

the Social Security Act to improve prescription drug coverage under Medicare part D and to amend the Public Health Service Act, the Employee Retirement Income Security Act of 1974, and the Internal Revenue Code of 1986 to improve prescription drug coverage under private health insurance, and for other purposes.

S. 1668

At the request of Mr. BENNET, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of S. 1668, a bill to amend title 38, United States Code, to provide for the inclusion of certain active duty service in the reserve components as qualifying service for purposes of the Post-9/11 Educational Assistance Program, and for other purposes.

S. 1672

At the request of Mr. REED, the name of the Senator from New Hampshire (Mr. GREGG) was added as a cosponsor of S. 1672, a bill to reauthorize the National Oilheat Research Alliance Act of 2000.

S. 1681

At the request of Mr. LEAHY, the names of the Senator from Rhode Island (Mr. WHITEHOUSE) and the Senator from Minnesota (Mr. FRANKEN) were added as cosponsors of S. 1681, a bill to ensure that health insurance issuers and medical malpractice insurance issuers cannot engage in price fixing, bid rigging, or market allocations to the detriment of competition and consumers.

S. 1709

At the request of Ms. STABENOW, the name of the Senator from Arkansas (Mr. PRYOR) was added as a cosponsor of S. 1709, a bill to amend the National Agricultural Research, Extension, and Teaching Policy Act of 1977 to establish a grant program to promote efforts to develop, implement, and sustain veterinary services, and for other purposes.

S. 1723

At the request of Mr. CORKER, the name of the Senator from North Dakota (Mr. DORGAN) was added as a cosponsor of S. 1723, a bill to authorize the Secretary of the Treasury to delegate management authority over troubled assets purchased under the Troubled Asset Relief Program, to require the establishment of a trust to manage assets of certain designated TARP recipients, and for other purposes.

S. 1739

At the request of Mr. DODD, the names of the Senator from Delaware (Mr. KAUFMAN) and the Senator from Illinois (Mr. DURBIN) were added as cosponsors of S. 1739, a bill to promote freedom of the press around the world.

S. 1765

At the request of Mr. CARDIN, the names of the Senator from Pennsylvania (Mr. CASEY) and the Senator from Oregon (Mr. MERKLEY) were added as cosponsors of S. 1765, a bill to amend the Hate Crime Statistics Act to include crimes against the homeless.

S. 1775

At the request of Mr. BAYH, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 1775, a bill to amend the Higher Education Act of 1965 to provide that interest shall not accrue on Federal Direct Loans for members of the Armed Forces on active duty regardless of the date of disbursement.

S. RES. 296

At the request of Mrs. LINCOLN, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. Res. 296, a resolution designating October 2009 as "National Work and Family Month".

S. RES. 312

At the request of Mr. DODD, the names of the Senator from Illinois (Mr. BURRIS), the Senator from Washington (Mrs. MURRAY) and the Senator from Massachusetts (Mr. KIRK) were added as cosponsors of S. Res. 312, a resolution expressing the sense of the Senate on empowering and strengthening the United States Agency for International Development (USAID).

At the request of Mr. DURBIN, the names of the Senator from Rhode Island (Mr. WHITEHOUSE) and the Senator from Massachusetts (Mr. KERRY) were added as cosponsors of S. Res. 312, supra.

AMENDMENT NO. 2668

At the request of Mr. REID, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of amendment No. 2668 intended to be proposed to H.R. 3548, a bill to amend the Supplemental Appropriations Act, 2008 to provide for the temporary availability of certain additional emergency unemployment compensation, and for other purposes.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. SHAHEEN (for herself and Mr. VITTER):

S. 1778. A bill to amend the Federal Food, Drug, and Cosmetic Act with respect to generic drugs, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mrs. SHAHEEN. Mr. President, I rise today to introduce two health care bills that will help control health care costs and provide patients with better care. I believe these bills are easy to understand and reflect commonsense approaches to controlling health care costs.

The first bill, the Reducing Emergency Department Utilization through Coordination and Empowerment, or REDUCE Act, S. 1281, would reduce costly and excessive emergency room visits by providing patients with more consistent and coordinated care.

Emergency room overutilization is a source of wasteful spending in our health care system. Estimates show that \$14 billion are wasted each year in unnecessary emergency room visits. It drives up the cost of health care and

leads to overcrowding of our emergency rooms.

Frequent users of emergency room services make up a small, but very costly portion of the population. These individuals tend to have multiple chronic illnesses and severe mental illness. They often live in poverty or are homeless. Many times they use the emergency room because they have nowhere else to go.

In the most extreme cases, these individuals can cost the system millions of dollars. You heard right, one person can put a multi-million dollar strain on our health care system. For example in Camden, NJ, one person cost taxpayers \$3.5 million over 5 years in Medicaid and Medicare payments.

We need to fix this problem, and I believe we can. The REDUCE Act is modeled after successful pilot programs across the country. It provides beneficiaries with a care management team consisting of a medical provider, a social worker and a community health worker that can provide medical care and support in any setting. The care management team also helps to ensure that these individuals are going to their primary care doctors and mental health providers on a regular basis.

Research shows it works. In fact, after two years of enrollment in one pilot program, on average, individual emergency room visits were reduced by 61 percent and emergency room charges were reduced by 59 percent for those that participated.

There is a lot we need to do to reform our health care system, but as we work on reform broadly, we also need to focus attention on individuals, especially these high cost patients. Doing so will improve care for this vulnerable population and reduce costs.

The second bill, the Access to Affordable Medicines Act, S. 1778, will increase access to lower cost generic drugs by closing a loophole some brand name drug companies exploit that needlessly and unfairly delays the entry of safe, lower-cost generic drugs to the consumer market.

As the law currently stands, when brand name manufacturers make labeling changes, generic drug labeling must reflect this change prior to the drug being approved and introduced in the market.

Too often, big pharmaceutical companies make last minute changes to the label. Many times the labeling changes are insignificant and do not deal with safety or warnings. In fact, these last minute changes are often used by brand name pharmaceutical companies to purposefully delay the introduction of cost-saving generic drugs by weeks or months. This can cost consumers and the federal government millions of dollars.

My bill would stop these costly practices by providing a 60-day grace period for the generic drug company to submit the new labeling for approval and marketplace distribution, while preserving safeguards if the new labeling truly presents a safety issue.

As we work to pass comprehensive health care reform in Congress, we do it with families and small businesses who struggle everyday with the high cost of health care in mind. These bills are the types of sensible reforms that we need to make so that the health care system is more affordable and more efficient. I look forward to working with my Senate colleagues on this legislation.

By Mr. WHITEHOUSE (for himself, Mr. LEAHY, and Mr. SESSIONS):

S. 1782. A bill to provide improvements for the operations of the Federal courts, and for other purposes; to the Committee on the Judiciary.

Mr. WHITEHOUSE. Mr. President, I rise today to introduce the Federal Judiciary Administrative Improvements Act of 2009 on behalf of myself and the Chairman and Ranking Member of the Judiciary Committee, Senators LEAHY and SESSIONS. I thank them for their support. It has been a pleasure to work with them on this important bipartisan effort.

The Federal Courts decide crucial issues of criminal and civil law every day, providing justice and protecting our constitutional rights. It is our responsibility in Congress to ensure that our governing technical issues of judicial administration will help them in this effort.

The Federal Judiciary Administrative Improvements Act of 2009 takes up that responsibility by making nine technical fixes necessary for the better administration of the Federal courts. The bill will clarify the role of Senior Judges in the selection of Magistrate Judges, enable better workload distribution among the judges of the District of North Dakota, align the benefits received by territorial judges in Guam, the U.S. Virgin Islands and the Northern Mariana Islands with those of other term judges, equalize leave limits and pay scales for judicial executives with those for senior executive branch officials, protect individual privacy in connection with judges' role in the sentencing process, clarify the authority of pretrial service officers over juvenile offenders, amend requirements for the reporting of wiretap information to the Administrative Office of the Courts, and add an inflation adjustment for the case expenses that must be reviewed by the chief judge of a district court. The Administrative Office of the Courts supports each provision.

I urge my colleagues to act promptly on this bipartisan legislation. I again thank Chairman LEAHY and Ranking Member SESSIONS for their support.

Mr. LEAHY. Mr. President, today, I am pleased to join Senators WHITEHOUSE and SESSIONS to introduce the Federal Judiciary Administrative Improvements Act of 2009, a bipartisan bill that would improve the administration and efficiency of our Federal court system. This legislation would also provide the third branch of gov-

ernment with important assistance to the women and men who comprise the Federal judiciary.

I thank Senator WHITEHOUSE and Senator SESSIONS for their hard work on this critical issue. I previously introduced a court improvement bill in the 108th Congress. I hope the bill we introduce today will pass the full Senate with unanimous support, and will not be subjected to the objections of Senate Republicans as it was 5 years ago. I have also supported past legislative proposals from the Judicial Conference to improve the administration of justice in the Federal courts, including a similar measure last year, which was enacted into law.

In recent years, the job of a Federal judge has changed considerably. Today, Federal judges at both the trial and appellate level are hearing more cases with fewer available judicial resources. We have a responsibility to pass legislation that helps them keep up with changing times and circumstances. Just as it is the judiciary's duty to deliver justice in a neutral and unbiased manner, it is the duty of the legislative branch to provide the requisite tools for the women and men who honorably serve on the judiciary to ably fulfill their critical responsibilities. I believe our independent judiciary is the envy of the world, and we must take care to protect it.

The legislation we introduce today contains proposals that the Federal judiciary believes will improve its operations and allow it to continue to serve as a bulwark protecting our individual rights and liberties. It also contains additional technical and substantive proposals carried over from previous Congresses.

The Judiciary Administrative Improvements Act of 2009 would facilitate judicial operations and improve judicial resource management. The bill would clarify existing law to ensure that senior judges with a minimum workload can participate in the selection of magistrate judges. The bill would also revise the statutory description of the District of North Dakota to eliminate unnecessary references to divisions and counties, while maintaining the present requirement that North Dakota constitutes one judicial district. I believe this technical change would improve the judicial workload distribution in that district and reduce travel time for litigants.

Our legislation also contains critical provisions that would improve personnel and benefits for certain judges and their hardworking judiciary staff. The bill would authorize a cost-of-living adjustment for Federal territorial judges entitled to receive an annuity. It would also authorize territorial judges who are 65 years of age or older to collect, for the remainder of their lives, an annuity equal to the salary received when they left office. These changes would reduce existing inequities between Federal territorial judges and other term judges such as Federal

magistrate and bankruptcy judges. The bill would extend to senior executives in the Federal courts, the Federal Judicial Center, and the Sentencing Commission the same ability to carry over annual leave hours as that enjoyed by senior employees in the Executive Branch and the Administrative Office of the United States Courts, AO. It would also allow the Federal Judicial Center to provide a modest increase in pay for certain division directors.

The Judiciary Administrative Improvements Act of 2009 would also improve the administration of criminal justice. The bill would better protect confidential information about a defendant during sentencing by allowing the "statement of reasons" form that judges are required to issue upon sentencing to be filed separately with the court. This change would allow confidential information contained within the "statement of reasons" to be more easily controlled and protected. In addition, the bill would clarify the scope of authority of Federal pretrial services officers to supervise and assist juveniles awaiting delinquency disposition in Federal court. Current laws regarding the duties of pretrial service officers focus solely on adults and thus it is unclear what duties those officers have to provide services to juveniles. This bill would fill that gap and ensure that pretrial services officers are fully authorized to arrange drug treatment and other critical services for juvenile offenders. The bill would also improve the statistical reporting schedule for criminal wiretap orders. It would eliminate burdensome monthly deadlines for state and Federal judges to report their wiretap data and unrealistic interagency deadlines for reporting that data to the AO. This change will allow for more comprehensive reporting of wiretap data.

In addition, the legislation we introduce today would also conserve judicial resources over certain court requests from indigent defendants. Under current law, a certain statutory threshold exists at which the costs of hiring expert witnesses and conducting investigations for indigent defendants must be approved by the court. These thresholds do not account for inflation, however, which results in a waste of precious judicial resources. This bill would apply an inflationary index to the threshold amount to make them more cost-effective. As a result, this change will allow judges to spend more time on less of these requests each year, which would better improve the overall administration of justice.

I am glad that this important legislation has the support of the Administrative Office of the Courts, on behalf of the Judicial Conference, and Senators on both sides of the aisle. The Federal judiciary needs these improvements to increase its efficiency and administrative operations. I urge all Senators to support prompt passage of this non-controversial legislation this year.

By Mr. FRANKEN (for himself,

Mr. FEINGOLD, and Mr. BROWN):

S. 1783. A bill to amend the Agricultural Marketing Act of 1946 to provide for country of origin labeling for dairy products; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. FRANKEN. Mr. President, all across the country, family dairy farms are in dire straits. In Minnesota alone, 200 dairy farms have closed this year. There is no single cause for this crisis. Family dairy farmers are confronting an unprecedented global recession, consolidation in the market, high feed prices, and unpredictable price swings—all at the same time.

Since arriving in Washington, I have been proud to work with my dairy State colleagues in order to give our family farmers the tools they need to weather this storm. In July, Senators from the midwest, the northeast, and the southwest worked together with Secretary Vilsack to raise price supports. Just last week we provided the Department of Agriculture with another \$350 million for price supports in the annual agriculture spending bill. Unfortunately, raising price supports alone won't calm the economic storm.

Just as there is no single cause for this, there is no single solution. Our family farmers need multiple tools in their shed. Today, I am introducing a bill with Senator FEINGOLD and Senator BROWN to give our family farmers another tool.

The Dairy Country Of Origin Labeling Act, or Dairy COOL, is really pretty simple—it would extend mandatory country of origin labeling to dairy products. The current country of origin labeling law, which went into effect last year, applies to meats, produce, and nuts, but it doesn't include dairy products. Our bill would simply add dairy products—such as milk, ice cream and cheese—to the list.

Minnesota, Wisconsin, and Ohio dairy farmers, as well as family farmers across the Nation, have the right to distinguish their products from imported products. As families do their weekly grocery shopping, they should have the option of putting milk, cheese, and ice cream from our own family farms into their cart. It is more than “from farm to table”—it's really “from one family to another.”

Families are what this is about. Hardly a week goes by where you don't hear another story of contaminated food and toys coming in from foreign shores. Labeling our dairy products lets parents make smarter choices at the grocery store.

This bill isn't a silver bullet, but it does give family farms another tool that will help them weather the current storm, grow a little stronger, and keep our families a little safer.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1783

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Dairy COOL Act of 2009”.

**SEC. 2. COUNTRY OF ORIGIN LABELING FOR DAIRY PRODUCTS.**

(a) DEFINITIONS.—Section 281 of the Agricultural Marketing Act of 1946 (7 U.S.C. 1638) is amended—

(1) in paragraph (2)—

(A) in subparagraph (A)—

(i) in clause (x), by striking “and” at the end;

(ii) in clause (xi), by striking the period at the end and inserting “; and”; and

(iii) by adding at the end the following:

“(xii) dairy products.”; and

(B) in subparagraph (B), by inserting “(other than clause (xii) of that subparagraph)” after “subparagraph (A)”;

(2) by redesignating paragraphs (3) through (9) as paragraphs (4) through (10), respectively; and

(3) by inserting after paragraph (2) the following:

“(3) DAIRY PRODUCT.—The term ‘dairy product’ means—

“(A) fluid milk;

“(B) cheese, including cottage cheese and cream cheese;

“(C) yogurt;

“(D) ice cream;

“(E) butter; and

“(F) any other dairy product.”.

(b) NOTICE OF COUNTRY OF ORIGIN.—Section 282(a) of the Agricultural Marketing Act of 1946 (7 U.S.C. 1638a(a)) is amended by adding at the end the following:

“(5) DESIGNATION OF COUNTRY OF ORIGIN FOR DAIRY PRODUCTS.—

“(A) IN GENERAL.—A retailer of a covered commodity that is a dairy product shall designate the origin of the covered commodity as—

“(i) each country in which or from the 1 or more dairy ingredients or dairy components of the covered commodity were produced, originated, or sourced; and

“(ii) each country in which the covered commodity was processed.

“(B) STATE, REGION, LOCALITY OF THE UNITED STATES.—With respect to a covered commodity that is a dairy product produced exclusively in the United States, designation by a retailer of the State, region, or locality of the United States where the covered commodity was produced shall be sufficient to identify the United States as the country of origin.”.

**AUTHORITY FOR COMMITTEES TO MEET**

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. NELSON of Florida. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on October 14, 2009, at 2:30 p.m., to conduct a hearing entitled “Examining the State of the Banking Industry.”

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. NELSON of Florida. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during

the session of the Senate, on October 14, at 10 a.m. in room SD-366 of the Dirksen Senate Office Building.

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. NELSON of Florida. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate, on October 14, 2009, at 11:30 a.m. in room SD-366 of the Dirksen Senate Office Building.

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

COMMITTEE ON THE JUDICIARY

Mr. NELSON of Florida. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on October 14, 2009, at 10 a.m. in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled “Prohibiting Price Fixing and Other Anticompetitive Conduct in the Health Insurance Industry.”

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

SPECIAL COMMITTEE ON AGING AND THE SUBCOMMITTEE ON OVERSIGHT OF GOVERNMENT MANAGEMENT, THE FEDERAL WORKFORCE, AND THE DISTRICT OF COLUMBIA

Mr. NELSON of Florida. Mr. President, I ask unanimous consent that the Special Committee on Aging and the Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia be authorized to meet during the session of the Senate on October 14, 2009, from 2:30 p.m.–5 p.m. in room 342 of the Dirksen Senate Office Building.

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

**PRIVILEGES OF THE FLOOR**

Mr. HARKIN. Mr. President, I ask unanimous consent that Shauna Agan and Amber Oldham of my staff be granted floor privileges for the duration of today's session.

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

Mr. GRASSLEY. Madam President, I ask unanimous consent for Preston Rutledge, Carolyn Coda, Chantal Matin, and Stephen Theulen be granted the privileges of the floor for the duration of the 111th Congress.

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

**EXECUTIVE SESSION**

**EXECUTIVE CALENDAR**

Mr. BROWN. I ask unanimous consent that the Senate proceed to executive session to consider Calendar Nos. 472 and 473; that the nominations be confirmed en bloc, the motions to reconsider be laid on the table en bloc; that no further motions be in order; and that any statements relating to