

meet—especially when it comes to the rising costs of health care. All too often it is children who pay the price.

For almost 12 years, the Children's Health Insurance Program has provided health care for millions of children from working families that do not qualify for Medicaid but cannot afford private insurance. These are the children of working families.

Millions of Americans have found that as the cost of health insurance rises an increasing number of employers are unable or unwilling to provide health insurance to their employees and their families. Approximately 45 million Americans, including nearly nine million children, are living without health insurance, and the number of families who do not have health insurance has continued to rise.

Currently, the Children's Health Insurance Program provides coverage for 6.7 million children nationwide. This reauthorization provides health care coverage for an additional 4.1 million children who are uninsured today.

This bill is largely based on legislation that was twice vetoed by President Bush. This legislation includes several improvements to the Children's Health Insurance Program that would fund outreach and enrollment efforts, allow States to use information from food stamp programs and other initiatives for low-income families to find and enroll eligible children, and give States the option to cover pregnant women for prenatal care vital to healthy newborn children.

I also support a provision in this bill that gives States the option to cover legal immigrant children and pregnant women under Medicaid and CHIP with no waiting period. Under current law, lawfully present pregnant women and children who entered the country after August 22, 1996 are barred from Medicaid and CHIP for the first 5 years they are in the country. These restrictions have severely undermined the health status of immigrant families across the Nation.

My home State of California has a higher cost of living than most others, a lower rate of employer sponsored coverage, and a higher rate of the uninsured. In California, CHIP funds cover approximately 1.4 million children and pregnant women. Currently, there are approximately 1.2 million children in California who do not have health insurance, and about 694,000 of these children are eligible for CHIP coverage.

This legislation not only extends this essential program, but gives States like California the flexibility they need to design a program that best fits the needs of their children.

I would like to thank Senators BAUCUS and ROCKEFELLER and the other members of the Finance Committee who worked so tirelessly to keep the focus of this bill where it should be—on the children.

There is not a man or woman in this chamber who wouldn't do everything within their power to ensure the health

of their own children—we should do no less for the children of our Nation.

The PRESIDING OFFICER. The Senator from Montana.

#### MORNING BUSINESS

Mr. BAUCUS. I ask unanimous consent that the Senate proceed to a period of morning business with Senators permitted to speak for up to 10 minutes each.

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

The PRESIDING OFFICER. The Senator from West Virginia is recognized.

#### DTV DELAY ACT

Mr. ROCKEFELLER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 352 introduced earlier today.

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

The legislative clerk read as follows:

A bill (S. 352) to postpone the DTV transition date.

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

Mr. ROCKEFELLER. Mr. President, I ask unanimous consent that the bill be read three times and passed, a motion to reconsider be laid upon the table, with no intervening action or debate, and any statements related to the bill be printed in the RECORD.

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

The bill (S. 352) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 352

*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 "DTV Delay Act".

#### SEC. 2. POSTPONEMENT OF DTV TRANSITION DATE.

(a) IN GENERAL.—Section 3002(b) of the Digital Television Transition and Public Safety Act of 2005 (47 U.S.C. 309 note) is amended—

(1) by striking "February 18, 2009;" in paragraph (1) and inserting "June 13, 2009;"; and

(2) by striking "February 18, 2009." in paragraph (2) and inserting "that date".

(b) CONFORMING AMENDMENTS.—

(1) Section 3008(a)(1) of that Act (47 U.S.C. 309 note) is amended by striking "February 17, 2009." and inserting "June 12, 2009.".

(2) Section 309(j)(14)(A) of the Communications Act of 1934 (47 U.S.C. 309(j)(14)(A)) is amended by striking "February 17, 2009." and inserting "June 12, 2009.".

(3) Section 337(e)(1) of the Communications Act of 1934 (47 U.S.C. 337(e)(1)) is amended by striking "February 17, 2009." and inserting "June 12, 2009.".

(c) LICENSE TERMS.—

(1) EXTENSION.—The Federal Communications Commission shall extend the terms of the licensee for the recovered spectrum, including the license period and construction requirements associated with those licenses, for a 116-day period.

(2) DEFINITION.—In this subsection, the term "recovered spectrum" means—

(A) the recovered analog spectrum, as such term is defined in section 309(j)(15)(C)(vi) of the Communications Act of 1934; and

(B) the spectrum excluded from the definition of recovered analog spectrum by subclauses (I) and (II) of such section.

#### SEC. 3. MODIFICATION OF DIGITAL-TO-ANALOG CONVERTER BOX PROGRAM.

(a) EXTENSION OF COUPON PROGRAM.—Section 3005(c)(1)(A) of the Digital Television Transition and Public Safety Act of 2005 (47 U.S.C. 309 note) is amended by striking "March 31, 2009," and inserting "July 31, 2009".

(b) TREATMENT OF EXPIRED COUPONS.—Section 3005(c)(1) of the Digital Television Transition and Public Safety Act of 2005 (47 U.S.C. 309 note) is amended by adding at the end the following:

"(D) EXPIRED COUPONS.—The Assistant Secretary may issue to a household, upon request by the household, one replacement coupon for each coupon that was issued to such household and that expired without being redeemed."

(c) CONFORMING AMENDMENT.—Section 3005(c)(1)(A) of the Digital Television Transition and Public Safety Act of 2005 (47 U.S.C. 309 note) is amended by striking "receives," via the United States Postal Service," and inserting "redeems".

(d) CONDITION OF MODIFICATIONS.—The amendments made by this section shall not take effect until the enactment of additional budget authority after the date of enactment of this Act to carry out the analog-to-digital converter box program under section 3005 of the Digital Television Transition and Public Safety Act of 2005.

#### SEC. 4. IMPLEMENTATION.

(a) PERMISSIVE EARLY TERMINATION UNDER EXISTING REQUIREMENTS.—Nothing in this Act is intended to prevent a licensee of a television broadcast station from terminating the broadcasting of such station's analog television signal (and continuing to broadcast exclusively in the digital television service) prior to the date established by law under section 3002(b) of the Digital Television Transition and Public Safety Act of 2005 for termination of all licenses for full-power television stations in the analog television service (as amended by section 2 of this Act) so long as such prior termination is conducted in accordance with the Federal Communications Commission's requirements in effect on the date of enactment of this Act, including the flexible procedures established in the Matter of Third Periodic Review of the Commission's Rules and Policies Affecting the Conversion to Digital Television (FCC 07-228, MB Docket No. 07-91, released December 31, 2007).

(b) PUBLIC SAFETY RADIO SERVICES.—Nothing in this Act, or the amendments made by this Act, shall prevent a public safety service licensee from commencing operations consistent with the terms of its license on spectrum recovered as a result of the voluntary cessation of broadcasting in the analog or digital television service pursuant to subsection (a). Any such public safety use shall be subject to the relevant Federal Communications Commission rules and regulations in effect on the date of enactment of this Act, including section 90.545 of the Commission's rules (47 C.F.R. § 90.545).

(c) EXPEDITED RULEMAKING.—Notwithstanding any other provision of law, the Federal Communications Commission and the National Telecommunications and Information Administration shall, not later than 30 days after the date of enactment of this Act, each adopt or revise its rules, regulations, or orders or take such other actions as may be necessary or appropriate to implement the provisions, and carry out the purposes, of this Act and the amendments made by this Act.

**SEC. 5. EXTENSION OF COMMISSION AUCTION AUTHORITY.**

Section 309(j)(11) of the Communications Act of 1934 (47 U.S.C. 309(j)(11)) is amended by striking ‘‘2011.’’ and inserting ‘‘2012.’’

The PRESIDING OFFICER. The Senator from Texas is recognized.

Mrs. HUTCHISON. Mr. President, Senator ROCKEFELLER and I, as the chairman and the ranking member of the Commerce Committee, have worked on a bill that will delay for 3 months, basically until June 12, this transition. It is voluntary. That was very important. Because many broadcast companies have made the investment for digital transmission, and they will be able to go to that digital transmission. It also allows people, even if they have coupons that are expired, to reapply and get coupons.

But I do wish to serve notice that I will not support another delay in implementation. By now people have had the notice, and we have done everything to help mitigate the cost of this transition. I talked to Senator ROCKEFELLER about that, and I think we are in agreement that now is the time for people to get their coupons and get their boxes because June 12 this transition will be made.

The PRESIDING OFFICER. The Senator from West Virginia is recognized.

Mr. ROCKEFELLER. Mr. President, I wish to not only recognize what the Senator from Texas has indicated, but also I wish to say that these last couple days, weeks—whatever it is—have been a study in bipartisan cooperation. We have been up, we have been down. It wasn’t going to work, it could work, it might work. What we have concentrated on is going to the people who have concerns and answering every single question they might have. In a deliberative body such as the Senate, where we actually do that and people actually know we are trying to answer all their questions, and are answering all their questions, and when you have a chairman and a ranking member who are in tandem, working together on a very important matter, it counts.

I yield the floor.

**KENTUCKY ICE STORM**

Mr. McCONNELL. Mr. President, this week people all across Kentucky are dealing with the effects of a massive snow and ice storm that ravaged the entire Commonwealth on Tuesday. This storm has caused the worst power outage in Kentucky history—more than 600,000 are without power.

This number is all the more devastating given that the previous record had been set only 4 months ago when the remnants of Hurricane Ike battered Kentucky last fall.

The power outages cover the entire Bluegrass State and have caused enormous problems, as you can imagine. Many schools and businesses are closed. Many roads are blocked from downed trees or power lines. Most dangerous of all, some people are unable to

heat their homes in this time of freezing temperatures.

Given the severity of the storm, the Governor of Kentucky, Steve Beshear, rightly reached out to President Obama to request a Federal declaration that a major emergency exists. I also contacted the President to ask that he respond quickly to the Governor’s request.

I am pleased to say that the President did respond quickly and declared a Federal emergency in most of Kentucky. Doing that has triggered the release of urgently needed Federal authority and funds that will give the people of my State the help they desperately need.

I want to thank the Governor for his quick and decisive action, as well as President Obama for his speedy response. It is making a real difference in the lives of Kentuckians as we speak.

Governor Beshear and his team have been working day and night to ensure all parts of the State are getting the relief they need. Our offices have been in close contact since the storm, and I am proud of the leadership he is demonstrating.

Most of all, I want to thank the many men and women across Kentucky who are working to aid their communities during this disaster.

From the police and firefighters, to the first responders, the power company employees, the shelters taking in those without power, and the people knocking on doors to check on their neighbors, everyone is pitching in to make sure Kentucky makes it through this storm.

And I am sure that we will. Mr. President, I ask my colleagues to keep the citizens of Kentucky in their prayers during this difficult time.

**COMMITTEE ON APPROPRIATIONS, RULES OF PROCEDURE**

Mr. INOUE. Mr. President, pursuant to paragraph 2 of rule XXV of the Standing Rules of the Senate, I ask that the rules of the Appropriations Committee for the 111th Congress be printed in the CONGRESSIONAL RECORD. These rules were adopted by the full committee membership on January 27, 2009.

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

**SENATE APPROPRIATIONS COMMITTEE RULES—111TH CONGRESS****I. MEETINGS**

The Committee will meet at the call of the Chairman.

**II. QUORUMS**

1. Reporting a bill. A majority of the members must be present for the reporting of a bill.

2. Other business. For the purpose of transacting business other than reporting a bill or taking testimony, one-third of the members of the Committee shall constitute a quorum.

3. Taking testimony. For the purpose of taking testimony, other than sworn testi-

mony, by the Committee or any subcommittee, one member of the Committee or subcommittee shall constitute a quorum. For the purpose of taking sworn testimony by the Committee, three members shall constitute a quorum, and for the taking of sworn testimony by any subcommittee, one member shall constitute a quorum.

**III. PROXIES**

Except for the reporting of a bill, votes may be cast by proxy when any member so requests.

**IV. ATTENDANCE OF STAFF MEMBERS AT CLOSED SESSIONS**

Attendance of staff members at closed sessions of the Committee shall be limited to those members of the Committee staff who have a responsibility associated with the matter being considered at such meeting. This rule may be waived by unanimous consent.

**V. BROADCASTING AND PHOTOGRAPHING OF COMMITTEE HEARINGS**

The Committee or any of its subcommittees may permit the photographing and broadcast of open hearings by television and/or radio. However, if any member of a subcommittee objects to the photographing or broadcasting of an open hearing, the question shall be referred to the full Committee for its decision.

**VI. AVAILABILITY OF SUBCOMMITTEE REPORTS**

To the extent possible, when the bill and report of any subcommittee are available, they shall be furnished to each member of the Committee thirty-six hours prior to the Committee’s consideration of said bill and report.

**VII. AMENDMENTS AND REPORT LANGUAGE**

To the extent possible, amendments and report language intended to be proposed by Senators at full Committee markups shall be provided in writing to the Chairman and Ranking Minority Member and the appropriate Subcommittee Chairman and Ranking Minority Member twenty-four hours prior to such markups.

**VIII. POINTS OF ORDER**

Any member of the Committee who is floor manager of an appropriations bill, is hereby authorized to make points of order against any amendment offered in violation of the Senate Rules on the floor of the Senate to such appropriations bill.

**IX. EX OFFICIO MEMBERSHIP**

The Chairman and Ranking Minority Member of the full Committee are ex officio members of all subcommittees of which they are not regular members but shall have no vote in the subcommittee and shall not be counted for purposes of determining a quorum.

(At the request of Mr. REID, the following statement was ordered to be printed in the RECORD.)

**WHITE HOUSE OFFICE OF CONSUMER AFFAIRS**

• Mr. KENNEDY. Mr. President, I welcome this opportunity to support consumer advocates across the country in encouraging the new administration to restore the White House Office of Consumer Affairs. For the past 8 years, the safety and rights of consumers have taken a back seat to special interests. We are all aware of troubling reports about unsafe toys for our children, unsafe household products for our families, and even unsafe food.