found that 10 of the 16 members of the House subcommittee on defense appropriations obtained 30 earmarks in the bill worth \$103 million for contractors currently or recently employing former staffers who have become lobbyists. The analysis by the Washington watchdog group found that earmarks still often hinge on a web of connections, despite at least three criminal investigations of the practice that became public in the past year.

Mr. President, I bring forward another amendment—this will be my sixth—to eliminate a program and the appropriations for it that the President of the United States has asked for. I often quote from this document. This will be the sixth one. This document is entitled, "Terminations, Reductions and Savings, Budget of the U.S. Government, Fiscal Year 2010."

Again, I would like to read from the introduction. This comes from the administration. It says:

The President's 2010 Budget seeks to usher in a new era of responsibility—an era in which we not only do what we must to save and create new jobs and lift our economy out of recession, but in which we also lay a new foundation for long-term growth and prosperity. Making long overdue investments and reforms in education so that every child can compete. . . .

It goes on and on. In the next paragraph:

Another central pillar of a sound economic foundation is restoring fiscal discipline. The administration came into office facing a budget deficit of \$1.3 trillion for this year alone—

By the way, I think that is up to \$1.4 trillion now—

and the cost of confronting the recession and financial crisis has been high. While these are extraordinary times that have demanded extraordinary responses, we cannot put our Nation on a course for long-term growth with uncontrollable deficits and debt.

It goes on to talk about the problems we face.

[T]he President has announced a procurement reform effort that will greatly reduce no-bid contracts and save \$40 billion, and at

the Cabinet's first meeting, he directed agency heads to identify at least \$100 million in administrative savings.

Then it says:

This volume is the first report of that effort. In it, the Administration identifies programs that do not accomplish the goals set for them, do not do so efficiently, or do a job already done by another initiative—and recommends these programs for either termination or reduction.

We are talking about the administration speaking. We have identified 121 terminations, reductions, and other areas of savings that will save approximately \$17 billion next year alone.

It goes on to describe what they are:

Half of these savings for the next fiscal year come from defense programs and half come from non-defense. No matter their size, these cuts and reductions are all important to setting the right priorities with our spending, getting our budget deficit under control, and creating a Government that is as efficient and it is effective.

As I said at the beginning of my remarks, this will be the sixth amendment I have offered to support the President's request for reduction or termination of unneeded or unwanted programs. I am confident this will be the sixth time that the appropriators on both sides of the aisle will vote down the President's request—not my request, not my assumption, but that of the President of the United States and the Office of Management and Budget.

By the way, had the Senate agreed with my amendments—which they did not—and supported the call of the President to end programs that do not accomplish the goals set for them, we would have saved the taxpayers \$87 million. In this day and age with multitrillion-dollar deficits, \$87 million is not a lot around this town, but it certainly is back in my home State of Arizona.

What this amendment does, and I quote again from the President's document, and I will read from it:

The Budget supports public broadcasting through increased appropriations to the Corporation for Public Broadcasting and eliminates the unnecessary Public Telecommunications Facilities Grant Program.

Let me make it clear. The administration is supporting increases in public broadcasting but is trying to eliminate the unnecessary Public Telecommunications Facilities Grant Program in the Department of Commerce.

PTFP funding equals less than 4 percent of the Corporation for Public Broadcasting funding and has in recent years supported the transition to digital television broadcasts which will be completed in fiscal year 2009.

The administration goes on to say:

Since 2000, most [of these] awards have supported public television station's conversion to digital broadcasting. Digital broadcasting facilities mandated by the Federal Communications Commission will be completed in fiscal year 2009, and there is no further need for this program.

Again, it goes on to say:

The Administration proposes to support public broadcasters through CPB, and the

Budget includes \$61 million for the Corporation for Public Broadcasting in 2010, which is in addition to the \$420 million enacted advance appropriation, for total proposed 2010 resources of \$481 million, nearly \$20 million above 2009. The Budget also includes an advance appropriation request for the Corporation for Public Broadcasting in 2012 of \$440 million to support public broadcasters. The Corporation for Public Broadcasting funds can support the same types of capital projects as PTFP funding as well as stations' operating and programming costs. . . .

The National Telecommunications and Information Administration, the Commerce Department bureau that has administered this program, was provided \$4.7 billion in the American Recovery and Reinvestment Act to implement the new Broadband Technology Opportunities Program. Terminating this program will enable the NTIA to focus its efforts on BTOP, [the Broadband Technology Opportunities Program] a major challenge for this small Commerce Department bureau, and one which will aid the nation's economic recovery and help promote long-term competitiveness.

These are not my words. These are the words of the President of the United States. We are talking about \$20 million savings by eliminating this program.

One of the arguments we are going to hear, and one of the great sacred cows around here, is the Corporation for Public Broadcasting. This does not affect the increase in funds for public broadcasting. It simply terminates a program that the President of the United States believes is not necessary because its mission has been completed.

I imagine we will lose again with appropriators on both sides of the aisle voting not to eliminate a program—again, the sixth amendment I have had trying to implement the recommendations of the President of the United States and the Office of Management and Budget, and while we are staring at a \$1.4 trillion deficit for this year and a \$9 trillion debt for the next 10 years. Those estimates have been completely underestimated.

I tell the managers, the American people are mad. They are very angry. There is going to be another tea party in my home State this weekend. You know we are mad because we are stealing their children's money; 43 cents out of every dollar we are spending today is on borrowed money. Who is going to pay it back? They know they are. They know our kids and grandkids are. We cannot even eliminate a program or programs the President of the United States requests that we terminate. There will come, and it will come fairly soon, a day of reckoning.

The reason I added this article from the Washington Post this morning is because, I say to my friends and colleagues, there is corruption, and there is corruption in the earmarking and porkbarrel process that goes on. The American people are tired of it. I urge my colleagues to adopt the amendment.

I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second.

There appears to be a sufficient second. The yeas and nays are ordered.

Mr. MCCAIN. Mr. President, I yield the floor.

Ms. MIKULSKI. 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.

Ms. MIKULSKI. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

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

Ms. MIKULSKI. Mr. President, I strongly oppose the amendment of the Senator from Arizona to strike the funding in the bill for the Department of Commerce Public Telecommunications Facilities. His amendment would eliminate from the bill \$20 million. That \$20 million goes for competitive grants for public radio and TV stations around the Nation to upgrade their infrastructure and technology. His amendment would terminate the grant program in fiscal year 2010.

He argues that President Obama's budget proposed to eliminate the program, so Congress should too. We are a separate and coequal branch of government. In this case, the CJS Committee respectfully disagrees with the President's budget. We know our President inherited a terrible mess. We know the previous administration ran up debts and deficits and now, as we try to clean it out, our President is looking for modest cuts to the budget. But here, with public telecommunications facilities, this is exactly what we need during these troubled economic times to provide access to quality TV to ordinary people who might not be able to afford cable TV, satellite TV, or dish TV.

I am ready to dish on the McCain amendment. We need jobs in this country, and we need to let people know their government is on their side and that they can have access to public television—public television.

Sure it is a public option. We like the public option on TV.

But we know for our local stations, where donations are down and their revenues starved, you cannot put up the necessary antenna and other technology by doing it on bake sales and dialing for dollars. They need help from their government. This is what this does: A modest \$20 million that will help replace equipment such as antennas, power, and telephone hookups, generators and other kinds of things.

It will improve technology to keep up with changing requirements. Grants are competitive. There are no porkbarrel projects in this, no earmarks. The grants are competitive. The Commerce Department selects what are the ones that meet the compelling needs in communities. By the way, the local community has to provide 25 percent of local cost share so it is not a free ride.

The President's budget and the amendment sponsor argue that this

technology program is no longer needed because all radio, public radio and TV stations are already going from analog to digital, so we do not need it.

This argument is flawed for two reasons. First, digital conversion has never been nor ever will be the sole purpose of the Public Telecommunications Facilities Program. The Public Telecommunications Facilities Program was intended to help public radio and TV upgrade their infrastructure and buy new equipment. Digital conversion equipment is eligible, but that is not all.

I am saying this because not only do we provide public TV. It is great to have the Corporation for Public Broadcasting. That is about content. About content. But you need to have an infrastructure to deliver the content. In many of our communities, the infrastructure is worn. It is dated. It is 20, 22 years old. So they are looking to replace it. Guess what. When they do replace it, it creates jobs, jobs, jobs in those local communities. It takes talented men and women to put that antenna or that tower up, to install that very important new digital equipment.

For \$20 million, we can broadcast to people, we can broadcast quality, and we have people going to work putting up and replacing dated equipment. Last year this program received almost \$50 million in applications but had only \$20 million to award. This funding is important in rural and underserved areas.

Last year, the technology program received 57 applications from Native American communities alone. The President and the Senator from Arizona argue it is not needed because the Corporation for Public Broadcasting will pick up the slack. I will repeat: I love Orszag, but maybe he did not read the fine print, which is the Corporation is for ongoing operations and programming. It does not provide funding for new infrastructure.

It is about infrastructure; just like we want to have money to build our highways, we need to have super-information highways. This helps the public facilities be able to do it. The local communities depend on the Commerce Department to do this.

The program has built the Public Broadcasting System. It ensures that the American public has access across the Nation. This is not Senator MIKULSKI talking because she is the chair of the CJS and she wants to hold onto every program. I got a letter, as did my ranking member, from 21 Members of the Senate, including the chairman of the Commerce Committee, asking us to put \$44 million into the Appropriations Committee to fund this. We could only afford to do \$20 million, the same as last year.

Why? Let me read from their letter: For some four decades, PTFP has served as a critical infrastructure program for building public broadcasting systems of radio and TV stations that reach 95 percent of the American people.

What does this do? It maintains infrastructure for transmitters, translators for the deaf, power, and antennas.

It has been drastically underfunded in the past several years since suffering an 18-percent cut in 2002 and 2003. Over the years, PTFP has foregone \$270 million in Federal funds over the authorized level during the last 8 years.

I am not going to sound like an accountant here. I want to sound like I have accountability to my communities. I want them to have access to public TV and public radio and the technology to transmit it. "PTFP's preservation role has always been most important," says the letter from the 20 Senators, "because it is the only source of Federal emergency funds for public radio and television in the event of an emergency."

After Katrina and Rita, several stations in the gulf region were awarded these emergency grants so they could start rebroadcasting. Without those funds, many communities would have been vulnerable to the compounded effects of losing local news and the kinds of programs they needed as they were struggling to rebuild.

On average, according to the letter from my 21 colleagues, including the chairman of the Commerce Committee, stations leverage these PTF funds by an additional 50 percent. So this is a Federal-local partnership.

PTF funding is about providing access to quality TV. In my own community, it has meant access to educational programs. It has meant a way to link up to community colleges and the way they have done distance learning. Many of the early children's programs, many of those early children's programs often help get children learning ready. Again, yes, that is about content. But content cannot be delivered without infrastructure.

During several weeks this summer as I lived in a rehabilitation facility getting physical therapy, many of my constituents said: Well, is it not great to watch public TV? We can see what is going on in the world. They loved the MacNeil/Lehrer show, even though it is not called that anymore, to get news about what was going on in the country.

They loved hearing public debate in a civil way, thrilled and enjoyed "Mystery Theater," and at the same time were excited that their grandchildren were able to get learning ready, either at the preschool level or the work it was doing in the community college.

There are a lot of things government does that is unpopular with people. But one of the things it does that is very popular with the American people is public TV and public radio. We have to maintain quality content. We have to maintain quality infrastructure.

Because of that, I urge the defeat of the McCain amendment eliminating \$20 million and essentially zapping those much-needed antenna and monitoring and transmission facilities we need.

There are other things we can zap. Let's not zap public TV and public radio.

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.

Ms. MIKULSKI. I ask unanimous consent that the order for the quorum call be rescinded.

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

Ms. MIKULSKI. Mr. President, I ask unanimous consent that at 12:15 p.m. today the Senate proceed to vote in relation to the McCain amendment No. 2626; with no amendment in order to the amendment prior to the vote; further that prior to the vote, there be 2 minutes of debate equally divided and controlled in the usual form.

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

#### HEALTH CARE

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, I have come to the floor very briefly to talk about the Congressional Budget Office's score of the health care reform proposal that is before the Senate Finance Committee.

I understand that earlier today there were members on the other side who were questioning whether the Finance Committee's proposal is paid for and whether it reduces the deficit and whether it bends the cost curve of health care in the right way.

Let me say that the Congressional Budget Office has now issued their determination on all those issues. Their conclusions are very clear. The Congressional Budget Office has said—and I will put on the chart stand a page from their report. It shows very clearly, over the 10 years of the bill, from 2010 to 2019, that the deficit will be reduced by \$81 billion if the Finance Committee proposal were to become law.

With respect to the question that apparently has been raised by some, as to whether this bill is paid for, the Congressional Budget Office has answered clearly and unequivocally. They have said the bill is not only paid for over the 10 years, but it actually reduces the deficit by \$81 billion.

Second, on the longer term question of bending the cost curve and whether this proposal bends the cost curve in the right way, the Congressional Budget Office has also been clear and unequivocal. Here is what they said in their report of October 7, just yesterday:

In subsequent years, beyond 2019, the collective effect of the Finance plan would probably be continued reductions in Federal budget deficits.

... CBO expects that the proposal, if enacted, would reduce federal budget deficits over the ensuing decade relative to those projected under current law—with a total effect during that decade that is in the broad range of between one-quarter and one-half percent of gross domestic product.

What does that mean? What CBO is saying is in the first 10 years, the Finance Committee plan would reduce the deficit by \$81 billion. In the second decade, they are saying it would reduce the deficit by one-quarter to one-half percent of gross domestic product. Gross domestic product over that decade, the second decade, is estimated to be cumulatively \$260 trillion. That would be the gross domestic product of the United States from 2020 on through the next 10 years. One-quarter percent of \$260 trillion is \$650 billion of deficit reduction in the second 10-year period. That would be one-quarter of 1 percent of GDP. One-half percent of GDP over that second 10-year period would be \$1.3 trillion.

Just to be clear, CBO has told us in their report of yesterday—and the Congressional Budget Office is the non-partisan scorekeeper, the one we all look to for objective facts—that the Finance Committee proposal reduces the deficit by \$81 billion over the next 10 years and in the second 10 years would reduce the deficit by one-quarter to one-half percent of gross domestic product. No one can be certain what the gross domestic product will be in the second 10 years. Current projections are that it will be \$260 trillion. So one-quarter to one-half percent of that second decade would be a reduction in the deficit from what would otherwise occur of \$650 billion to \$1.3 trillion, bending the cost curve in the right way.

I might add parenthetically, the Finance Committee plan is the only plan that has been produced that the Congressional Budget Office says reduces the deficit in the first 10 years and bends the cost curve in the right way, has further deficit reduction, in the second 10 years.

I am a little disappointed when I hear some of my colleagues coming to the floor and suggesting that this really isn't paid for. We have a way of determining what scores are around here. We can all make up our own facts or we can rely on the Congressional Budget Office, which is the objective scorekeeper, nonpartisan. I have great respect for them even though I have had strenuous disagreements with them at times about how they score things. Indeed, I had strong disagreements with them on how they scored some of these proposals. But there has to be an arbitrator here, somebody we look to, someone with credibility, and the Congressional Budget Office does.

For Members to come to the floor and suggest this isn't paid for flies in the face of the facts before us from the CBO. The Congressional Budget Office reported yesterday clearly and unequivocally that the Finance Committee plan is paid for; that it, in fact, reduces the deficit by \$81 billion over the next 10 years; that it has further deficit reduction in the second decade of one-quarter to one-half percent of GDP. As I have said, in the second 10 years the forecast is that gross domestic product over that 10-year period

will approach \$260 trillion. One-quarter to one-half percent of that amount would be \$650 billion to \$1.3 trillion of additional deficit reduction in the second decade. Those are the unvarnished facts. I hope that during the debate, which will be tough enough, which will be contentious enough, we will not resort to trying to mislead people as to the objective facts before us.

It has been said by a previous President that facts are stubborn things. Indeed, they are. One of the stubborn facts is, we are on a course that is utterly unsustainable with respect to health care. Today, we are spending \$1 of every \$6 in this economy on health care. Seventeen percent of the gross domestic product is going to health care. The CBO long-term budget outlook says that in the next period from 2010 to 2050, we will go to spending 38 percent of our gross domestic product on health care unless we do something. That would be more than \$1 of every \$3 in this economy going to health care; in fact, close to every \$1 of every \$2.50 going to health care. That is an unsustainable course.

The question before this body and before the Congress and before this President will be, Do we act or do we stick with the status quo? I suggest sticking with the status quo is utterly indefensible. There is no way to suggest that sticking with the status quo is going to succeed for America's families, businesses, or the government itself.

The hard reality is, Medicare and Medicaid spending as a percentage of GDP is going up dramatically during this forecast period. It has been happening. This chart shows clearly, between 1980 and 2009, the share of our gross domestic product going to Medicare and Medicaid has been rising inexorably. We know that trend will continue unless we do something about it. That means we have to act. That means we have to take responsible steps to rein in the skyrocketing cost of health care. That is critically important to families, businesses, and their competitive position, and it is absolutely essential to the Federal Government. The trustees of Medicare have told us clearly: Medicare is going to go broke in 8 years unless we act. The Medicare trust fund has already gone cash-negative. The Social Security trust fund has already gone cash-negative. The time and the need for action is about as clear as it can possibly be.

I appreciate the opportunity to respond to what some colleagues suggested this morning. It is clear—the Congressional Budget Office has told us—that the Finance Committee proposal is not only paid for, it actually reduces the deficit both over the next 10 years and over the next decade after that 10-year period as well. That is a significant accomplishment by the Finance Committee chairman who laid down this mark. We will see where the votes lie on Tuesday.

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

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

Mr. NELSON of Florida. Mr. President, I wish to speak on behalf of those of us who are concerned about NASA and express my personal appreciation to the Senator from Maryland, chairman of the appropriations subcommittee that handles NASA, for the tremendous work she has done in appropriating money to keep NASA going. If I may, I want to go beyond the Senator's appropriation. She has taken the very difficult task of a budget that is quite lean, put out by the President, and has come up with the best she can come up with in trying to sustain the Nation's human space program with those resources.

What we know is, over the course of the last several years, the Office of Management and Budget and the White House have not given adequate resources to those of us in this Chamber who want a vigorous human space program. We simply, over the last several years, have not been able to get the resources we need for NASA to do everything it has been asked to do, with the result that NASA is now at a crossroads.

I commend Senator MIKULSKI for her work in how she has put together this budget. We find ourselves now with the opportunity beyond this specific budget to strengthen and advance our leadership in the world or to stand by and allow what has become a hallmark of U.S. leadership to slip by the wayside.

Last month, the blue ribbon panel the President appointed, called the Augustine Commission, released a summary of the findings from the final report on the Nation's space program. That report has not come out in detail. We await its release. In part, what it says is, the U.S. human space flight program that has made America a world leader in science and technology "appears to be on an unsustainable trajectory."

Specifically, the report will say:

[O]ur space program is being asked to pursue goals without the appropriately allocated resources.

So this country stands at a crossroads for NASA with a stark choice before us: We can continue on the path we are on—underfunding and underallocating our space program—or we can choose to act. We can choose to act by ensuring that the appropriate resources are allocated to meet the goals laid out before us.

The Augustine Commission was abundantly clear. It said that—while the current path we are on is unsustainable—"meaningful human exploration is possible under a less constrained budget" with an additional \$3 billion a year. That is \$30 billion addi-

tional over a 10-year period. These are not my words. These are the Augustine Commission's words.

Even though we face uncertain economic times—certainly in a recession—the challenge of finding that additional money is one we cannot afford to ignore.

I wish to add my voice to others from this Chamber in asking the President to divert \$3 billion to NASA from the unspent portion of the \$787 billion in the economic stimulus recovery money. The stimulus bill—that we passed by a one-vote margin back earlier this year—was to get this economy moving again, to stimulate, to electric shock therapy the economy back to life by getting dollars out, turned over, and jobs created.

That is a very good source for this money, for NASA to be able to continue on the road of what almost every American wishes for—to continue to explore the unknown.

We have identified other possible revenue sources for future years. But no matter how much we find by scraping the bottom of the barrel, it is still going to come down to one thing: It is going to be the President's decision.

If we remember, similar to President John Kennedy before him, a President has to decide and has to commit the resources. If this President will do it, it will commit the space program that will keep America a global leader in science and technology.

Why do I say that? Think of all the effects of the spinoffs that came out of the Apollo Program when President Kennedy said: We are going to the Moon and back, and that was within a 9-year period.

Currently, our space program is funded at less than 1 percent of the total Federal budget. Yet our space program has always paid back dividends—both tangible and intangible—which is vastly greater than the initial investment.

The additional funding for NASA, I have indicated, will ensure the United States remains at the very top for the peaceful use of technology for the betterment of humankind. Of singular importance, this commitment will help us to inspire the next generation of explorers and the next generation of scientists and technologists and engineers and mathematicians and educators. It is this payoff which is Apollo's greatest and lasting legacy.

We have a similar opportunity right now in front of us. You think about that generation of kids who got inspired when President Kennedy said we were going to do what was almost thought to be the impossible and how many of those kids went into math and science and technology and engineering. Look what that generation brought to us in the global marketplace.

The Augustine Commission notes that the time may finally be upon us when commercial space companies can begin to carry some of the burden of the access to low-Earth orbit. Many of

these companies are already developing capabilities to give us a commercial resupply of the International Space Station. Are they going to be successful? We certainly hope so. Are they going to be timely? We do not know. These commercial ventures are already behind the timeline. We certainly hope they are going to be timely.

This ability, according to the Augustine Commission, is critical to ensuring our ability to operate the station beyond 2016. Almost everybody unanimously agrees we should be planning to keep the International Space Station, of which we are still continuing to complete its construction and equipping, to keep that going at least until 2020 and to maximize the return of what has become a substantial \$100 billion investment.

Those commercial endeavors serve another function. They also create new industries and, with that, new jobs for Americans. But we are still going to have to have the question of: What is NASA's new mission, new architecture? How are we going to fund it? What are we going to do with the workforce in the meantime that is going to have severe disruptions?

This is what the President of the United States is going to have to decide as soon as the Augustine Commission report is final and is published.

The International Space Station has proven to us that many nations can work together on enormous endeavors in a peaceful fashion. The station—just now being completed—is at its dawn, and its many economic, scientific, and social payoffs from our investment are still to be realized. But the international partnerships formed during the design, the construction, and the ongoing operation of the station have proven something. It has proven that the world community looks to the United States for leadership in space.

Many of the world's nations are patiently waiting to see which direction our country chooses, which direction this country chooses as a result of our President's decision. At the same time, these many nations are prepared to follow the U.S. lead in the form of additional commitments and resources in space. To turn our backs on space at this moment would have negative effects that would reverberate around the world.

It is interesting that last night President Obama hosted several young people at the White House for a star-gazing party. Oh, that must have been very exciting for those young people. They had the opportunity to view, in vivid detail, craters on the Moon, the rings of Saturn, the colors of the planet Jupiter, and the belt of the Milky Way. For many of those kids, it was the first time they ever even thought of viewing those things.

The wonderment displayed by those children—and many of those adults there as well—proved, once again, that the space program inspires. If all goes well, tomorrow morning America will

successfully plow a rocket into the surface of the Moon to help determine conclusively whether large quantities of water can be found just beneath the lunar surface. Imagine, this mission may reveal new knowledge about a source of water for astronauts in the future and fuel for their rockets to explore the cosmos.

A suitably funded space program is the best catalyzing element to gather and organize the energies and abilities of this Nation. In return, this program will pay many dividends, perhaps the most important of which is to inspire, encourage, and motivate the next generation of Americans.

I ask my colleagues to join me in supporting Senator MIKULSKI on her appropriations bill but then to join me in supporting increased funding for NASA and this Nation's space program.

You can tell I am quite intense about this subject. I have had the privilege of being a beneficiary of our Nation's space program. I have seen us achieve extraordinary things. It is a part of our character as a people. We are, by nature, as Americans, explorers and adventurers, and I do not want us to ever give that up. That is why I make this plea to the Congress of the United States and to the President of the United States for NASA's funding.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. BURRIS. Mr. President, I ask unanimous consent to speak as in morning business.

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

#### HEALTH CARE REFORM

Mr. BURRIS. Mr. President, many of my colleagues have taken to the floor in recent weeks to discuss the details of health care reform and, in particular, the clear need for a public option.

We have heard from distinguished Senators on both sides of the aisle. For the most part, this has been a healthy debate. But it is a debate that has been going on for almost a century. Over the years, the problem has grown. Care has become more and more expensive.

Today, \$1 out of every \$6 spent in this country goes to pay for health care. Insurance company profits are up. Health outcomes are down. After a century of thoughtful debate, I believe the way forward is clear—very clear. The only way to achieve meaningful health care reform and bring costs down is through a public option that creates real competition in the system.

Let me be clear. I will not vote for any health care bill that does not include a public option. That is because the stakes are too high to settle for anything less.

Every day, more people get sick and die because they cannot get the quality care they need; 45,000 Americans died last year because they did not have adequate coverage. That is one death every 12 minutes and 45,000 more will die this year and next year and every

year until we pass meaningful health care reform.

Some of my colleagues think we are moving too fast, and they say we should wait. I say the American people have been waiting long enough. We must not wait another moment.

A public option would restore choice and accountability to the insurance market. It would help bring down costs and make quality care affordable for every single American.

If you cannot afford private insurance under the current system, you will have the opportunity to buy a low-cost public plan or a private plan that is guaranteed to be affordable based on your income level.

If you have private insurance but it is too expensive or they do not treat you right, you will have the opportunity to switch to an affordable and high-quality public plan. No American has ever experienced such freedom of choice when it comes to health coverage. That is because consolidation in the insurance market has left a few corporations with control of the whole industry. In Illinois, two companies dominate 96 percent of the market. They can charge excessively high premiums, drop your coverage for any reason or no reason at all, and cap the amount they will spend on treatment in any given year. That is why their profits are breaking records and growing four times faster than wages, while the rest of us suffer the effects of a terrible recession.

But we can rein in these costs. If we pass insurance reforms that include a public option, these corporations would have to compete for your business. Premiums would come down. No one would be able to drop your coverage because of a preexisting condition. Companies would not be able to drop you in the event of a catastrophic illness, and they would not be able to place a cap on the benefits you can receive during your lifetime. Honesty and fair play would be restored to the system.

I don't understand how my colleagues on the other side of the aisle can oppose such a plan. I don't understand how they can oppose competition in the market, which I have always regarded as a quintessential American idea. Certainly there is nothing wrong with making a profit. Insurance companies play an important role in our system, and I support that role. But between 2000 and 2007, the profits for the top 10 insurance companies grew at an average of 428 percent. Let me repeat that. Between 2000 and 2007, the profits of the top 10 insurance companies grew by an average of 428 percent. This is not only unreasonable, it is breaking American businesses and families.

Many analysts agree that health care costs have contributed to the severity of the current economic crisis, and it is easy to see why. Competition and appropriate regulations will rein in these excessive profits and put pressure on the companies to improve coverage or risk losing customers.



Reform with a public option will restore choice to the insurance industry. Millions of Americans will be able to get coverage for the very first time. And far from driving companies out of business, health reform will allow an estimated 1 million to 3 million new customers to purchase coverage from private insurers. It will enhance their business.

Some of my colleagues have expressed concerns about the cost of a public plan, but if they look at the way the program will function, they will see there is no reason for concern. As in any business, a not-for-profit public insurance option would require some initial capital to get it off the ground, but afterwards it would rely on the premiums it collects to remain self-sufficient. The current system is a strain on the American taxpayers. A public option will not be.

There will be no government takeover. I will repeat that. There is no such thing as a government takeover. There will be no death panels, no rationing, and no red tape between you and your doctor. The public option would complement private insurance providers, not drive them out of business.

It is time to take decisive action. This Senate has been debating health care reform for almost a century, while outside this Chamber ordinary Americans suffer more and more under a broken system. I believe we have been talking about it enough. Our way forward is clear. Now is the time for us to act. That is why I will not compromise on the public option.

I urge my colleagues to join with me to stand on the side of the American people and demand nothing less than the real reform a public option would provide. We must not wait another moment.

Mr. President, I thank you, and I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. Mr. President, we will shortly be voting on the McCain amendment. We look forward to closing that debate. But before we do, I wish to comment that we are going to dispose of as many amendments as we can today and we are also going to arrive at a finite list of amendments. So for those Senators who do have amendments on both sides of the aisle, Senator SHELBY and I ask our colleagues to come and offer them so we can dispose of them, as we did with the Senator from Arizona. He offered his amendment, we had a good debate, and we are going to vote on it. So please, colleagues, if you have amendments, come to the Senate floor and offer them.

Second, if you have amendments that you wish to file, this is the day to file them. We are trying very hard to see if we can finish today, but that seems to be a bit of an exuberant wish on my part and on the part of Senator SHELBY. But if we can't finish today, we

would at least like to get a sense of the amendments colleagues wish to bring over today. Then when we get to the Columbus Day weekend, we can work to either come to an agreement to take them, or a way of disposing of them when we come back from commemorating when America was discovered by Columbus.

Again, I ask my colleagues to come forward and either offer amendments or file amendments.

Mr. President, I note the absence of a quorum.

The PRESIDING OFFICER (Mr. BURRIS). The clerk will call the roll.

The bill clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Alaska.

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

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

#### AMENDMENT NO. 2646

Mr. BEGICH. Mr. President, I ask unanimous consent that the pending amendment be set aside and I call up amendment No. 2646.

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

The clerk will report.

The bill clerk read as follows:

The Senator from Alaska [Mr. BEGICH], for himself and Ms. MURKOWSKI, proposes an amendment numbered 2646.

Mr. BEGICH. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To allow tribes located inside of certain boroughs in Alaska to receive Federal funds for their activities)

At the appropriate place, insert the following:

SEC. \_\_\_\_ Section 112(a)(1) of the Consolidated Appropriations Act, 2004 (Public Law 108-199; 118 Stat. 62) is repealed.

Mr. BEGICH. Mr. President, at a later time I will have a floor statement.

Mr. President, I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

#### AMENDMENT NO. 2626

There will now be 2 minutes of debate, equally divided, prior to a vote in relationship to amendment No. 2626, offered by the Senator from Arizona, Mr. MCCAIN.

The Senator from Arizona is recognized.

Mr. MCCAIN. Mr. President, this is another attempt to agree with the President's request to cut some unneeded spending. This time, it is only \$20 million, which around here is

obviously chicken feed. But the President has requested that this \$20 million be cut. It is not needed. The program it was funded for is complete.

I ask my colleagues to vote for the amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland is recognized.

Ms. MIKULSKI. Mr. President, as the manager of the bill, I oppose the McCain amendment. This \$20 million is competitive funding that helps local public TV and radio stations with equipment, things such as antennas, generators, fire-suppression equipment, and transmission. It improves technology. It enables our very important public TV stations to modernize.

This is a competitive grant program—no earmarks but big footprints. It does require local cost sharing of 25 percent. It also creates jobs in local communities by actually installing this equipment, while we move out the very wonderful content of public TV and public radio.

We, too, are stewards of the purse. The Commerce Department—

Mr. MCCAIN. Mr. President, we have to have the regular order at some time.

The PRESIDING OFFICER. The Senator's time has expired.

Ms. MIKULSKI. Mr. President, I do like to know that. I like to follow the regular order. If the Chair would have notified me, I would have stopped sooner.

I call for the vote.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. BYRD) and the Senator from Massachusetts (Mr. KERRY) are necessarily absent.

Mr. KYL. The following Senator is necessarily absent: the Senator from Ohio (Mr. VOINOVICH).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 33, nays 64, as follows:

[Rollcall Vote No. 317 Leg.]

#### YEAS—33

Alexander	Crapo	Johanns
Barrasso	DeMint	Kyl
Bayh	Ensign	LeMieux
Bennett	Enzi	Lugar
Brownback	Graham	McCain
Bunning	Grassley	McConnell
Chambliss	Gregg	Risch
Coburn	Hatch	Roberts
Cochran	Hutchison	Sessions
Corker	Inhofe	Thune
Cornyn	Isakson	Wicker

#### NAYS—64

Akaka	Cardin	Gillibrand
Baucus	Carper	Hagan
Begich	Casey	Harkin
Bennet	Collins	Inouye
Bingaman	Conrad	Johnson
Bond	Dodd	Kaufman
Boxer	Dorgan	Kirk
Brown	Durbin	Klobuchar
Burr	Feingold	Kohl
Burris	Feinstein	Landrieu
Cantwell	Franken	Lautenberg

Leahy	Nelson (FL)	Stabenow
Levin	Pryor	Tester
Lieberman	Reed	Udall (CO)
Lincoln	Reid	Udall (NM)
McCaskill	Rockefeller	Vitter
Menendez	Sanders	Warner
Merkley	Schumer	Webb
Mikulski	Shaheen	Whitehouse
Murkowski	Shelby	Wyden
Murray	Snowe	
Nelson (NE)	Specter	

## NOT VOTING—3

Byrd	Kerry	Voinovich
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The amendment (No. 2626) was rejected.

The PRESIDING OFFICER. The Senator from Maryland.

## AMENDMENT NO. 2653

Ms. MIKULSKI. Mr. President, unless the distinguished Democratic leader is ready to speak, I ask unanimous consent that the Bunning amendment, No. 2653, be the pending business.

The PRESIDING OFFICER. Without objection, the amendment is the pending.

Ms. MIKULSKI. Mr. President, I also make a point of order against the amendment that it violates rule XVI, paragraph 4—legislation on an appropriations bill.

The PRESIDING OFFICER. The point of order is sustained and the amendment falls.

Ms. MIKULSKI. Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. BUNNING. Mr. President, I am very disappointed the majority has chosen to block full consideration of my amendment. What I am trying to accomplish is simply more transparency in the Senate. This would be accomplished by requiring a Congressional Budget Office score and posting of legislation 72 hours before consideration by committees or the full Senate.

As a recent poll has shown, 83 percent of the American people support a waiting period before Congress votes on bills. My amendment would provide this to the American people. I think it is outrageous the other side is using a procedural tactic to block consideration of this amendment on this bill.

Be assured I will be back to bring up this issue again and get a fair and full consideration of it by the Senate.

I thank the Chair.

The PRESIDING OFFICER. The Senator from Nevada.

## AMENDMENT NO. 2648, AS MODIFIED

Mr. ENSIGN. Mr. President, I call up amendment No. 2648, and I send a modification to the desk.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered. The clerk will report.

The legislative clerk read as follows:

The Senator from Nevada [Mr. ENSIGN] proposes an amendment numbered 2648, as modified.

Mr. ENSIGN. I ask unanimous consent that further reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To provide additional funds for the State Criminal Alien Assistance Program by reducing corporate welfare programs)

At the appropriate place insert:

## STATE CRIMINAL ALIEN ASSISTANCE PROGRAM

For an additional amount for the State Criminal Alien Assistance Program \$172,000,000 to remain available until expended.

OFFSET.—All amounts appropriated under this Act, except for amounts appropriated for SCAAP, shall be reduced on a pro rata basis by the amount necessary to reduce the total amount appropriated under this Act, except for amounts appropriated for SCAAP, under the heading "OFFICE OF JUSTICE PROGRAMS" under this title, by \$172,000,000.

Mr. ENSIGN. Mr. President, I rise today to propose an amendment adding \$172 million for the State Criminal Alien Assistance Program and offset it with corporate welfare funding currently in the bill.

The State Criminal Alien Assistance Program, known as SCAAP, provides Federal payments to States and localities that incur correctional officer salary costs for incarcerating undocumented criminal aliens with at least one felony or two misdemeanor convictions for violations of State or local law and are incarcerated for at least four consecutive days during the reporting period.

This program also reimburses State, county, parish, tribal, or other municipal governments for the costs associated with the prosecution of criminal cases declined by local U.S. Attorney's Offices.

While we have made strides in securing our border, illegal immigration remains a significant problem, and the Federal Government should bear the additional burden placed on States and local governments. While this amendment does not fix our problems with illegal immigration, it does help local communities address costs associated with the incarceration of illegal immigrants who continually and repeatedly violate the laws of our country.

This will bring this program's funding up to the 2009 level of \$400 million. This increase will match the level the other Chamber, the House of Representatives, accepted by a nearly unanimous vote of 405 to 1. With increased funding for SCAAP, we can keep more repeat offenders off our streets and reduce some of the catch-and-release practices instituted by many communities that just don't have the resources to keep these criminals where they belong, which is behind bars.

So I urge my colleagues to support this amendment to ensure that critical funds reach our State, county, parish, tribal, and municipal governments to help battle the problems associated with illegal immigration and to keep lawbreaking illegal immigrants off our streets.

Mr. President, I ask unanimous consent to have printed in the RECORD an article from the Las Vegas Review-Journal relating to this matter.

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

## LAS VEGAS POLICE REFER 2,000 INMATES TO IMMIGRATION OFFICIALS

(By Antonio Planas and Lynnette Curtis)

The Metropolitan Police Department forwarded the names of nearly 2,000 inmates to federal immigration officials during the first 10 months of a controversial partnership that allows specially trained corrections officers to start deportation proceedings against immigration violators.

The agreement between the Police Department and U.S. Immigration and Customs Enforcement officially began Nov. 15 and is limited to the Clark County Detention Center.

Nearly 10,000 county jail inmates through Sept. 19 were identified as being born outside the country or their identities were in question, said officer Jacinto Rivera, a Las Vegas police spokesman.

Police sent the names of 1,849 inmates who were determined to be in the country illegally to ICE for possible deportation.

It's unknown how many of those inmates were deported. ICE doesn't track removals that way, the agency said Wednesday. Illegal immigrants referred to the agency by local law enforcement become part of ICE's larger caseload. Those cases can drag on for months or even years.

The Police Department's partnership with immigration officials has always been narrower in scope than that of Maricopa County in Arizona and does not allow officers to arrest people for immigration violations. Only once an individual has been arrested on unrelated charges can he or she be screened for possible deportation.

Sheriff Doug Gillespie has repeatedly insisted the partnership is meant to target violent criminals.

In fact, police did not forward to immigration officials the names of an additional 1,808 inmates who also were identified as being in the country illegally because those inmates had no violent criminal history, Rivera said. Overall, 62,803 people were booked into the county jail between Nov. 15, 2008, and Sept. 19, 2009.

Hispanic and civil rights groups have fiercely criticized "287 (g)" partnerships, named for the corresponding section of the federal Immigration and Nationality Act, saying they target Hispanics and could lead to racial profiling and make people afraid to report crimes.

"Evidence is mounting across the country that 287 (g) programs are being run in problematic ways," said Maggie McLetchie, an attorney with the American Civil Liberties Union of Nevada. "We understand federal immigration laws need to be enforced, but that's the job of federal immigration officers, not the job of Las Vegas police."

## MOTION TO RECOMMIT

Mr. ENSIGN. Mr. President, I send a motion to the desk.

The PRESIDING OFFICER. The clerk will report the motion.

The legislative clerk read as follows:

The Senator from Nevada [Mr. ENSIGN] moves to recommit the Act H.R. 2847 to the Committee on Appropriations with instructions to report the same back to the Senate with changes that reduce the aggregate level of appropriations in the Act for fiscal year 2010, excluding amounts provided for the Bureau of the Census, by \$3,411,000,000 from the level currently in the Act.

Mr. ENSIGN. Mr. President, what this motion is similar to the motions I have made on previous spending bills. What we are asking the Appropriations



Committee to do is to fund our government at the 2009 level.

In 2009, we saw huge funding increases. Then, with all of the spending programs, the government has seen massive increases on top of the increases in spending we had last year. So what we are saying is, while businesses, families, local governments, and State governments across the country are cutting their budgets, the Federal Government should freeze spending levels to 2009 levels. Let us not go on this massive increase in spending.

We understand the census, which we do just once every 10 years, is not part of the normal budget process, so we allowed for that. We allow for the census to be funded. But everything else should be funded at 2009 levels.

We allow the Appropriations Committee to set the priorities; that is, what funding is to go into which particular program. Some programs are more effective than others, and they may have different priorities. That should be the prerogative of the Appropriations Committee. But what this body should be doing is sending a message to the American people that we care about our children and our grandchildren.

What we are seeing right now is that we are borrowing 43 cents of every dollar we spend. Think about that. Think about a family or a business borrowing 43 cents out of every dollar they spend. That is what we are doing. I think this next chart illustrates very well on whom this burden is going to fall.

The picture of this young lady was taken out in the public. She had a sign around her which said: I am already \$38,375 in debt, and I only own a dollhouse.

It is a picture of a cute little girl, and it would really be a cute picture if it wasn't so sad because it is true. Every child in America has a huge debt burden put on them because of the spending.

During the last many years we have heard about the spending programs. The other side of the aisle actually ran on fiscal discipline. They said we spent too much money under the Bush administration. By the way, I agreed with that statement. I think we did spend too much money during the first part of this decade. But the spending levels now, in comparison, are skyrocketing. We are adding trillions and trillions of dollars in debt to future generations.

So my motion, very simply, says: Instead of this large increase in this spending bill, we are going to live at last year's numbers. We are not even going to cut in ways State governments and local governments are doing. They are cutting. We are going to live within last year's funding levels—which were, by the way, increased dramatically. Last year, I think the same appropriations bill got a 15-percent increase. Let's at least live at last year's level instead of living on huge increases this year.

I think this motion is the responsible thing to do for future generations and for the future of our country. We have to think about this debt. What is this debt going to do? We are hearing about the weakening dollar. There are articles every day in financial magazines about what a weak dollar means to America. The higher the debt, the weaker the dollar gets. We are adding trillions of dollars onto the debt. That weak dollar is going to hurt our economy into the future. We have to worry about not only inflation, but hyperinflation. We have to worry about whether jobs are going to continue to go overseas because of a weak dollar.

Every country that has tried to handle their debt by devaluing their currency, which is what seems to be going on now—has never succeeded. The only way to control your debt is to get spending under control. That is what we have to do in this country. My motion says: Time out. Time out from all the spending. Let's at least live at last year's spending level. Let's put a freeze on Federal spending so we are not hurting future generations. I encourage my colleagues to vote for this.

I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado is recognized.

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent to speak as in morning business.

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

(The remarks of Mr. UDALL of Colorado are printed in today's RECORD under "Morning Business.")

The PRESIDING OFFICER. The Senator from Ohio is recognized.

#### HEALTH CARE

Mr. BROWN. Mr. President, I come to the floor regularly to share letters from constituents of mine, Ohioans, letters we get from people commenting on the health care system. Many of these letters—most of them, in fact—have come from people who thought they had good insurance. If you had called them a year ago or 3 years ago or even, in some cases, a month ago and said: Are you satisfied with your insurance, they most likely would have said yes. Then one of their family members gets sick and it is a very expensive illness, spend weeks in the hospital or has all kinds of doctors visits and tests, and they end up spending so much that they lose their health insurance. The insurance company cancels them. The insurance companies call it a rescission.

You read the fine print and you see these policies are not what they are cracked up to be. That is one important reason why this health insurance bill is so important.

Let me share a couple of these letters with my colleagues.

Edward, from Montgomery County, that is the Dayton area—Dayton, Kettering, Huber Heights, that area of Ohio, sort of southwest Ohio.

About 5 years ago I took my wife to the hospital one evening because she hurt her

back. They took an X-ray but told her nothing was wrong. She came back home, but she stayed up all night crying in pain.

I then took her to the emergency room where the doctors took an MRI. It showed she had a ruptured lumbar disc that could have led to paralysis. The insurance paid for the MRI, but their attitude was sickening. After being admitted that night, the next day the hospital told her she had to go home because the insurance wouldn't pay for the stay.

The doctors and nurses disagreed with that decision, but insurance rules.

The public option is the only thing that will keep these companies honest.

Edward from Montgomery County has it exactly right. He knows we need insurance reform so the insurance companies can no longer deny care for pre-existing conditions, no longer discriminate against people because of gender or disability or age or geography. He understands there should not be a cap, an annual cap or a lifetime cap, on coverage, so if someone gets very sick and it is very expensive, their insurance could no longer be canceled.

But he also understands not only do we need to change the rules, as our bill that we will bring to the Senate floor does, to change those rules so insurance companies can no longer game the system, this legislation also includes a strong public option as Edward asked for. A public option will make sure the insurance companies stay honest. It will inject competition into the insurance industry, and it will give people choice. That is why we call it a public option. It is a choice.

If you are in southwest Ohio, in my State, you only have two insurance companies, and they have 85 percent of the insurance market. That is not competition. You know that means rates are higher. That is why injecting competition with the public option will help stabilize insurance rates and make the insurance companies behave a whole lot better than they have been.

Let me share two other letters. I see my colleague from Pennsylvania, Senator CASEY, is in the Chamber. Linda from Hamilton County, also southwestern Ohio, Cincinnati, Blue Ash, Avondale, that part of Ohio.

I am 60 years old and I have private health insurance—if you want to even call it that. I pay \$450 a month and so few services are covered until I reach a \$10,000 deductible.

Three years ago I had a double mastectomy. As a result, I can no longer go to another insurance company because of pre-existing conditions.

I have a good life. My husband and I worked hard, saved our money, and have enjoyed our retirement so far. But I now find myself not being proactive about my health care because I know I will have to pay out-of-pocket for care until I reach \$10,000.

That's not insurance. It is highway robbery. I want you to vote—

She says: Senator—

I want you to vote for the public option. Get in there and fight for those who have nothing and for those of us who want to remain healthy in our golden years.

Listen to what she says:

I now find myself not being proactive about my health care—

Because she has a \$10,000 deductible, living now, it sounds like, probably, on a fixed income, she simply cannot afford to pay that kind of money out of pocket to get the sort of maintenance of care she needs. So she simply is not taking as good care of herself. She is not able to have physicians and nurses and others help her maintain her health the way we encourage our constituents to do. We want people to get regular checkups. We want them to do all kinds of preventive care. She can't afford to because of this deductible. So she already, in some sense, has been a casualty of our health care system. I pray it is not worse than that. But in too many cases, that has happened. She argues again—she says: I want you to vote for the public option. She understands she will not have this kind of \$10,000 deductible if she chooses the public option—a choice, but a choice that she sounds like she would make. She will not be turned away or in her mind think she can't get this other health insurance, these other health care services because they are so expensive. She understands and she asks for a choice—the choice of a public option.

This is the last letter I will read before I yield the floor.

Christopher from Summit County, the Akron area, northeast Ohio, Akron and Barberton and Tallmadge and Stow and that area of the State, writes:

As a 58-year-old self-employed entrepreneur, it is virtually impossible to obtain serious and genuine health coverage insurance. Thanks to a relatively minor pre-existing condition and total lack of a public option, I fall through the cracks in the wealthiest nation in the world.

Two sentences he writes: "It is impossible to obtain serious and genuine health insurance" and "Thanks to a relatively minor pre-existing condition and lack of a public option, I fall through the cracks in the wealthiest nation in the world." Why can't somebody like Christopher—he is self-employed, he had the initiative to start a business and employ himself, and he wants to have insurance. He is 58 years old. His medical problems don't sound particularly severe, but he has a minor preexisting condition. He can't get insurance. That is why we are changing the law. We are no longer allowing denial of care for preexisting conditions, but we also need a public option, as Christopher asks for, for him to choose from if he would like to choose the public option or Aetna or Medical Mutual, an Ohio company, or CIGNA or BlueCross or whatever. But he also understands that the public option will enforce these rules, so the insurance companies can no longer game the system. In other words, the public option, as the President has said, will make the insurance companies more honest.

It is clear our legislation does a handful of things that are so important. It is clear this will move our country forward. It says: If you have insurance and you are satisfied with it,

you can keep that insurance, but we are going to build consumer protections around that insurance: No more denial of care for preexisting conditions; no more caps on coverage if you get very sick and you lose your plan—they can't throw you off your plan then; no more discrimination based on gender or geography or disability or age.

The third thing our legislation does is it gives all kinds of incentives to small businesspeople to insure their employees: tax credits, allowing them to go into a larger pool with consumer protections. And our legislation provides insurance for people who do not have it, with some help from the government if people are low or median income.

So all of that will mean a healthier population. It will mean choices for people because they can choose the public option or they can choose private care, and they know the public option will make our whole health care system much better.

As we move forward and get this legislation to the President's desk before Christmas, I am excited about what we can do to make peoples lives better and to make for a healthier country.

I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized.

Mr. CASEY. Mr. President, first of all, I commend the words of my colleague, Senator BROWN, on the issue of health care but in particular the importance of having a public option in our health care plan and the legislation the Senate will take up.

#### AFGHANISTAN POLICY

I rise today to speak in particular with regard to the debate we are having—just beginning to have, by the way, and need to have a lot more debate about—the U.S. role in Afghanistan, with a special focus in terms of my own remarks today on building the Afghanistan National Army. At the same time, I would also like to recognize the dedication of the Pennsylvania National Guard as well.

But first with regard to Afghanistan, the challenge we face in Afghanistan and Pakistan is a grave challenge indeed. Those who might disagree on the way forward or what to do next can agree on that, that it is a grave challenge. In order to get it right, and we must get it right, we need to debate these issues thoroughly.

I have been fortunate enough in the 3 years since I have been in the Senate to be a member of the Foreign Relations Committee. As a member of that committee, most recently—the last couple of months, really—I have had several opportunities, as others have on the committee, to examine the military, political, diplomatic, and regional implications of our presence in Afghanistan. Chairman JOHN KERRY has taken a very comprehensive approach, and I applaud his efforts.

I also support the administration's deliberate consideration in making

this strategic determination. The President is taking the time that I believe is necessary to make the right decision.

General McChrystal as well has contributed much to this debate, not only with his report but, more importantly than what he put on paper, the kind of leadership he has provided to our troops on the battlefield and the way he has assessed the threats to our security and to our troops and to the Afghan people and the way he has articulated those threats.

Now he has made a recommendation to the President. We hear a lot about what General McChrystal's report said, at least parts of it. We also hear a lot about General McChrystal's recommendation on troops. What we have heard very little about and need to hear more about is the nonmilitary part. What will happen on the nonmilitary aspects of this counterinsurgency strategy? That is vitally important and at the same level of importance as what we do militarily. So we have to get it right militarily and in terms of the other strategy.

But one thing we have not heard a lot about is that General McChrystal has actually, in words I am quoting from the New York Times, endorsed the President's deliberate approach. General McChrystal was quoted on October 2 in the New York Times as follows: "The more deliberation and the more debate we have, the healthier that is going to be" for the strategy. So far as much attention as has been paid to what his report says, or at least part of what his report says, I think it is also important to listen to his words about taking the time to debate it and taking the time to deliberate it because if all we do in the Senate is point a finger to the White House and say the White House must do this or the President must do this or the administration must do this, we are not fulfilling our responsibilities in the Senate.

A number of us have been talking about this challenge, but we have to hear from more voices here and we have to debate this in a very substantive, serious, thorough, and bipartisan way. I will talk more about that in a moment.

In that same New York Times story, General McChrystal was also quoted as saying: "I don't think we have the luxury of going so fast that we make the wrong decision." So I think it is important to highlight what General McChrystal has said about the approach we take, the approach President Obama is taking, spending a number of weeks looking at this, focusing on the strategy before the resources. A lot of people in this town want to just talk about troop levels only and resources only instead of getting a sense of where we should be strategically first and then getting to resources.

We should consider the ideas set forth in a recent Wall Street Journal op-ed by the following Senators: MCCAIN, GRAHAM, and LIEBERMAN—all

respected voices on national security and foreign policy.

This is not going to be the strategy going forward, the solution to a difficult problem; this is not going to be a Democratic solution and it is not going to be a Republican solution; this has to be a strategy and a solution that comes from both parties.

Also, I should say that only by working together can we develop the best strategy, and to literally focus on strategy before the question of resources. We cannot simply use sound bites to communicate the complexities of this conflict or simply reassert talking points from the Iraq war debate. If that is all we are going to do around here, we might as well not have a debate because that will not do it for this debate, especially when we are talking about what is at stake here and especially in this case. Politics must stop at the water's edge. I think we can do that. This body has done it in the past, and we can do it again.

Let me say at the outset that our problems in Afghanistan are political in nature and will ultimately require a political solution. This does not mean additional troops may not be needed, but it does indicate to me that our strategy needs to reflect a deeper commitment to supporting the Afghan people in their efforts to focus on at least three principal areas—one, the obvious priority of security. There is a lot to talk about just under that umbrella. The second focus we have to have, as well as the Afghan people, is governance. We cannot govern for them; they have to govern themselves. President Karzai and whoever else has authority in that country to provide services have to demonstrate to us and to the world that they can govern themselves. So first security and then governance and finally development, and that obviously is a joint effort, not just American-Afghan but all of the more than 40 nations that are helping us in Afghan to help communities with water systems and infrastructure and education and so many others—health care included—so many other aspects that involve development or at least quality of life in Afghanistan.

Ultimately, our success will come in empowering Afghan institutions to address their own internal security. In some cases, this may mean co-opting certain elements of the Taliban, in other cases taking on the Taliban directly. We are now at a stage where the United States can play a positive role in making sure the political framework for the country is sound.

The chairman of the Armed Services Committee, CARL LEVIN, has helped to focus attention on the critical importance of training the Afghan National Army or the so-called ANA. I applaud Chairman LEVIN's leadership in this regard and support his call for an acceleration—a rapid acceleration of troop training to the levels of 240,000 Afghan National Army troops by 2012. While there is some disagreement over these

training timelines, no one disputes the central importance of getting the Afghan security forces trained well and soon. As this force is prepared to provide security, it will decrease the need for a robust U.S. presence in the country.

I applaud the efforts of Major General Formica, head of the U.S. unit charged with training the Afghan troops. While the ANA certainly needs substantial additional assistance, we need to acknowledge the fact that this fighting force did not exist 7 years ago. Due in large part to the extraordinary efforts of coalition forces and people like the general, the ANA can be considered a measured success. Without these remarkable efforts, the Afghan National Army would not be in a position to grow at the pace necessary in the coming months.

I should also add that the recent Presidential election in Afghanistan presented a very difficult security challenge, and both the Afghan National Army as well as the police performed pretty well. We could witness some security problems but on a much more limited basis than many would have predicted. So that is a bit of good news in all the bad news we hear about Afghanistan.

Challenges do remain, however, and this training process will not be easy. A little more than 40 percent of the population in Afghanistan is of the Pashtun ethnicity, although they are not fully represented in the army at these levels. The officer corps of the Afghan National Army, based on traditions that go back decades, is primarily made up of Tajiks, who represent just over 25 percent of the population. The most substantial fighting in Afghan currently takes place in the Pashtun belt, an area of the country in the south and east along the border with Pakistan. I hope the Afghan National Army can continue to take these important ethnicity concerns into consideration as they grow the force.

These are critically important concerns about ethnicity. We have to recognize that and not turn away from it.

Second, Afghanistan has a very high illiteracy rate; some estimate as high as 70 percent. This presents considerable complication in troop training as some recruits are not able to read or write orders, understand maps or interpret instructions on how to operate equipment. Our trainers have come up with creative training techniques using pictures, for example, but this is no substitute for basic skills required in a modern army.

The third challenge with regard to building up the Afghan National Army and perhaps the most significant is posed by the substantial resources needed to stand up such a force. Army recruits are paid only \$100 a month, while there are reports that the Taliban pays as much as \$300 a month. Both are small amounts, but when the Taliban is paying three times as much, that presents a challenge that we must

confront, if we are serious about this. The Afghan National Army should begin to address the discrepancy. Overall the cost of maintaining this expanded force will be considerable, and it is unlikely that the Afghan Government will be able to shoulder this burden anytime soon. It is a challenge that involves both cost and the reality that the government doesn't have the resources to do all it needs to do in building up the Afghan Army. We need to be honest about that. This will be expensive but nowhere near as expensive as the continued deployment and costs associated with maintaining an international coalition force.

I have tried to outline some of the realistic challenges we face in standing up the Afghan Army. Afghan Defense Minister Wardak, whom I met during my trip in August, oversees this effort in Kabul. Minister Wardak has been commended for his leadership of the Afghan armed forces. He believes these ambitious troop increases are challenging but possible. I hope we can aggressively pursue Chairman LEVIN's plan, no matter what comes of the President's strategy. An expanded and enhanced Afghan Army should be a central part of the equation. In the final analysis, this fight against the Taliban is an Afghan fight. We need to be there to support them, but a stable and peaceful Afghanistan will ultimately depend upon how well the Afghan Government can provide security for its own people.

(The further remarks of Mr. CASEY are printed in today's RECORD under "Morning Business.")

Mr. CASEY. 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. THUNE. I ask unanimous consent that the order for the quorum call be rescinded.

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

#### HEALTH CARE REFORM

Mr. THUNE. Mr. President, this week the latest version of the health care reform plan was scored by the CBO. The expectation is that sometime in the next few days, the Finance Committee will report out a bill which at some point will be merged with the bill that was produced by the HELP Committee. I rise to make some observations about the process generally, because we are talking about literally one-sixth of the American economy. This is not something that is inconsequential, and certainly it is something that is personal to most Americans. Health care is something they value deeply. Any type of reform ought to focus on patient-centered health care—not insurance centered, not politician centered, not Washington, DC centered, but patient-centered health care. As we get into this debate, we ought to have an opportunity not only for Members of the Senate to carefully examine what is in

this legislation but also for the American people. The American people deserve and have a right to know what is going to be in any final bill.

My first point is that we have tried. An amendment was offered in the Finance Committee by the Senator from Kentucky, Mr. BUNNING, that would require for any bill that ultimately, once it is reduced to legislative language and has an estimate from the CBO about what it might cost, there be 72 hours for people to evaluate it, Senators as well as the general public. That amendment was defeated in the committee deliberations. Seventy-two hours is the bare minimum that ought to be required and necessary for people here in the Senate to look at what will be inevitably north of 1,000 pages of legislative language.

The reason I say "will be" is because we don't know yet. We haven't seen legislative language to date. All we have is a concept paper. The Finance Committee will be voting out a concept paper. That concept paper has been scored by the Congressional Budget Office but it is just that. It is a concept paper. We have yet to see anything that resembles legislative language that ultimately is what we in the Senate will be asked to vote on.

The simple expectation is that there ought to be an adequate amount of time, whatever that amount is, but at a minimum 72 hours was all that was requested by the Senator from Kentucky in his amendment before the Finance Committee. That was defeated by the Democratic majority.

He subsequently offered that today, a resolution as an amendment to the currently pending legislation, the CJS appropriations bill. It was objected to. There was a point of order raised against it. It is pretty clear that our colleagues on the majority side do not want to consider having any sort of a requirement imposed that would allow people an adequate amount of time to review this incredibly consequential and impactful piece of legislation coming before the Senate.

I make that observation to start with because it is relevant. This process needs to be open and transparent. The American people have a right to know exactly what is in this legislation. Even Senators and Senators on the Finance Committee right now don't know because they haven't seen bill language. What they are going to be voting on is a concept paper. And what the estimate that has been provided by the CBO is in response to is a concept paper, not legislative language. I argue to my colleagues that we need to have at least a certain amount of time. I would argue more than that—it ought to be 2 weeks, when we are talking about something this voluminous and this consequential for Americans or the American economy. I regret that our colleagues on the Democratic side of the aisle are objecting to what is even a minimum amount of time to review this legislation, and that would be a 72-hour time limit.

I don't believe for a minute that the Finance Committee bill, even if and when it is reduced to legislative language, is the thing we will be voting on. There has been a lot of reaction to it and a lot written in the last couple of days about how this would be scored by the CBO. And there is a story out today that it actually would reduce the deficit, which I will get into in a moment.

But before addressing that, this bill, when it does become a bill, will have to be married with another bill passed earlier by the HELP Committee. Those two will be merged. Where will they be merged? They will not be merged on the floor of the Senate. They will be merged behind closed doors in the majority leader's office by a handful of people who will be determining what is in the legislation. Then at some point they will have to come out and we will get an opportunity to look at it.

I don't think the work the Finance Committee is putting in right now is anywhere close to what the end result will be. I argue that we will see a very different product produced by the majority leader when they go behind closed doors and a handful of people write the health care bill that will come before the Senate.

Those are a couple of observations I wished to make with respect to the process and how flawed I believe it is with regard to the issue of being open and transparent and making sure there is accountability to the people.

The second observation I wish to make has to do as well with the fact that most Americans believe there is a right way and a wrong way to do this. The right way ought to be making sure we are prioritizing our spending and being careful with taxpayer dollars.

The wrong way is for Washington to go about this in the traditional way; which is, to raise taxes still higher, put the country further into debt, and more money into programs we do not believe—at least a lot of us do not believe—will work in the long run. Again, I will point out in a minute why we think this is the case, why these programs will not work in the long run.

The right way to do this is for us to protect and expand that doctor-patient relationship and to do it in a way that is fiscally responsible and to do it in a way that gets at the real crux of the issue; that is, how do we reduce the cost of health care in this country.

As to the current bill, which I mentioned earlier, there have been some news stories in the last day or so about how this bill reduces the deficit, with \$829 billion in spending and about \$81 billion in surplus to reduce the deficit. What I think is important for people to focus on is, because there is a delayed implementation of these provisions in this bill that do not start kicking in until 2014 or thereabouts, the numbers that are being used by the other side and being reported upon by the media reflect a 10-year period starting now and going forward.

But when the bill is fully implemented, when all the provisions are finally in place and we get the 10-year window from that point forward—or from that point through the 10-year window—that is when we get a real assessment of what the costs are. If we do that, the cost of this legislation is not the \$829 billion that has been put out publicly and has been sort of picked up by the media in the last day or two, but it is nearly double that amount. It is \$1.8 trillion.

So it is a massive amount of new spending, a massive expansion of the Federal Government at the Federal level, and a massive amount of spending that somehow is going to have to be paid for either in the form of additional revenues, cuts in Medicare—which is what is being proposed—which I do not think, frankly, is ever going to happen. We tried back in 2005 when we were reforming Medicare to shave \$10 billion out of that. We could not get the votes for it in the Senate. We had to bring the Vice President back from Pakistan to cast the deciding vote.

So the notion that somehow we are going to be voting to cut \$500 billion from Medicare is a pipe dream. You would have to be smoking something to believe that is actually going to happen. That is one of the ways that \$1.8 trillion of new spending is paid for.

The other way it is paid for is with higher taxes. The problem with that is the taxes do not just fall on the "rich" or "wealthy." They do not just fall on the insurance companies, which is where some of the taxes and fees in the Finance Committee bill are directed. They fall on the American people. In fact, I think it is important to point out the Congressional Budget Office, when asked about this, said 90 percent of the tax burden in 2019—90 percent of the tax burden in the health care bill—would fall on wage earners making less than \$200,000 a year. That directly violates and contradicts the commitment and the promise the President made that he would not impose taxes on people making less than \$250,000 a year.

So we have these massive tax increases which, according to CBO, are going to fall disproportionately on people making less than \$200,000 a year, and we have these cuts in Medicare which, in my view, are not going to happen or, if they do, could be very devastating to seniors, as well as to a lot of the health care providers across this country.

But here is what is most amazing about all that: almost \$2 trillion in new spending over a 10-year period—\$500 billion, \$600 billion of tax increases; \$500 billion in Medicare cuts to pay for this—and who is to say if the Medicare cuts do not happen a lot of this will not end up being borrowed, which piles up huge debt on future generations of Americans. But after all that, and after all the bills, including the Finance Committee bill, it assumes a tremendous level of government intervention and involvement in the health care

economy of this country. The government is going to be in the middle of making decisions that traditionally have been made by doctors and patients.

But after all that, we would assume, at the end of the day, the underlying purpose and goal of this—which is to reduce health care costs—would have been achieved. The truth is, it does not reduce costs. The bottom line is, after everything else is said and done, and we look at all the spending and all the taxing and all the new government expansion and all the new government interference and involvement and intervention in the health care economy and the fundamental doctor-patient relationship, we have not done anything to lower costs for the Americans who are struggling with the high cost of health care.

In fact, the Congressional Budget Office, during the Finance Committee markup last week, when asked whether the insurance company taxes would be passed on—and how would that impact the people who are actually having to pay the insurance premiums out there—they said those new taxes will be passed on dollar for dollar. We have seen all kinds of varying estimates about the amount of the increase, but there has not been a bill yet, of the five that have been produced by any of the committees in the Congress, that bends the cost curve down. They all raise and increase costs.

I think that is the Achilles heel, ultimately—that the American people, who are struggling with the high cost of health care, are looking for solutions and for reforms that will actually put downward pressure on prices, and all that is being talked about is spending a couple trillion dollars of their tax dollars, raising taxes and cutting Medicare in order to raise their overall cost of insurance. Only in Washington, DC, could something that stunning actually make it in the light of day.

So at the end of the day, it ought to be about reducing costs for Americans. It ought to be about trying to provide access for those who do not have access to health insurance. By the way, the most recent version of the Baucus bill—the Finance Committee bill—still leaves 25 million Americans uncovered. So we are not covering a lot of people we are proposing to cover. We are increasing costs of health care for people who currently have insurance, and we are creating a couple trillion dollars of new spending when this bill is fully implemented over 10 years that, again, is going to, in some way, have to be financed with taxes, Medicare cuts, or, worse yet, perhaps borrowing, which will come on the backs of future generations.

The amount of debt we are going to have at the end of 2019, according to CBO, is enough so that every household in this country will owe \$188,000. Imagine if you are a young couple today just exchanging your vows, you are starting your family, you are getting

ready to move on with your life, and you get handed a big fat wedding gift from the Federal Government to the tune of a \$188,000 IOU. That is not fair to future generations.

We ought to learn to live within our means. We talk about reforming health care. We ought to put reforms in place that actually reduce the cost of health care for working-class families in this country, that do not raise their taxes, that do not borrow from their children and grandchildren. Those are the types of things we would like to see as part of this debate.

We have already put forward a number of proposals that would do just that: allowing people to buy insurance across State lines—interstate competition would put downward pressure on prices and insurance rates across this country—allowing people to join larger groups, small business health plans—something we voted on repeatedly in the Congress which has been consistently defeated in votes—dealing with the issue of defensive medicine, which it is estimated costs the health care economy about \$100 billion annually; doing something about medical malpractice and all those physicians who order those additional tests simply because they are worried about being sued.

We have had proposals put forward that would change the tax treatment of employer-provided health care plans so that those who do not have insurance would have a tax credit that would be available to them so they could go out and buy health insurance in the private marketplace.

We are laying out a lot of solutions we believe actually get at the fundamental issue before the American people, and that is the high cost of health care and also trying to provide coverage for those who do not have it. None of these proposals, in my view—and I think the Congressional Budget Office, in their analysis, bears it out. These are all proposals that bend the cost curve up, that increase and raise insurance costs for this country.

The only reason they could go out like they did yesterday and say, well, this actually reduces the deficit, is because of the massive tax increases and the massive cuts in Medicare that it assumes will take place.

Again, I want to mention one more time, in closing, notwithstanding the numbers that were released yesterday by the Congressional Budget Office—and the way they were reported by the media—the number people need to focus on is the cost of this program when it is fully implemented.

Because it is delayed, because many of the provisions in the bill, in its entirety, for the most part, are going to be delayed—the implementation—until 2014, we have to get the full picture of the cost, what it is going to cost in the 10 years once it is fully implemented because a lot of the revenues are front loaded, the costs are back-end loaded. That is why this sort of wires and mir-

rors—the approach that is being used—understates the overall cost. They can go forward and say, well, we are reducing the deficit over 10 years because of all the tax increases, which kick in right away, but some of the costs in the program do not come into play until later on.

So the American people need to be engaged in this debate. They need to have their voices heard. Frankly, they have a right to know exactly what is in this legislation. That is why it should not be rushed. It should be done in a way that allows people to actually review this bill. It ought to be done in the light of day.

Secondly, it ought to be done in a way that actually is fiscally responsible to future generations so we do not pile this huge burden of debt on them. But even more importantly than that, it ought to accomplish the stated objective, which is to reduce the overall health care costs for Americans.

These proposals do not do that. There are ideas out there and solutions out there that do, some of which I just talked about. If we would be willing to sit down and come to a consensus about those things that actually do drive health care costs down, we could pass health care reform through the Senate this year, through the House of Representatives, put it on the President's desk, and do something that actually meaningfully reduces costs for Americans and what they pay for health care.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. KAUFMAN. Mr. President, I ask unanimous consent to speak as in morning business.

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

TRIBUTE TO ERICA WILLIAMS AND HER SEC TEAM

Mr. KAUFMAN. Mr. President, I rise again today to honor a great Federal employee, something I have been doing each week on the Senate floor. I do so because I believe it is very important to recognize the unsung heroes who work every day on behalf of the Nation with great effort and often with great sacrifice.

Today, I want to honor an employee of the Securities and Exchange Commission, one of our most important independent Federal agencies, whose work affects all Americans. This great Nation was founded on a belief in freedom and fairness—two fundamental pillars of American society.

This is what the Revolutionaries fought for in the time of Samuel Adams and George Washington. It is what the Framers enshrined during the era of Alexander Hamilton and Thomas Jefferson. Maintaining democratic government and fair, open markets were the charge of every administration and Congress from their day to ours.

In the decades since World War II, American global leadership has focused on promoting these two concepts throughout the world. Democracy and

a fair marketplace complement each other perfectly. A society based on fair markets cultivates an egalitarian political culture. Likewise, democracy instills in all citizens the sense that they ought to enjoy in commerce what they so cherish in government: a marriage of liberty and equality.

I have already spoken from this desk several times about the challenges we and the SEC jointly face today in protecting our financial markets. I have talked repeatedly about how, as a nation, our credit and equity capital markets are a crown jewel. Only a year ago we suffered a credit market debacle that led to devastating consequences for millions of Americans.

I have squarely blamed the self-regulation philosophy of the SEC as being a major part of that problem. By this I mean that the SEC had too often deferred to those it regulates for knowledge, experience, and certitude. I feel so strongly about this because we have lived through an era where regulators and the leadership of regulatory agencies failed to regulate. Perhaps Congress, too, failed to give the regulators the tools and resources they needed to do their jobs effectively.

These failures have contributed not only to a financial disaster but also to a loss of public confidence in our markets and our national economy. In addition, these failures run counter to our ideals of democracy and market fairness.

During the time of the Revolution, we were a nation of farmers and merchants bound together by our common dependence on the trade of manufactured goods, foodstuffs, and local services. Today, we have become a nation of investors. Tens of millions of Americans own retirement accounts, and they depend on fair markets to protect those long-term holdings.

Many Americans have suffered directly as a result of the markets losing value. Those who have not been hurt personally surely know someone—a parent, a friend, or a coworker—who has. The financial crisis has forced many to delay retirement or even go back to work. Most working Americans have lost something; some have lost almost everything.

Under its previous leadership, the SEC lost its way. While the failure of the SEC to follow up on tips about the Bernie Madoff Ponzi scheme is certainly emblematic of this failure—and probably a huge blow to the morale of the agency—I believe morale at the agency may also have suffered for a much more fundamental reason. Too often in the past, the SEC leadership kept its employees from pursuing its core mission. This happened not only at the SEC but at other Federal agencies as well. There was simply a philosophical difference between their policies and the need for effective enforcement of regulations.

Employees at the SEC, while still working hard every day, sadly, I suspect, have become somewhat demor-

alized by this and by resulting setbacks. And, I might add, SEC employees have also had to endure criticism of the Commission in recent months by concerned Members of Congress—myself chief among them.

Today, the SEC stands at a crossroads.

In the wake of last year's historic election, Washington has been focused on change. The greatest thing about change is that it offers the promise of a new start. I wholeheartedly believe one of the most fundamental qualities of the American people is the ability to pick ourselves up, dust ourselves off, and return to the important task before us.

For the SEC, this means a renewed focus on its original mission: to maintain public faith in our markets, to protect all investors. The SEC needs to reassure our long-term investors—many of whom are average Americans saving for retirement—that the system is not rigged against them. I know the SEC can, and will, be a can-do agency once more.

In 2005, the SEC moved into a new headquarters just a few blocks from the Capitol. It is a beautiful glass and stone building with a high, curving facade. The lobby is full of light, and its windows frame a view of the Capitol dome. Much of the building wraps around a courtyard, and in the center of that courtyard is a playground for the children who attend the SEC's employee daycare. Across the street are a school and a row of small businesses, including a busy coffee house. Behind the new building are the tracks leading out from Union Station carrying business travelers and commuters each day.

The men and women who work in that building don't need to be reminded who they work for. They see them every day out of their windows. The stability and fairness of our financial markets affects every American, from the small business owner to the coffee house patron; from the daily commuter to the future of that toddler in daycare. I believe a new building provides a chance for a new beginning.

I agree with the President that at least with regard to the financial crisis, the worst is behind us. Now is the time for the SEC to step to the plate. I know they can do it. I have faith in the SEC because it stabilized our markets in the aftermath of the Great Depression. I have faith in the SEC because it always proved to be resilient during times of institutional change, and I have faith in the SEC because it has some of the most talented public servants who are now working tirelessly to catch up after several years of failed leadership.

One of those public servants is Erica Williams, a lawyer for the SEC's Enforcement Division. A graduate of the University of Virginia Law School, Erica has been with the SEC for 5 years. During that time, she has distinguished herself as a trial lawyer on sev-

eral complex cases involving accounting and fraud. Before coming to the SEC, she worked at a major private sector law firm in Washington.

In July, she and her team of SEC enforcement attorneys won a hard-fought verdict in Federal court on a case involving insider trading. This case, commonly referred to as SEC v. Nothern, was a rare case involving U.S. Treasury bonds.

She could not have had better colleagues on this case than John Rossetti, Sarah Levine, and Martin Healy, all of whom equally deserve recognition. John is a graduate of Catholic University Law School, and he served for 9 years as an SEC enforcement attorney. Sarah, who holds a law degree from Yale, clerked for Justice David Souter before coming to the SEC in 2007 as a trial attorney. Martin supported their efforts as a regional trial counsel at the SEC's office in Boston.

Erica and her team had to prove that the defendant had insider knowledge from someone inside the Treasury Department. Approximately \$3 million in illegal profits had been generated from this scheme. They argued their case strongly and thoroughly. They also had to prosecute the case with fewer resources than are usually available to private sector litigators. They worked weekends and sacrificed time with their families for long hours spent in the office or on the road. It all paid off, a victory that reflects what the SEC is all about: punishing and deterring wrongdoing.

What Erica achieved with her team is more than a court victory, however. She is helping to send a message the SEC is back; that those who are contemplating fraud better think twice. That is why I am honoring her as my "Great Federal Employee" of the week.

I know this is only the beginning. The SEC knows it needs to focus on deterring those activities that make our markets unfair. That is what Erica's victory and what other recent gains of the Commission have done. As new SEC Enforcement Division Director Robert Khuzami has said, the SEC is engaged in "a rigorous self-assessment of how we do our job." Their victory is what Khuzami meant when he promised "a focus on cases involving the great and most immediate harm and on cases that send an outside message of deterrence."

I also have faith in SEC Chairman Mary Schapiro, who shares my concern about the stability and the quality of our markets. She understands the trade-offs between market liquidity and market fairness, and she recognized how important it is to protect the interests of long-term investors.

As my colleagues are aware, since March, Chairman Schapiro and I have exchanged communications, and I believe under her leadership the SEC is coming back stronger and better able to pursue its mission.

The famous Alabama football coach, Paul "Bear" Bryant, once said:



I have learned over the years how to hold a team together. How to lift some up, how to calm others down, until finally they've got one heartbeat, together, a team.

Chairman Schapiro believes in the SEC's mission, and she is working diligently to ensure that all who work there are doing so with one heartbeat—as a team. They, too, believe in the SEC's mission, and we have to make certain they get all the resources they need, not only to catch up but also to operate ahead of tomorrow's market threats.

Taped to the door of Chairman Schapiro's office is a sign for all those entering with new proposals or ideas. It reads: "How does it help investors?" This ethos must once again be the source of inspiration for everyone who works in that beautiful new building.

As the SEC embarks on its next chapter, I want all of its employees to know when they walk out of that lobby each day and see the Capitol dome, they should feel confident that those of us who work under it are their partners. We will be their partners by making certain the SEC is strong enough to do its job, and we will work together with the Commission to help identify and prevent new problems before they arise. The American people also should have patience and hope that the SEC is back and on the right track. We all hold a common stake in its success.

The era of looking the other way is now behind us. The time has come to look forward. I hope my colleagues will join me not only in honoring the service of outstanding Federal employees of the SEC such as Erica Williams and her team but in recommitting ourselves to help them pursue our common goal. When it comes to protecting America's investors, we must have one heartbeat.

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

THE PRESIDING OFFICER (Mr. BROWN). The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. SHELBY. Mr. President, I ask unanimous consent to speak as in morning business.

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

#### AIR FORCE TANKER COMPETITION

Mr. SHELBY. Mr. President, I rise today to speak about the recently restarted Air Force KC-X tanker competition.

On February 29, 2008, after a lengthy competition, the U.S. Air Force announced that the team of Northrop Grumman and EADS was selected to deliver the best, most capable tanker to our warfighters, at a price of \$3 billion less than their rival Boeing's offer.

It was only after the GAO sustained a mere 8 out of 111 complaints submitted by the losing team—Boeing—that the

award was overturned and the competition was placed in limbo.

Even after GAO's recommendation, there is still nothing to suggest that the KC-45 was not the best tanker solution. This is a very important point to remember. The Air Force's contracting system may have been flawed, but nowhere did GAO state that the KC-45 is not the best tanker for our airmen.

A year later, Defense Secretary Robert Gates terminated the award and canceled the entire tanker acquisition program.

Secretary of Defense Gates' decision to cancel the Air Force's No. 1 acquisition priority outright clearly placed politics and business interests over the interests of the warfighter.

While Secretary Gates may have characterized this decision as a "cooling off" period, it sent a clear message that only a Boeing tanker will be acceptable. The defense acquisition policy was unmistakable: No Boeing, no tanker. That is a fundamentally flawed policy that may please some Members of Congress from the States in which Boeing would build the tankers, but it fails to satisfy the critical need for the best new tankers for our warfighters. In that case, politics obviously trumped military necessity and troop welfare.

After review of the September 24 draft RFP that begins the new tanker competition, I again have serious concerns that fairness and capability are being completely ignored.

For a moment, let me elaborate. As a result of the last protest, Northrop Grumman was compelled to submit its proprietary, competitive-sensitive pricing data to the GAO, which, in turn, provided that critical information to Boeing. Let me say it again. Boeing now has all of Northrop Grumman's competitive pricing information. Yet they are going to be competing again.

Boeing knows exactly how the Northrop Grumman team was able to offer the best deal to the Department of Defense during the last competition. Boeing knows all of Northrop Grumman's bidding strategies.

In a competition for a defense contract, nothing is more carefully protected than a company's pricing and bidding strategy.

Let me remind my colleagues here that Northrop Grumman/EADS offered a clearly better plane, at a price that was \$3 billion less than Boeing. And now, today, Boeing knows how they did it.

Northrop Grumman has repeatedly asked the Department of Defense to level the playing field by providing them—Northrop Grumman—with Boeing's pricing information from the previous competition. To date, the Pentagon has continually denied Northrop Grumman's requests. The Department of Defense has stated that Northrop Grumman's pricing and bidding strategies are not relevant issues in the current competition, and that the data is outdated.

Not relevant? I could not disagree more. It is intuitively obvious to anyone who is even vaguely familiar with the concept of competitive government bidding that the Department of Defense, from the outset, is tilting the competition toward Boeing. Northrop Grumman is being severely penalized before the game even begins. This situation is inconceivable and must be changed.

Further, after review of the draft RFP, it is becoming increasingly clear that this competition is not structured around what we call a "best value" competition that would ensure that our warfighter receives the best plane. Rather, it is structured around the lowest price technically acceptable competition that does one thing and one thing only—it reduces the chances that our warfighters will receive the most superior plane on the market.

One would think that our Air Force's top priority would be to ensure that our men and women in uniform have the best, most capable equipment. It seems to me that is not the case.

A lowest price technically acceptable procurement process focuses heavily on cost and does not take into account additional or advanced capabilities that may be available on the aircraft that will help us in the years to come. This means that price is more important than quality; that performance is not a critical factor; that added capabilities, technology that could help save the lives of our men and women in uniform and have an edge on the opposition, is not a key factor in the draft RFP.

The fact that the draft RFP is structured so that cost is almost the only component considered in the competition makes the aforementioned pricing data issue even more relevant.

When combined with Boeing's knowledge of Northrop Grumman's pricing data and not vice versa, it has become abundantly clear that the Department of Defense and the Air Force have their thumbs on the scale in favor of Boeing.

As was clearly shown in the previous competition, Boeing has a less capable airframe, but Boeing now has all of Northrop Grumman's pricing data and a full understanding of Northrop Grumman's bidding strategies. This information is the holy grail for Boeing that provides them with everything necessary to surely submit a lower cost bid for their less capable aircraft.

If this matter should not be a concern, then there should be no issue whatsoever with the Department of Defense providing Boeing's prior data to Northrop Grumman because Boeing, again, has Northrop Grumman's data, as they recompetite.

In order for this competition to be untainted, to be fair, to be at the level of openness and transparency that my colleagues and I were repeatedly assured would be the case, I believe it is imperative that Northrop Grumman be allowed to obtain Boeing's pricing data from the last tanker competition and that the competition shift away from

purely a cost basis to what is best for the warfighter.

It makes no sense for a procurement process that has been continually hampered by scandal, delays, and jail time for certain officials to begin the latest version of this competition with such an absurdly uneven playing field.

As we go forward, it is my sincere hope that the safety of our warfighters and the security of our Nation will become the priority, as it has been in the past, this time and decisions will not be based on political pressures that unfairly tilt competition.

Unless the Department of Defense and the Air Force live up to their commitment of impartiality and transparency, I am fearful that our warfighters will have to settle for second best. Apparently, that is just fine with some, as long as Boeing wins.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Maryland is recognized.

Mr. CARDIN. Mr. President, I ask unanimous consent to speak as in morning business.

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

(The remarks of Mr. CARDIN pertaining to the introduction of S. 1765 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

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

#### AMENDMENT NO. 2625

Mr. SHELBY. Mr. President, I now call up amendment No. 2625.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered. The clerk will report.

The assistant bill clerk read as follows:

The Senator the from Alabama [Mr. SHELBY], for himself and Mrs. FEINSTEIN, proposes an amendment numbered 2625.

The amendment is as follows:

(Purpose: To provide danger pay to Federal agents stationed in dangerous foreign field offices)

On page 170 at the end of line 19 insert the following:

SEC. XXX. Section 151 of the Foreign Relations Authorization Act, Fiscal Years 1990 and 1991 (Public Law 101-246, as amended by section 11005 of Public Law 107-273; 5 U.S.C. 5928 note) is amended:

(a) by striking "or" after "Drug Enforcement Administration" and inserting "the"; and (b) inserting after "Federal Bureau of Investigation": "the Bureau of Alcohol, Tobacco, Firearms and Explosives or the United States Marshals Service".

Mr. SHELBY. Mr. President, I, along with Senator FEINSTEIN, have offered this amendment that would make the

U.S. Marshals and the ATF agents, who put their lives on the line in dangerous foreign countries to protect our Nation and our citizens, eligible for danger pay.

The U.S. Marshals and ATF agents are actively assisting Mexican law enforcement and the Mexican military in one of the bloodiest wars in the world today—the Mexican drug war. There have been nearly 10,000 drug war murders and deaths in Mexico since January of 2007. President Calderon has deployed 45,000 troops and 5,000 Federal police to 18 Mexican States to help combat these cartels.

Every week, we read about the gruesome murders of Mexican law enforcement officers, many of whom have our own Federal agents serving at their side. Currently, FBI and DEA agents receive danger pay in Mexico, while U.S. Marshals and ATF agents do not. I believe it is outrageous that these agents—our agents—serving their country and risking their lives on a daily basis, do not receive this compensation like their Department of Justice counterparts.

This amendment I offer on behalf of myself and Senator FEINSTEIN simply brings danger pay parity to the Department of Justice Federal law enforcement officers working in dangerous foreign countries. This amendment, I believe, has a lot of merit, and although Senator MIKULSKI is not here right now, I believe she would join with me in support of this amendment.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. FRANKEN). The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

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

#### ORDER OF PROCEDURE

Mr. KOHL. Mr. President, I ask unanimous consent that at 3:30 p.m., the Senate proceed to the consideration of the conference report to accompany H.R. 2997, the Department of Agriculture, Rural Development, Food and Drug Administration Appropriations Act; that debate time on the conference report be limited to 30 minutes, equally divided and controlled between Senators KOHL and BROWNBACK or their designees; that if points of order are raised, any vote on the motions to waive occur beginning upon the use or yielding back of time; and that following the disposition of the points of order, and if the motions to waive are successful, then at 4 p.m., the Senate then proceed immediately to vote on adoption of the conference report; that upon adoption of the conference report, the Senate then resume consideration of H.R. 2847, and the Ensign motion to recommit with 2 minutes prior to a vote in relation to the motion, with no amendments in order to the motion.

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

#### MAKING APPROPRIATIONS FOR AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION AND RELATED AGENCIES PROGRAMS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2010—CONFERENCE REPORT

The PRESIDING OFFICER. The report will be stated.

The assistant legislative clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2997), making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes, having met, have agreed that the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment and the Senate agree to the same, signed by a majority of the conferees on the part of both Houses.

(The conference report is printed in the House proceedings of the RECORD of September 30, 2009)

Mr. KOHL. Mr. President, I rise in support of the conference report on H.R. 2997, the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act for 2010.

This bill includes total spending of \$121.1 billion. Of the total, \$97.8 billion is for mandatory programs, and \$23.3 billion is for discretionary programs. The discretionary spending in this bill is an increase of \$2.7 billion and is within our 302(b) allocation.

This bill funds a range of programs that help improve the lives of Americans every day.

It provides more resources for food and drug safety.

It delivers low-income housing and supports rural communities who need sanitary water systems.

It fully funds the WIC, SNAP, School Lunch and School Breakfast Programs. It expands the Commodity Supplemental Food Program and the Child and Adult Care Feeding Program.

It significantly expands the McGovern-Dole Program so children in developing countries can get school meals. Often, that is the only reason they come to school.

It bolsters agricultural research so we can produce better crops and feed more people more efficiently.

It funds conservation, community development, animal and plant health, trade, and much more.

We worked closely with our counterparts in the House to come to satisfactory agreements on issues about which we had differing views.

We included compromise language on the reimportation of Chinese poultry, setting up a stringent system to protect public health. This language meets all of our WTO requirements and has been endorsed by all sides.

We included critical funds to aid the dairy sector which is suffering from historically low prices. Some will be used to purchase dairy products for food pantries, and the rest will provide direct relief to producers.